

Notice of Meeting

Southern Area **Planning Committee**

Date: Tuesday 15 September 2020

Time: 5.30 pm

Venue: Being held virtually by Microsoft Teams. The public can listen to a

live stream here:

http://www.audiominutes.com/p/player/player.html?userid=tvbc

For further information or enquiries please contact:

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

Legal and Democratic Service

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

www.testvalley.gov.uk

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 Southern Area Planning Committee

MEMBER WARD

Councillor M Cooper (Chairman) Romsey Tadburn

Councillor A Finlay (Vice-Chairman) Chilworth, Nursling & Rownhams

Councillor G Bailey Blackwater

Councillor P Bundy Chilworth, Nursling & Rownhams

Councillor J Burnage Romsey Cupernham

Councillor A Dowden Valley Park

Councillor C Dowden North Baddesley

Councillor N Gwynne Romsey Cupernham

Councillor M Hatley Ampfield & Braishfield

Councillor J Parker Romsey Tadburn

Councillor C Thom Valley Park

Councillor A Ward Mid Test

Councillor A Warnes North Baddesley

Southern Area Planning Committee

Tuesday 15 September 2020

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 25 August 2020	
6	Information Notes	4 - 9
7	20/01350/FULLS - 24.06.2020	10 - 22
	(OFFICER RECOMMENDATION: PERMISSION) SITE: 1 Warwick Close, Chandlers Ford, Eastleigh, SO53 4PH, VALLEY PARK CASE OFFICER: Ms Katie Andrew	
8	19/01821/FULLS - 31.07.2019	23 - 38
	(OFFICER RECOMMENDATION: PERMISSION)	

SITE: Redburn Farm, Green Pond Lane, Ampfield, SO51

9BR, **AMPFIELD**

CASE OFFICER: Mr Nathan Glasgow

ITEM 6 TEST VALLEY BOROUGH COUNCIL

SOUTHERN AREA PLANNING COMMITTEE

INFORMATION NOTES

Availability of Background Papers

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

Reasons for Committee Consideration

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

- (a) Applications which are contrary to the provisions of an approved or draft development plan or other statement of approved planning policy where adverse representations have been received and which is recommended for approval.
- (b) Applications (excluding notifications) where a Member requests in writing, with reasons and within the Application Publicity Expiry Date, that they be submitted to Committee. A Member can withdraw this request at any time prior to the determination of the application to enable its determination under delegated powers.
- (c) Applications submitted by or on behalf of the Council, or any company in which the Council holds an interest, for its own developments except for the approval of minor developments.
- (d) Applications where the Head of Planning and Building Services recommends refusal of an application solely on the basis of failure to achieve nutrient neutrality where a Ward Member requests in writing, with reasons, within 72 hours of notification of the recommendation for refusal that they be submitted to Committee for determination. A Member can withdraw this request at any time prior to the determination of the application to enable its determination under delegated powers.
- (e) To determine applications (excluding applications for advertisement consent, certificates of lawfulness, listed building consent, and applications resulting from the withdrawal by condition of domestic permitted development rights;

Schedule 2, Part 1, Classes B, C, D, E, F, G, and H of the Town and Country Planning (General Permitted Development) (England) Order 2015 or as amended) on which a material planning objection(s) has been received within the Application Publicity Expiry Date and which cannot be resolved by negotiation or through the imposition of conditions and where the officer's recommendation is for approval, following consultation with the Ward Members, the latter having the right to request that the application be reported to Committee for decision.

Public Speaking at the Meeting

The Council has a public participation scheme, which invites members of the public, Parish Council representatives and applicants to address the Committee on applications. Full details of the scheme are available from Planning and Building Services or from Democratic Services 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 Democratic Services 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 on the Area Committee who have personal interests or where a Member has pre-determined his/her position on the relevant application, three minutes for the Parish Council, three minutes for all objectors, three minutes for all supporters and three minutes for the applicant/agent and relevant Ward Members who are not Committee Members will have a maximum of five minutes. Where there are multiple supporters or multiple objectors wishing to speak the Chairman may limit individual speakers to less than three minutes with a view to accommodating multiple speakers within the three minute time limit. Speakers may be asked questions by the Members of the Committee, but are not permitted to ask questions of others or to join in the debate. Speakers are not permitted to circulate or display plans, photographs, illustrations or textual material during the Committee meeting as any such material should be sent to the Members and officers in advance of the meeting to allow them time to consider the content.

Content of Officer's Report

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

Status of Officer's Recommendations and Committee's Decisions

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

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

Conditions and Reasons for Refusal

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

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

Decisions subject to Completion of a Planning Obligation

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

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

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

Deferred Applications

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

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

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 on the Council's website. Plans displayed at the meeting to assist the Members may include material additional to the written reports.

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

Human Rights

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

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

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

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

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

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

Natural Environment and Rural Communities Act 2006 (NERC)

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

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

Other Legislation

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

On the 19th February 2019 the Government published a revised National Planning Policy Framework (NPPF). The revised NPPF replaced and superseded the previous NPPF published in 2018. The revised NPPF is a material consideration in planning decisions.

So that sustainable development is pursued in a positive way, at the heart of the revised NPPF is a presumption in favour of sustainable development. Decisions should apply a presumption in favour of sustainable development. This 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. Where a planning application conflicts with an up to date development plan, permission should not usually be granted. Local planning authorities may take decisions which depart from an up to date development plan,

but only if material considerations in a particular case indicate that the plan should not be followed.

For decision-taking, applying the presumption in favour of sustainable development means:

- Approving development proposals that accord with an up to date development plan without delay; or
- Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:
 - The application of policies in the revised NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - Any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the revised NPPF when taken as a whole.

Existing Local Plan policies should not be considered out of date because they were adopted prior to the publication of the revised NPPF. Due weight should be given to them, according to their degree of consistency with the revised NPPF (the closer the policies in the Local Plan to the policies in the revised NPPF, the greater the weight that may be given).

ITEM 7

APPLICATION NO. 20/01350/FULLS

APPLICATION TYPE FULL APPLICATION - SOUTH

REGISTERED 24.06.2020

APPLICANT Mr Jamie Buttigieg

SITE 1 Warwick Close, Chandlers Ford, Eastleigh, SO53

4PH, VALLEY PARK

PROPOSAL Two storey side extension and single storey rear

extension to provide kitchen/diner and annexe with

bedroom and en-suite

AMENDMENTS 29 July 2020 – phase 1 bat survey received (Arbtech,

July 2020)

10 August 2020 – revised proposed elevations

received, plan reference 08A

CASE OFFICER Ms Katie Andrew

Background paper (Local Government Act 1972 Section 100D)

1.0 **INTRODUCTION**

1.1 The application is presented to Southern Area Planning Committee at the request of a member.

2.0 SITE LOCATION AND DESCRIPTION

2.1 1 Warwick Close is a semi-detached, two storey dwelling located to the north of School Lane within Valley Park Parish. The property features red brick, concrete roof tiles and upvc fenestration. The property has a good sized rear garden and an area of parking is sited to the front of the house. The rear garden is bounded on three sides by a timber fence of approximately 1.8 metres high and an outbuilding is sited at the back of the rear garden. Several mature trees align School Road highway adjacent to the south east boundary of the site.

3.0 **PROPOSAL**

- 3.1 Two storey side extension and single storey rear extension to provide kitchen/diner and annexe with bedroom and en-suite.
- 3.2 The dimensions of the two storey extension are:

Height to ridge: 6.7 metres Height to eaves: 5.2 metres

Width: 3.3 metres Depth: 6.1 metres

3.3 The dimensions of the single storey extension are:

Height to flat roof: 3.2 metres

Width: 9 metres
Depth: 5 metres

- 4.0 **HISTORY**
- 4.1 **19/01803/FULLS** Two storey side extension, and single storey rear extension, to provide additional living space. **Withdrawn 12.08.2019.**
- 4.2 **19/01297/FULLS** Two storey side extension and single storey rear extension to provide kitchen/diner, lounge, annexe comprising kitchen, lounge, bedroom and bathroom, and 2 additional bedrooms and en-suite bathroom. **Withdrawn 11.06.2019.**
- 4.3 **TVS.05648** Construction of garage. **Permission subject to conditions 09.01.1989.**
- 4.4 **TVS.05648/2** Conservatory. **Permission subject to conditions and notes** 16.11.1989.
- 5.0 **CONSULTATIONS**
- 5.1 **Trees** no objection subject to conditions.
- 5.2 **Ecology** objection (summarised):
 - There are is a broadleaf woodland immediately adjacent to the west site boundary of the property. A designated Site of Importance to Nature Conservation (SINC) is also within 15m of this same boundary. A water course also appears to be 75m of the site.
 - These habitats are known to be utilised for roosting, foraging and commuting bats.
 - Concern is the lack of information on the current condition of the building, in terms of its suitability for roosting bats.
 - Given its proximity to suitable habitats and previous records of protected species, further information is requested on the condition of the property and its suitability to roosting bats. Currently there is not sufficient information in this regard to ascertain whether the proposed development will have an effect on this protected species.
 - Therefore request that a suitably qualified ecologist is employed to conduct a preliminary ecological assessment to assess the roof for bat roost potential.
- 6.0 **REPRESENTATIONS** Expired 25.07.2020
- 6.1 Valley Park Parish Council objection.
 - Concern that the proposed development would dominate the original building in scale.
 - The proposal would be contrary to Policy E1 of the Local Plan.
- 7.0 **POLICY**
- 7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

7.2 <u>Test Valley Borough Revised Local Plan (2016)(TVBRLP)</u>

SD1: Presumption in Favour of Sustainable Development

COM2: Settlement hierarchy

E1: High quality development in the Borough

E5: Biodiversity LHW4: Amenity

T1: Managing movement T2: Parking provision

8.0 PLANNING CONSIDERATIONS

- 8.1 The main planning considerations are:
 - Principle of development
 - Character and appearance of the area
 - Biodiversity
 - Neighbouring amenity
 - Highways
 - Parking provision

8.2 Principle of development

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

8.3 Character and appearance of the area

The properties within Warwick Close are predominantly two storey semidetached dwellings. The houses have similar design characteristics in that they all red brick and have open gable ends. It is noted that other two storey extensions have been built in Warwick Close, including:-

- No 12 granted planning permission on 08.06.1993 under TVS.07080
- No 15 granted planning permission on 15.08.2000 under TVS.08998
- No 7 granted planning permission on 05.04.2004 under TVS.09102/1
- 8.4 The application site is situated close to the entrance to Warwick Close cul de sac, which abuts the application site to the east. Immediately the south of the application site is School Lane highway. The boundary treatment along the southern boundary of the application site is a 1.8 metre high timber fence. Mature trees are present adjacent to the south boundary of the application site aligning School Lane. These trees are important landscaping features because they provide relief from built form and soften views of the properties within Warwick Close.
- 8.5 Comments received from Valley Park Parish Council expressing concern that the proposed development would dominate the original building in scale are noted, and this matter is discussed below.

8.6 Two storey side extension

The proposed two storey side extension would project out 3.3 metres on the side (south east) elevation. The extension would be seen in context with the application site and other existing residential development in Warwick Close. The ridge height of the proposed two storey extension is stepped down 0.4 metres lower than the height of the ridge on the existing house. In addition, the proposed extension is set back from the front elevation and the open gable end would be retained. These design features indicate that the extension is subordinate to the existing dwelling. The extension is to be constructed with materials which match the existing which will ensure that the proposal would integrate with the existing. Whilst the development will be visible from School Lane, it is set back from the side (south east) boundary which leaves some separation distance between built form and the highway. In addition, the development will be softened by the existing trees which align the highway.

8.7 As set out within paragraph 8.3 above, other similar two storey side extensions exist in Warwick Close. Notwithstanding what has been previously built at in this development area, each application is considered on its own merits. However, the fact that these three other properties have two storey side extensions built demonstrates that the development is not harmful to the character and appearance of the area. It would be unreasonable to refuse an extension of similar design and position at the application site.

8.8 Single storey rear extension

The single storey rear extension is proposed to provide annex accommodation. The property benefits from a large rear garden that is bigger in size than most of the other properties in the vanity. Sufficient private amenity space would remain at the site once the extension is built and therefore the proposal is not considered to constitute overdevelopment of the site. The proposed extension is single storey and will have a flat roof. The very top section of the flat roof will be visible from School Lane however the existing boundary treatment will mostly screen views of it from the road. Only the top 1.4 metres of the flat roof extension will be visible above the existing fence line. The proposed rear extension will be set back within the plot and there would be some separation distance between the extension and School Lane. The mature trees aligning School Lane will soften any glimpsed views of the extension.

8.9 For the reasons discussed above, it is not considered that the development would give rise to any detrimental impact to the character and appearance of the area. The proposal is accordance with Policy E1.

8.10 **Trees**

The application is supported by arboricultural information CBA Arboricultural Development Statement, reference CBA11368 v1 dated June 2020 and the tree protection plan (CBA11368.02 TPP). One Leyland cypress tree (T1) within the rear garden is proposed to be removed to facilitate the development but the Tree Officer consulted has raised no objection to this as it is a C category tree with low visual amenity value. The remaining trees (T2-T8) are a mix of category B and C quality ash and field maple that provide amenity to the locality. In this respect, the tree information provided has taken account of the

impact from construction works and a methodology for protecting the trees has been provided. The Tree Officer consulted has raised no objection subject to condition that the arboricultural method statement is adhered to and these protective measures are secured by condition. Subject to this condition, the proposal is in accordance with Policy E2.

8.11 **Biodiversity**

Bats receive protection under UK law via the Wildlife and Countryside Act 1981 (as amended) and under EU law by the Habitats Directive, which is transposed into UK law by the Conservation of Habitats and Species Regulations 2010 (commonly referred to as the Habitats Regulations). Developments that affect bats will need a European Protected Species (EPS) licence from Natural England before any work that affects bats could commence.

8.12 In light of the Ecologist's comments, the applicant has submitted a phase 1 bat survey report (Arbtech, July 2020). The report concludes the professional bat survey work that has been carried out at this site, to the appropriate methodologies and standards. This report concludes that due to the good condition of the building, no potential access points were located within the loft space and no evidence of bat presence was found. No suitable roosting features were located internally or externally on the property. Whilst there is good habitat in the vicinity of the site, no roosting features are present on the building and therefore the risk of harm or disturbance to bats is found to be highly unlikely. The submitted report recommends that no further survey work is required. Therefore, the proposal does not give rise to conflict with Policy E5.

8.13 **Neighbouring amenity**

The two storey side extension is located on the side (south east) elevation and projects out away from 2 Warwick Close. Properties on the other side of the cul-de-sac (20 and 21 Warwick Close) are located some 30 metres away. Therefore this extension would not give rise to any adverse impacts in terms of neighbouring amenity. The impact of the single storey flat roof extension is limited to the occupiers of 2 Warwick Close. The boundary treatment along the shared boundary between 1 and 2 Warwick Close is a timber fence of approximately 1.8 metres in height. As the single storey extension is 3.2 metres in height, the top section of 1.4 metres would be visible over the fence line however the majority of the proposed structure would be screened. The existing fence along this boundary would create some shadow and only the top section of the flat roof extension above the fence would create additional shadow. It is not considered that the building would create any more impact in terms of overshadowing. There are no windows proposed on the north elevation and so there is no concern with regards to any undue overlooking into 2 Warwick Close. For these reasons, the impact on immediate neighbours is not considered to be significant and the proposal is in accordance with Policy LHW4.

8.14 Highways

The property is served by an unclassified road (serving the other properties within Warwick Close) and the property sits immediately to the north west of the junction with School Lane. 1 Warwick Close and School Lane are both unclassified roads and parking is unrestricted on Warwick Close. The existing access point onto Warwick Close will be retained and no vehicular access gates are proposed. While the proposal is likely to result in a modest increase in traffic to and from the site and parking within it, the application is considered to have no significant adverse impact on the safety of vehicles or pedestrians in accordance with Policy T1.

8.15 **Parking provision**

The number of bedrooms at the dwelling would increase to four as a result of the development and as such there would be an increased demand for parking at the site. In accordance with the Council's parking standards, the property would require three off street parking spaces. The submitted site plan (drawing reference 02) shows that four parking spaces can be provided on the existing driveway which is an over-provision compared to the parking standards. Sufficient off road parking can be facilitated on the existing driveway and the proposal is in compliance with the parking standards set out within Policy T2 and annex G.

9.0 **CONCLUSION**

9.1 The proposal is in accordance with the relevant policies of the TVBRLP (2016) and is therefore acceptable.

10.0 RECOMMENDATION

PERMISSION subject to:

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers

Site location plan 01

Block plan 02

Existing floor plans 03

Existing elevations 04 A

Sections 05

Proposed floor plans 06

Sections 07

Proposed elevations 08A

Details 09

Details 10

Details 11

Details 12

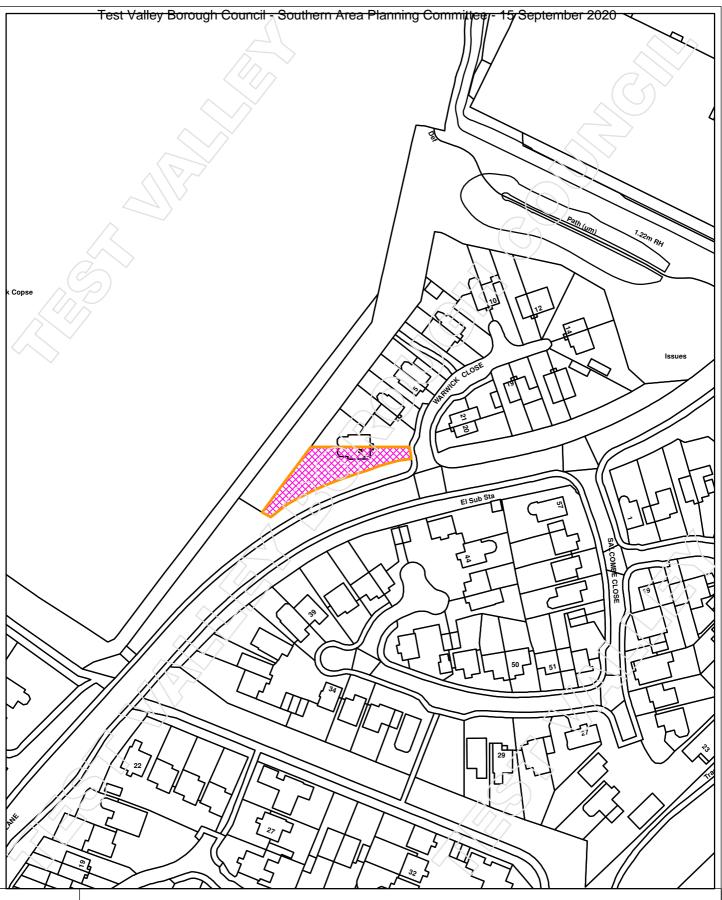
Reason: For the avoidance of doubt and in the interests of proper planning.

3. The external materials to be used in the construction of external surfaces of the development hereby permitted shall be in complete accordance with the details specified on the submitted application form.

Reason: To ensure a satisfactory visual relationship of the new development with the existing in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.

Notes to applicant:

- 1. In reaching this decision Test Valley Borough Council (TVBC) has had regard to the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.
- 2. Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017. All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.





Siteplan

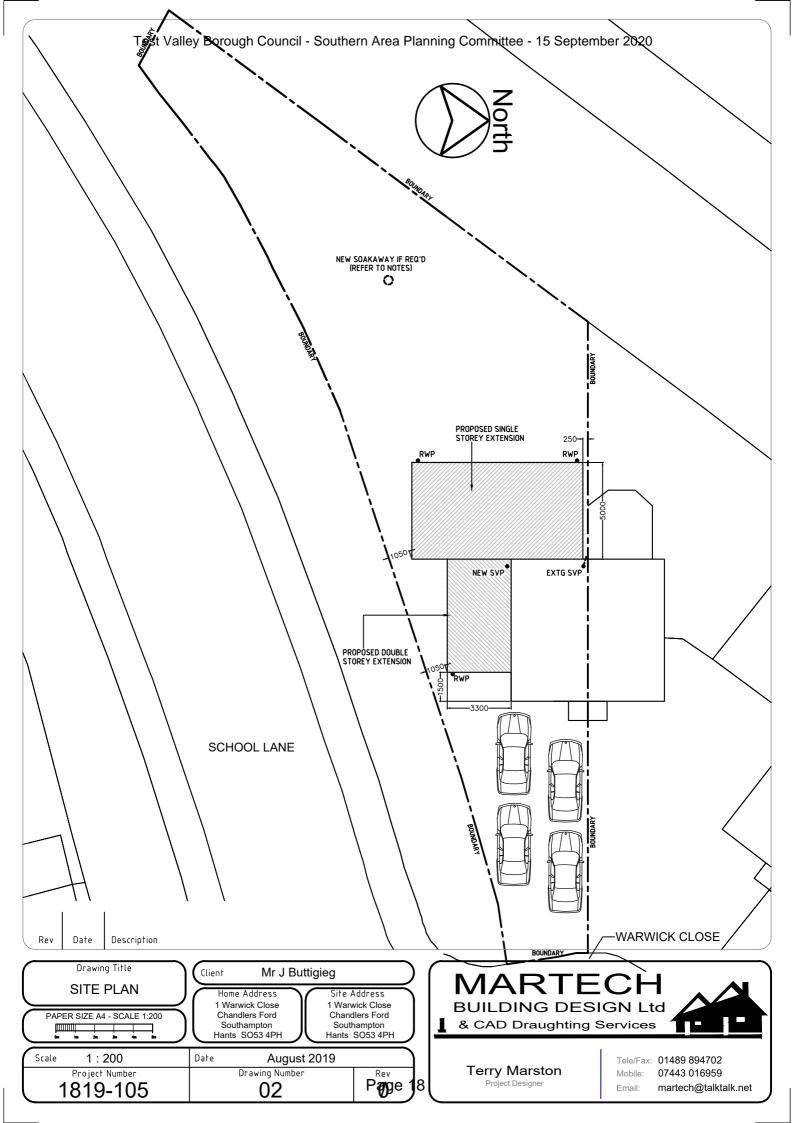


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20/01350/FULLS

TEST VALLEY BOROUGH COUNCIL LICENCE No. 100024295 2013

ر Page 1





Terry Marston Project Designer

martech@talktalk.net

> &

August 2019 Drawing Number 04Date

Mr J Buttigieg

Client

Drawing Title

Project Number EXISTING ELEVATIONS As Shown

Scale $\underset{\text{SHEET}}{\text{A33}}$

5.00 m 4.00 m

Measurements shown are in millimeters 3.00 m 2.00 m

0.00 m 1.00 m
PAPER SIZE A3 - SCALE 1:50

 $\underset{\text{SHEET}}{\text{A33}}$

All new works to be carried out in accordance with Building Regs 2010 and all current codes of practice (Drawings subject to revision until fully approved by building control)

This drawing is intended for Planning & Building Regulation applications only & is not a detailed working drawing.

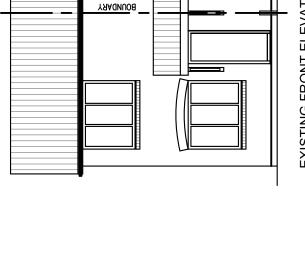
& is not a detailed working drawing.

Building works not to commence until the necessary Planning & Building control approvals have been granted.

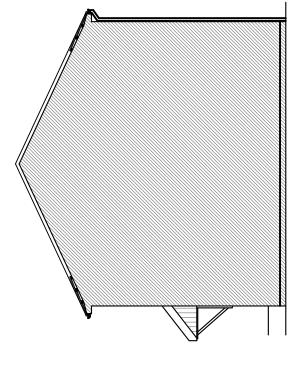
Contractors, subcontractors & suppliers are to check all relevant dimensions, site & building levels before commencing any shop drawings, fabrications, or building works.

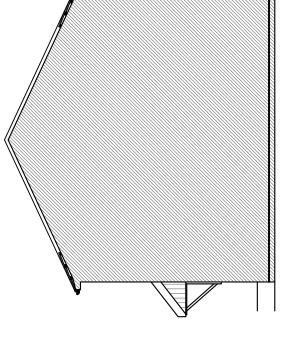
Any discrepancies found in dimensions or levels to be reported to MARTECH Ltd thus enabling further checks to be carried out.

Methods of construction & materials used are the responsibility of the building contractor assigned to the project.

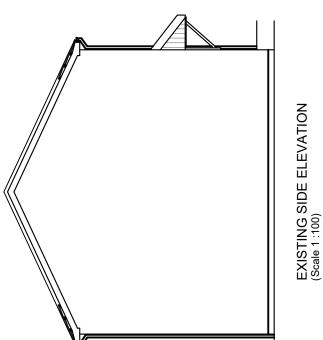


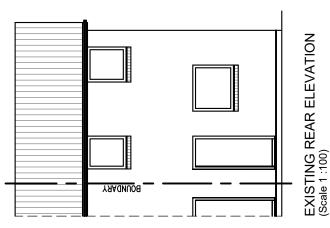
EXISTING FRONT ELEVATION (Scale 1:100)



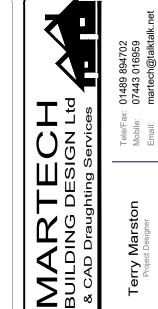


EXISTING SIDE ELEVATION (Scale 1:100)





Amendments as required by local authority (Planning Dept.) Description June'20 Date Re A



Terry Marston Project Designer

6 & August 2019

Date EXISTING FLOOR PLANS Project Number 1819-105 As Shown

Mr J Buttigieg

All new works to be carried out in accordance with Building Regs 2010 and all current codes of practice (Drawings subject to revision until fully approved by building control)

Scale

2.00 m

 $\underset{\text{SHEET}}{\text{A33}}$

This drawing is intended for Planning & Building Regulation applications only & is not a detailed working drawing.

Building works not to commence until the necessary Planning & Building control approvals have been granted.

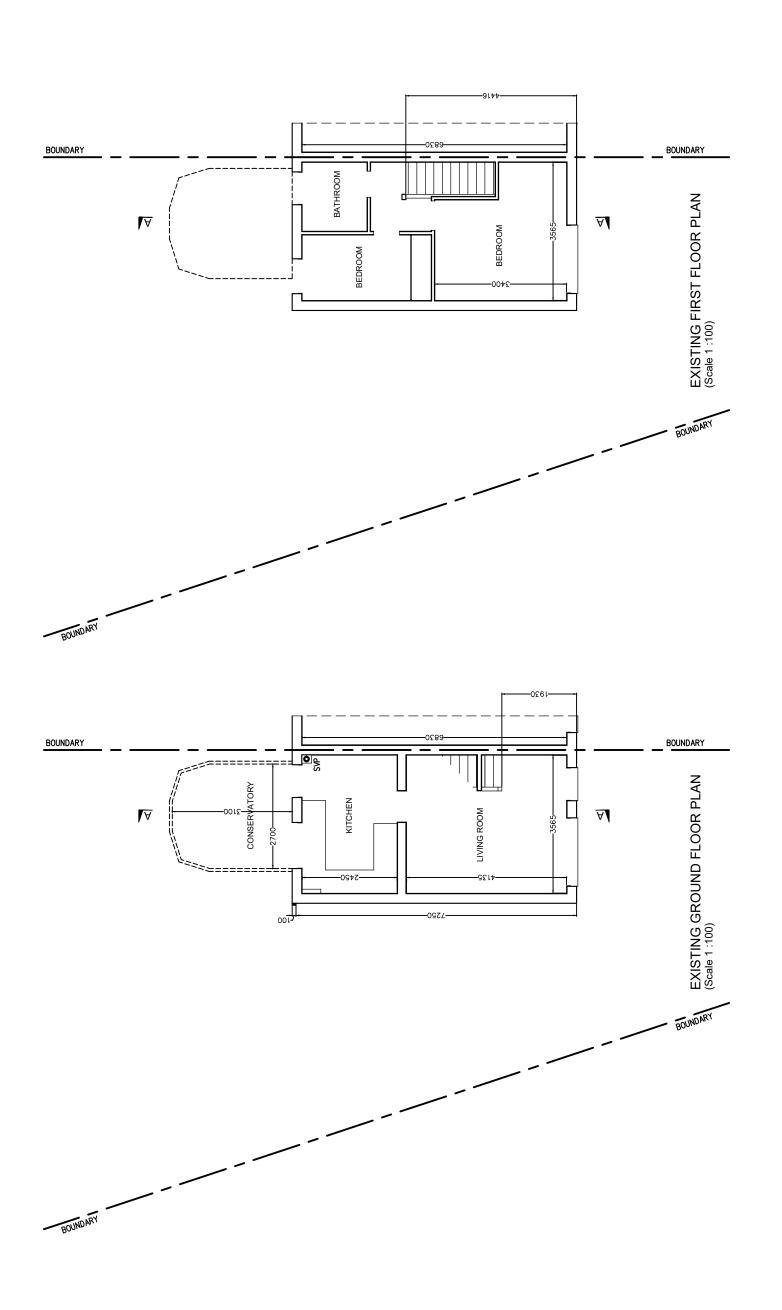
Contractors, subcontractors & suppliers are to check all relevant dimensions, site & building levels before commencing any shop drawings, fabrications, or building works.

Any discrepancies found in dimensions or levels to be reported to MARTECH Ltd thus enabling further checks to be carried out.

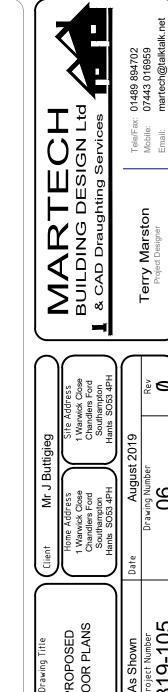
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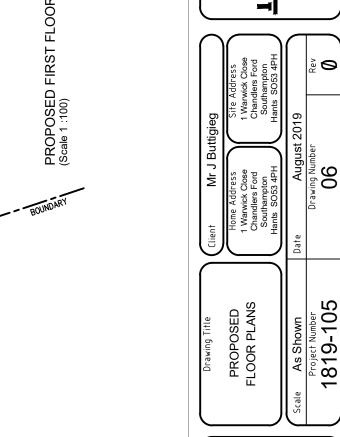
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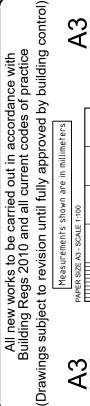


BOUNDARY





BOUNDARY



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3.00 m

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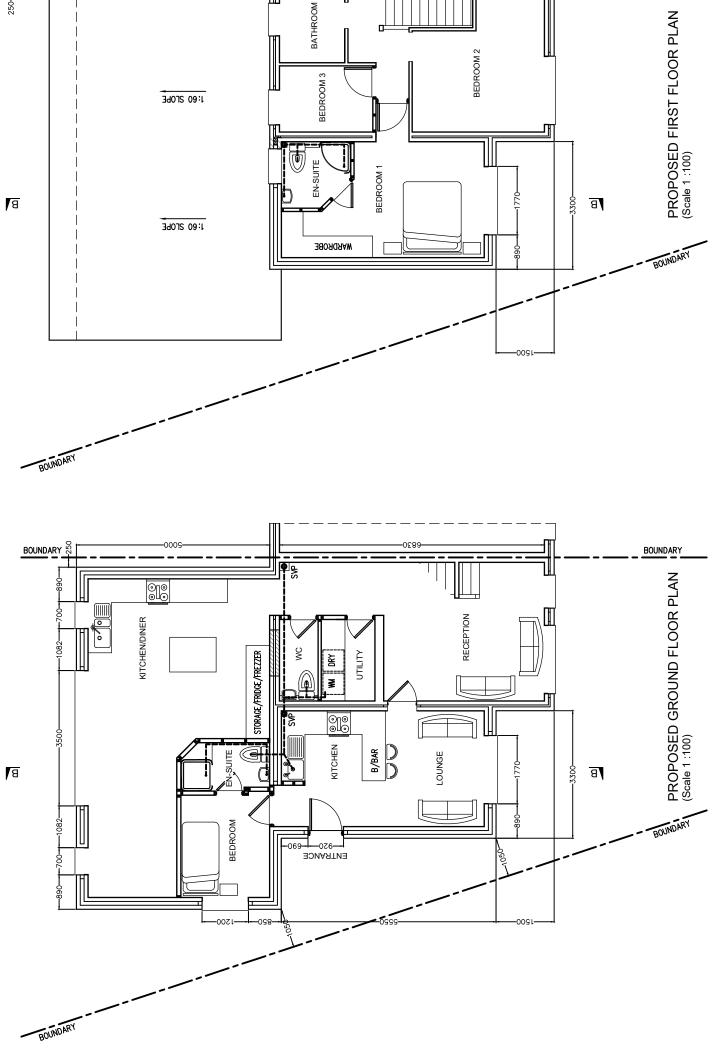
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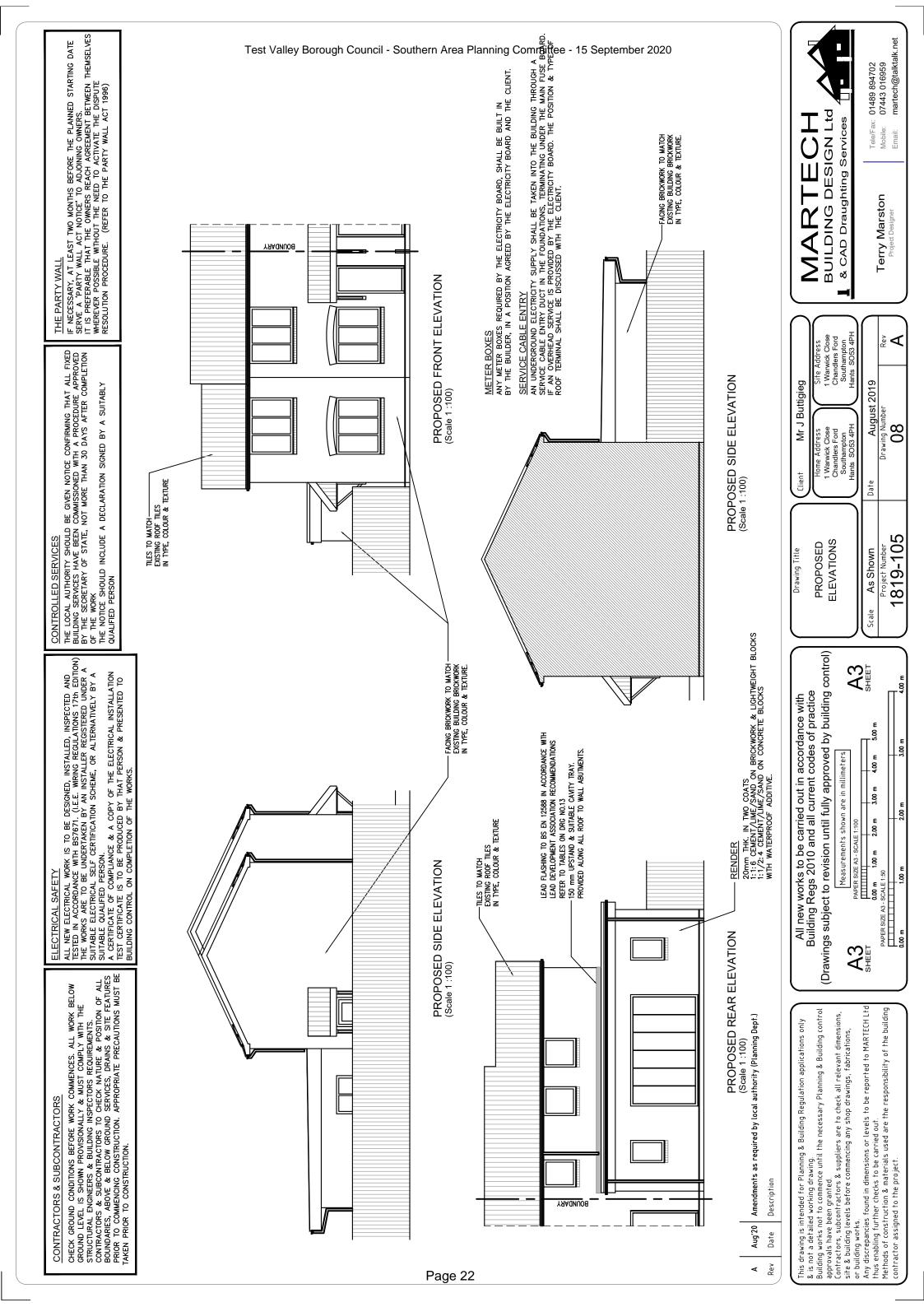
Methods of construction & materials used are the responsibility of the building contractor assigned to the project.

Description

Date

Rev





ITEM 8

APPLICATION NO. 19/01821/FULLS

APPLICATION TYPE FULL APPLICATION - SOUTH

REGISTERED 31.07.2019

APPLICANT Mr and Mrs Ardani

SITE Redburn Farm, Green Pond Lane, Ampfield, SO51

9BR, **AMPFIELD**

PROPOSAL Retrospective application for the demolition of the

timber and brick barn and the erection of a new

dwelling

AMENDMENTS Amended barn plans/elevations – 24.10.2019

Amended Site Plan – 05.11.2019 Tracking Site Plan – 28.02.2020 Section Thru Barn – 05.08.2020

CASE OFFICER Mr Nathan Glasgow

Background paper (Local Government Act 1972 Section 100D)

1.0 **INTRODUCTION**

1.1 The application is presented to the Southern Area Planning Committee at the request of a Member for the reason of local public interest.

2.0 SITE LOCATION AND DESCRIPTION

2.1 The application site is located within the village of Ampfield, with its own access directly south from the A3090. Directly to the east is Green Pond Lane, and directly north across the A3090 is Morleys Green.

3.0 PROPOSAL

- 3.1 Retrospective application for the demolition of the timber and brick barn and the erection of a new dwelling. The new dwelling shows four bedrooms but this could be interpreted also as a five bed dwelling; the ground floor contains a kitchen and living room, with three bedrooms. A mezzanine to the northern section of the building provides a further bedroom and study.
- 3.2 The application is made following the granting of planning permission (18/01977/FULLS) to convert the existing barn to a dwelling; however this barn was demolished prior to conversion works taking place and as such, planning permission is now sought for the new dwelling. The dwelling would be of similar scale and design to the previously demolished barn that was set for conversion.
- 3.3 The proposed dwelling would be of the exact dimensions as the previous barn; both the barn and the dwelling measure at 8.7m wide x 26.3m deep with a ridge height of 5.9m. Eaves height is at 3m while the lower sill of the roof lights measure at 3.60m.

- 4.0 **HISTORY**
- 4.1 **19/01992/FULLS** Erection of garage and workshop building *Permission* 28.10.2019.
- 4.2 **19/01112/FULLS** Erection of garage and workshop building *Refused (lack of ecological information) 06.08.2019.*
- 4.3 **18/01977/FULLS** Erection of single dwelling and conversion of barn to single dwelling *Permission 02.10.2018*.
- 4.4 **16/01046/FULLS** Conversion of barn into 2 bedroom dwelling and erection of two 5 bedroom houses *Permission 21.07.2016.*
- 5.0 **CONSULTATIONS**
- 5.1 **Conservation** No objection subject to conditions.
- 5.2 **Environmental Protection** No objection subject to conditions.
- 5.3 **HCC Ecology** No objection.
- 5.4 **HCC Highways** Objection requiring a tracking site plan is submitted.

Case Officer note: Tracking site plan submitted to requirement set out by HCC Highways, and is considered to have overcome this objection.

- 5.5 **Landscape** No objection.
- 5.6 **Trees** No objection.
- 6.0 **REPRESENTATIONS** Expired 08.07.2020
- 6.1 **Ampfield Parish Council** Objection
 - Unsuitable location for dwelling
 - Detrimental impact upon neighbours
 - Out of character development
 - Overdevelopment
 - Parking and vehicle layout
 - Non-compliance with LHW4
 - Demolition in Conservation Area
- 6.2 **Romsey & District Society** Comment made over potential overlooking.
- 6.3 Objections received from:
 - The Old Bakery, Winchester Road
 - The Old Village Store, Winchester Road
 - New Barn, Winchester Road
 - 2 Green Pond Lane, Ampfield
 - 6 Green Pond Lane, Ampfield
 - The School House, Ampfield
 - 19 Morleys Green, Ampfield

6.4 Summary of objections:

- Overdevelopment
- Proximity to neighbouring properties/loss of privacy
- Noise from parking and parking layout
- Light pollution from roof lights and glazed doors
- Water table problems
- Unlawful demolition of a heritage building in a conservation area
- Unsafe gas flue
- Lack of dimensions provided
- Enforcement action?
- Re-use of materials not possible
- Nitrate neutrality

7.0 **POLICY**

7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

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

SD1: Presumption in Favour of Sustainable Development

COM2: Settlement Hierarchy

E1: High Quality Development in the Borough

E2: Protect, Conserve and Enhance the Landscape Character of the Borough

E5: Biodiversity E8: Pollution E9: Heritage

LHW4: Amenity

T1: Managing Movement T2: Parking Standards

7.3 <u>Supplementary Planning Documents (SPD)</u>

Revised Ampfield Village Design Statement

8.0 PLANNING CONSIDERATIONS

8.1 The main planning considerations are:

- Principle of development
- Impact on character and appearance of the area
- Impact on trees
- Impact on ecology
- Impact on the Conservation Area
- Impact on neighbouring amenity
- Impact on highways and parking provision

8.2 Principle of development

The application site is located within the settlement boundary of Ampfield as defined by the Inset Maps of the Revised Local Plan. Development within the settlement areas is considered to be acceptable in principle under Policy COM2, provided that the proposal is in accordance with other relevant local and national plan policy.

8.3 Impact on character and appearance of the area

Policy E1 seeks to approve development which is of a high quality in terms of design and local distinctiveness. The proposal is for the rebuilding of a recently demolished barn, which has planning permission to be converted to a dwelling, to the same size and scale (and same footprint) with similar materials as that previously demolished. The alterations that differ from the approved conversion include two additional roof lights, a porch and patio doors; these alterations, the proposed materials and the rebuild itself are considered to complement the design and local distinctiveness of the area.

8.4 Despite the current public views of the site do not include the demolished barn, sufficient weight should be placed upon the barn which had been a character feature of the site and surrounding area, and also the intended conversion of the demolished barn which had been granted planning permission. The proposal is considered to complement and respect the character of the area in terms of the barns size, scale and materials, which provide a neutral visual appearance to the character of the area as there is minimal change to the previous character and appearance of the site. The proposal is considered to be in accordance with Policy E1 of the Revised Local Plan.

8.5 <u>Impact on trees</u>

An area TPO (TPO.TVBC.197) is located at the northern boundary of the site, while the remaining site is bounded by extensive tree coverage. However, the barn is to be built on existing footprints which would not impact upon the roots of the trees on the site. Furthermore, due to previous works carried out on the site, the trees have been subject to tree protection. The proposal would not cause a detrimental impact to the trees on and surrounding the site and is therefore in accordance with Policy E2 of the Revised Local Plan.

8.6 Impact on ecology

Previous planning history on the site has been supported by extensive ecological survey and report. One of these reports, by enims in September 2018, included a mitigation strategy which has been considered acceptable by HCC Ecology. Subject to a condition requiring development to proceed in accordance with this mitigation strategy, the proposal would be in accordance with Policy E5.

8.7 Nitrate neutrality

Applications for additional dwellings within the buffer zone of the Solent SPA are required to be nitrate neutral. A finalised nitrate budget calculation and proposed mitigation has been submitted to the LPA, and an Appropriate Assessment submitted to Natural England for consideration. Natural England raise no objection subject to securing mitigation in perpetuity. The mitigation

off-setting land is located within the wider application site and has been secured through a pending s106 agreement. This will secure its retention as public open space and removed from agriculture. As such, the proposed development does not conflict with the Habitats Regulations and accords with Policy E5 of the Revised Local Plan.

8.8 Impact on the Conservation Area

The application site is located within the Ampfield Conservation Area. The Conservation Officer has assessed the proposal and considers that the design of the new barn is sufficiently similar to the demolished barn. Subject to conditions requesting material and joinery detail, the proposal would have a neutral impact upon the Conservation Area as the visual appearance would not be altered significantly. The proposal is considered to be in accordance with Policy E9 of the Revised Local Plan.

8.9 Impact on neighbouring amenity

The rebuilding of the barn, in isolation, would not provide any further detriment to the amenity of neighbouring properties as the building is of the same size and scale as the previous barn that was on-site. However, concern has been raised with regards to overlooking, privacy and light and noise pollution.

8.10 <u>Overlooking/privacy</u>

As addressed previously, the site is bounded by extensive tree coverage which is considered to remove any concern of overlooking or a loss of privacy to the occupants of dwellings in Green Pond Lane. The proposal includes a mezzanine first floor, with five roof lights (four to the west roof slope, one to the east). The dwellings to the west, New Barn and The Old Bakery, are separated by a c1.8m high fence, with separation distance between the buildings of approximately 3.70m. However, a section drawing has been submitted which confirms the lower sill of the roof light would be 1.68m high, slightly below permitted development limits. At this height, the ability for a person to open a roof light and view downwards to neighbouring garden areas is restricted due to the roof slope below and the general height of the roof light.

8.11 Light and noise pollution

The roof lights are not considered to be a source of light pollution above normal residential standards, and neither are the additional glazed doors at ground floor level. Furthermore, the noise which would emanate from the dwelling would be what is expected from a residential site, including that of parking cars, and no different to the noise that would emanate from the previously approved, converted barn.

8.12 The occupants of the dwelling would be provided garden space to both the north and south of the dwelling. The combined area is considered to amount to an acceptable area to provide future occupants with amenable outdoor space. The proposal is not considered to result in overlooking, a loss of light or a loss of privacy to neighbouring properties and is therefore in accordance with Policy LHW4 of the Revised Local Plan.

8.13 Impact on highway safety and parking provision

The application has been assessed by Hampshire Highways, who are the highway authority. The initial site layout has been amended in order to provide adequate parking and manoeuvrability around the site and this has been supported by HCC Highways. Additional detail has been provided with regards to the turning arrangement for refuse vehicles; this has been plotted on the updated site plan and is considered acceptable. In addition to this, the Waste and Recycling team consider the layout to be well-thought and is supported. The proposal is considered to be in accordance with Policy T1 of the Revised Local Plan.

8.14 The barn would have five bedrooms; this figure requires a minimum of three off-road car parking spaces to be provided. These have been provided (one directly south of the site and two to the north of the previously approved garage building) and this is considered to meet the requirements as set out in Annex G. The proposal therefore accords with Policy T2 of the Revised Local Plan.

8.15 Other matters

Paragraph 6.4 has summarised the content of the objections received. Issues concerning neighbouring amenity and nitrate neutrality have previously been addressed above.

8.16 Overdevelopment

It has been suggested that the proposal results in overdevelopment, due to the site being constrained by its size and the provision of a five bed dwelling. In size and scale terms, the proposal is no different to the previous, historical layout of the site. In terms of overdevelopment, there is little difference between a two or five bed dwelling, particularly on an existing residential site with similar vehicle movements. It must also be noted that in 2016, planning permission was granted to convert this barn but to replace the other dwelling on site with two; this proposal is a reduction from planning history and is prevalent with actual built form on site.

8.17 Water table problems

The application site is not located with a flood zone; any issues surrounding water table problems is to be addressed under Building Regulations rather than planning.

8.18 Unlawful demolition of a heritage building in a conservation area

The building that was demolished was not considered to be a heritage asset, or a non-designated heritage asset. Permission is required for the demolition of a building in a conservation area and this has been sought by the submission of this planning application.

8.19 Unsafe gas flue

A gas flue was initially indicated on the submitted plans, but this detail has been removed from the amended drawings and as such, is not under consideration. Due to being located within a conservation area, permission is required for a gas flue were it located on a principal or side elevation and with this in mind, it is considered appropriate to recommend a condition to provide details of any flue which may be installed.

8.20 Lack of measurements provided

The drawings were not annotated with measurements but were "to scale"; this is considered acceptable under national and local guidelines. However, the design and access statement does confirm that the barn would be of the same size and scale as the demolished barn. These measurements are addressed in paragraph 3.3 above.

8.21 Re-use of materials

The barn is to be constructed using similar materials to the previously demolished barn. Due to the barn not considered a heritage asset which adds much visual and historic interest to the conservation area, it has not been necessitated that a re-use of materials is required. It has however been considered appropriate to recommend that samples of external materials are submitted and approved by the LPA under a planning condition.

9.0 **CONCLUSION**

9.1 Subject to the signing of a legal agreement to offset an area of agricultural land in mitigation to nitrate neutrality, the proposal is considered to accord with both local and national planning policy and is therefore acceptable.

10.0 RECOMMENDATION

Subject to the securing and completion of a legal agreement regarding the offsetting of the associated agricultural land in perpetuity, PERMISSION is granted subject to:

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

 Reason: To comply with the provision of Section 91 of the Town
 - and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan numbers:

Existing Elevations - 6932.02

Barn Floor Plans - 6932.020 E

Barn Elevations - 6932.021 E

Proposed Site Plan - 6932.025 H

Tracking Plan - 6932.028

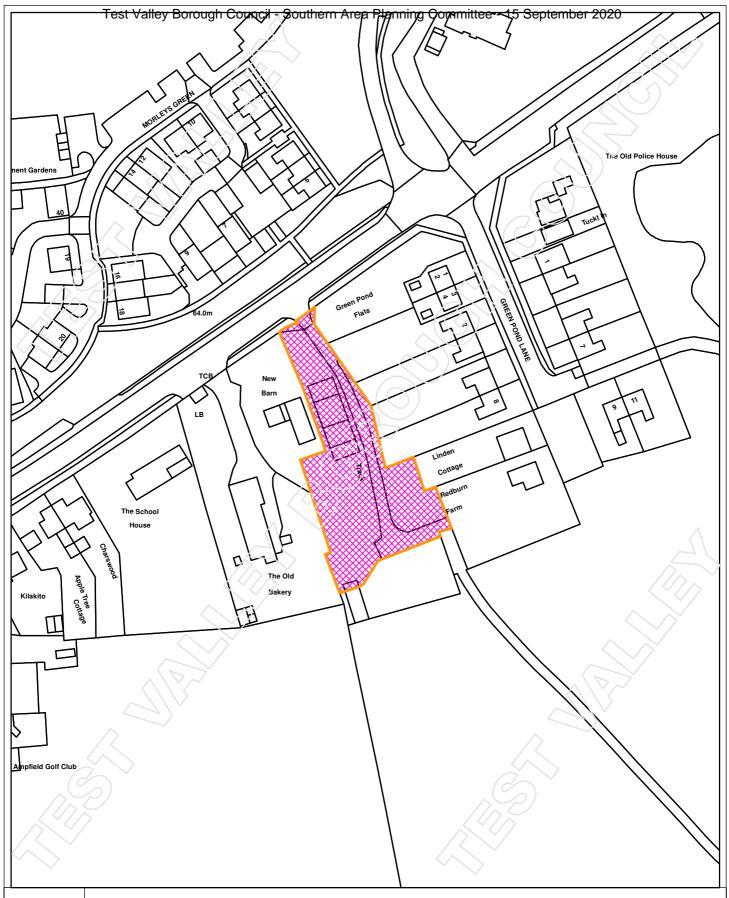
Reason: For the avoidance of doubt and in the interests of proper planning.

- 3. No development shall take place above DPC level of the development hereby permitted until samples and details of the materials to be used in the construction of all external surfaces hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
 Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities in accordance with
- Test Valley Borough Revised Local Plan (2016) Policy E1.
 4. Prior to the development reaching DCP levels, large scale details of all external joinery (1:5 elevation, 1:2 section) including vertical and horizontal cross-sections through openings to show the positions of joinery within openings shall be submitted to and approved in writing by the Local Planning Authority.
 Reason: To ensure that the details would preserve the character of
 - Reason: To ensure that the details would preserve the character of the conservation area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E9.
- 5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional buildings, fences, walls or other forms of boundary treatment shall be erected other than those expressly authorised by this permission.
 - Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of the local amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy COM2.
- 6. Development shall proceed in accordance with the submitted ecology report and reptile mitigation strategy (enims September 2018).
 - Reason: To avoid impacts to reptiles, in accordance with Test Valley Borough Revised Local Plan policy E5.
- 7. The development hereby approved shall be designed and built to meet Regulation 36 2 (b) requirement of 110 litres/person/day water efficiency set out in part G2 of Building Regulations 2015.

 Reason: In the interests of improving water usage efficiency in accordance with policy E7 of the Test Valley Borough Revised Local Plan 2016.
- 8. Prior to first occupation, details of any flue to be installed shall be submitted to and approved in writing by the Local Planning Authority. The flue(s) shall be installed in accordance with the approved details.
 - Reason: To ensure that the details would not result in a detrimental impact to neighbouring properties in accordance with Test Valley Borough Revised Local Plan (2016) Policies E8 and LHW4.

Note to applicant:

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





Siteplan



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19/01821/FULLS

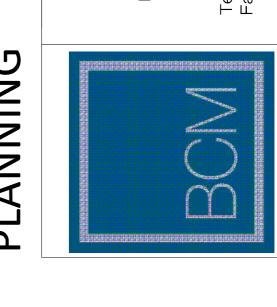
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Test Valley Borough Council - Southern Area Planning Committee - 15 September 2020

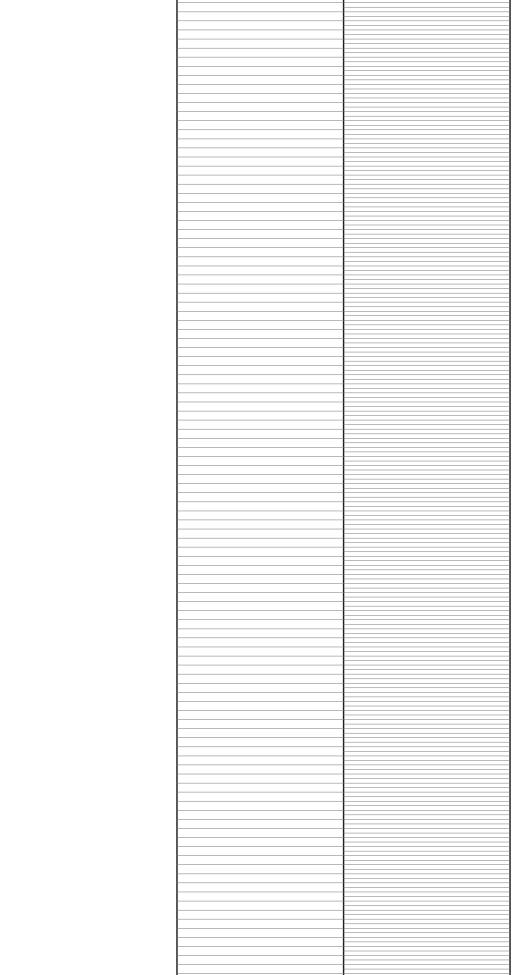




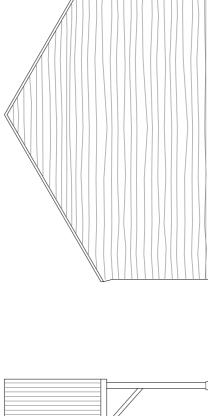
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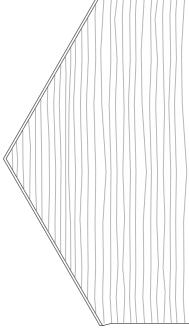
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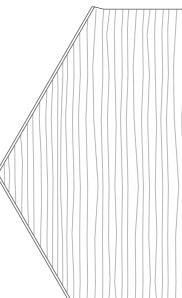
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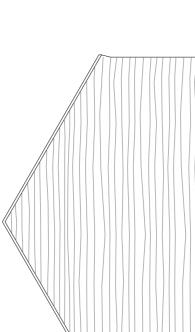


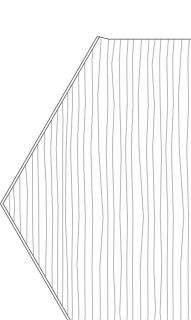








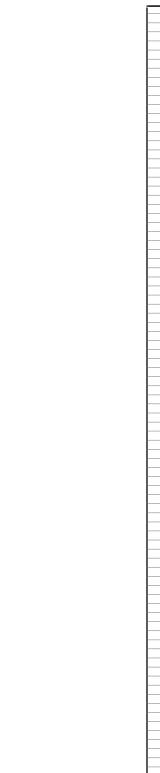


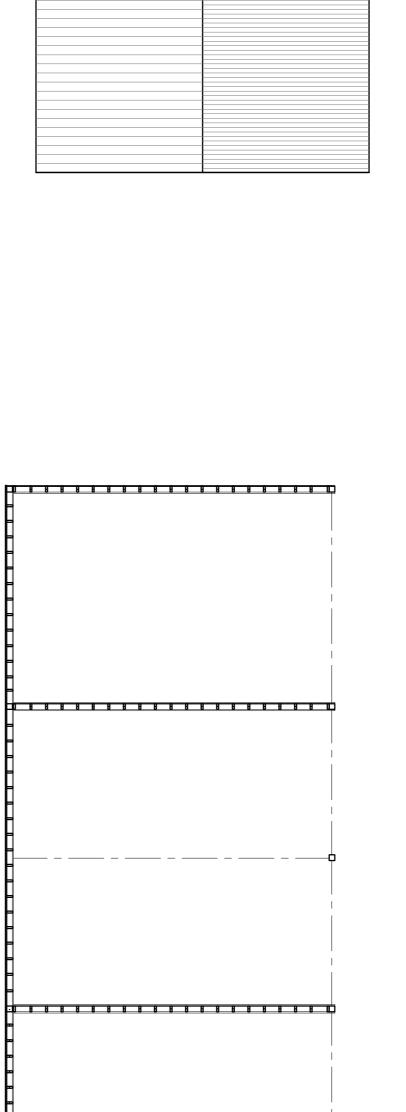


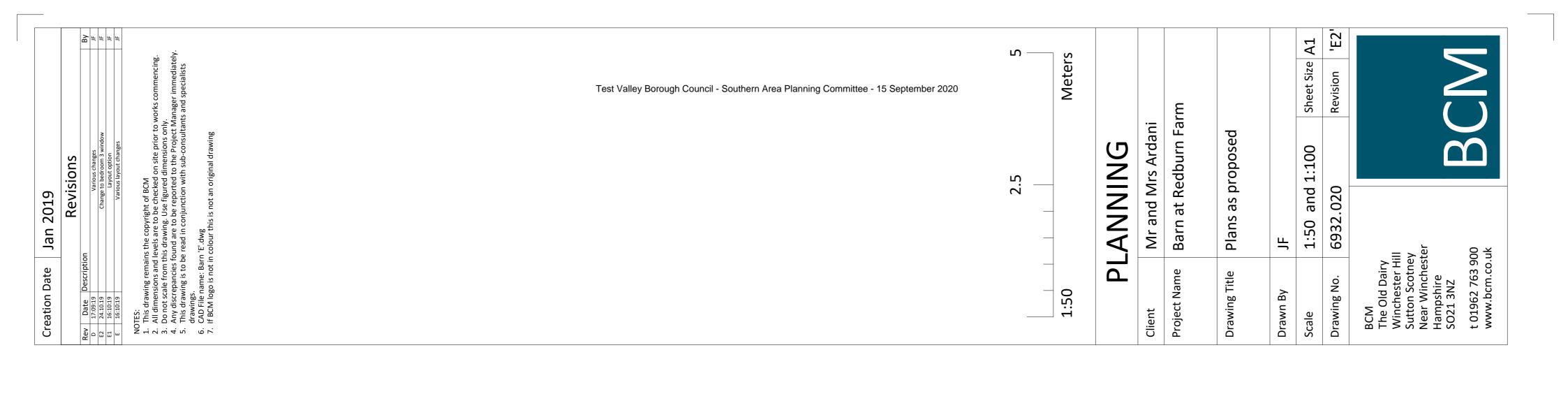


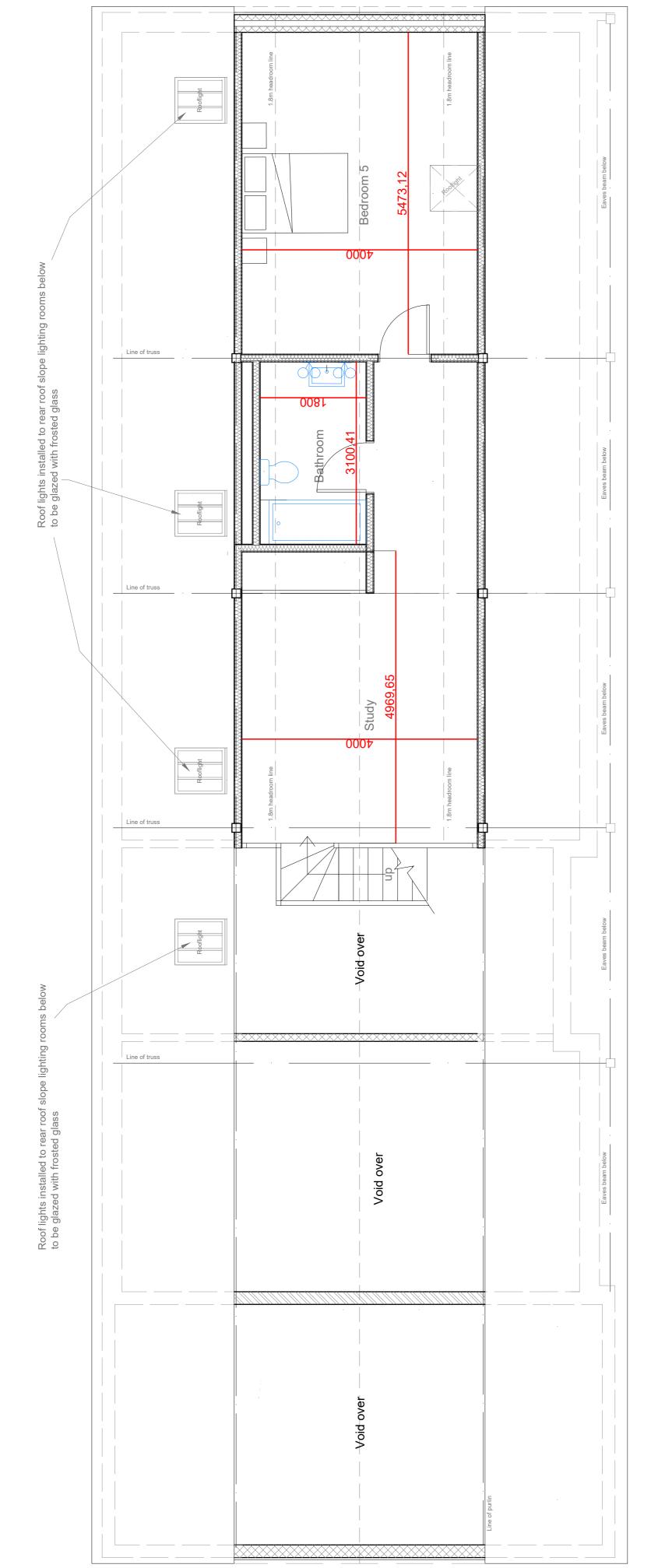




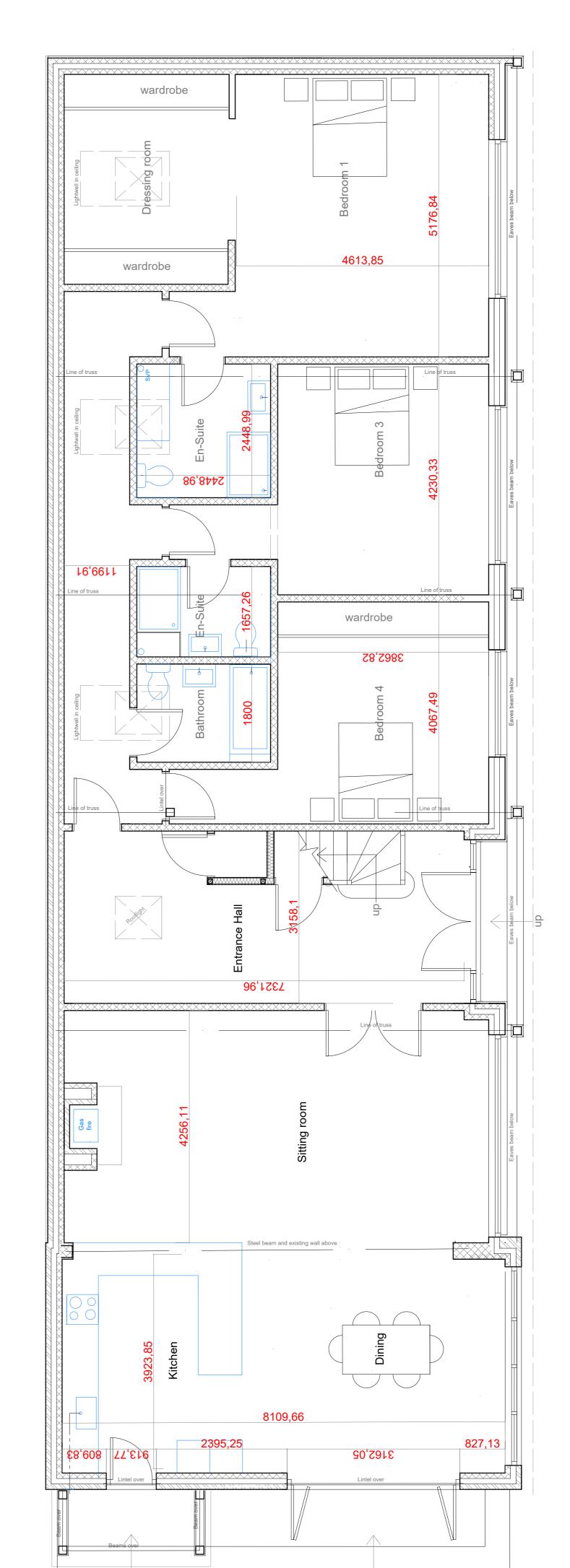




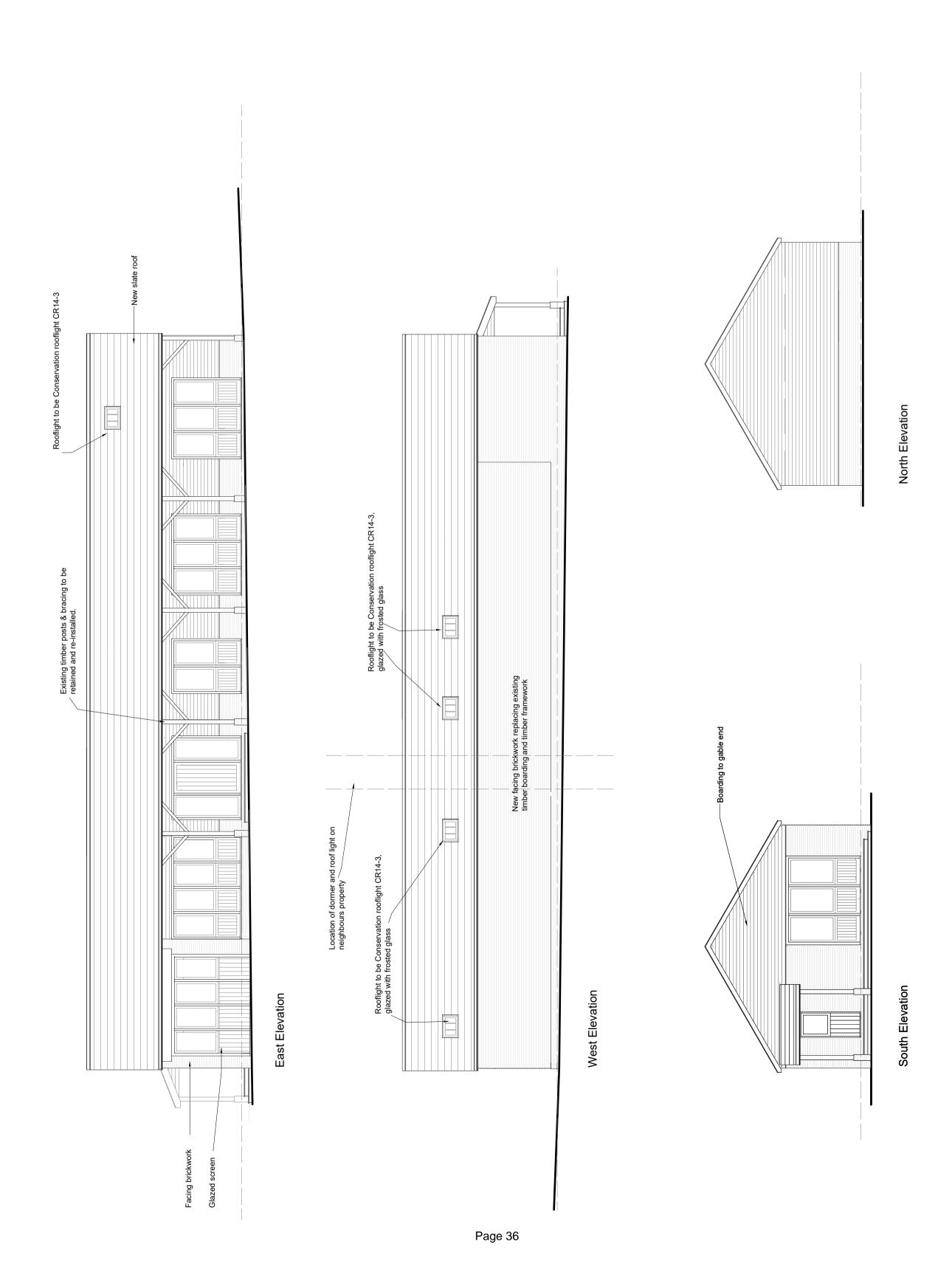


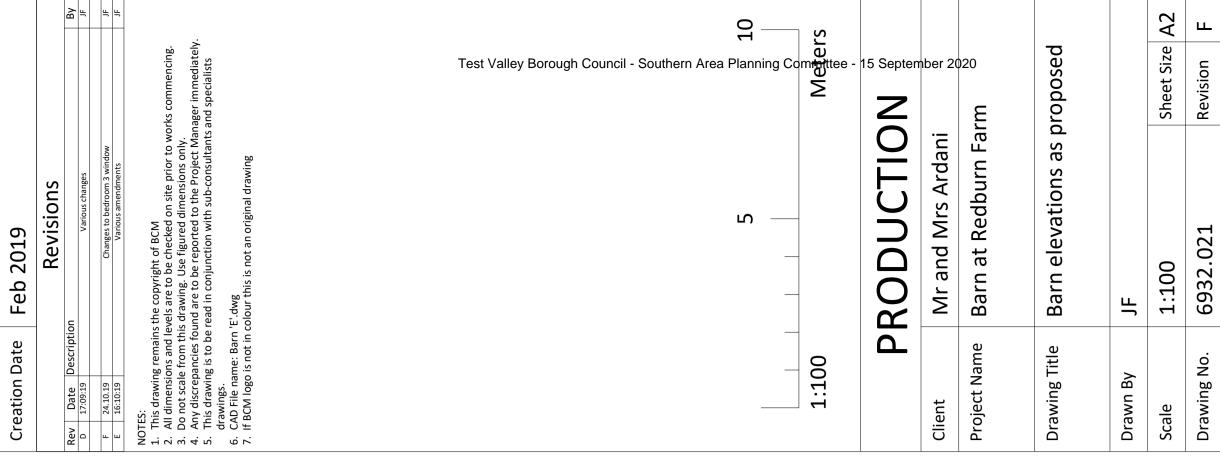


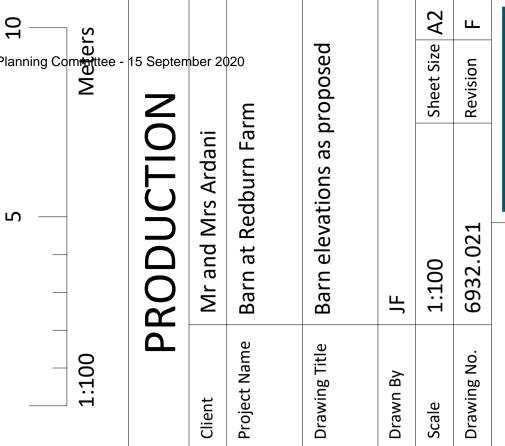
First Floor Plan



Ground Floor Plan

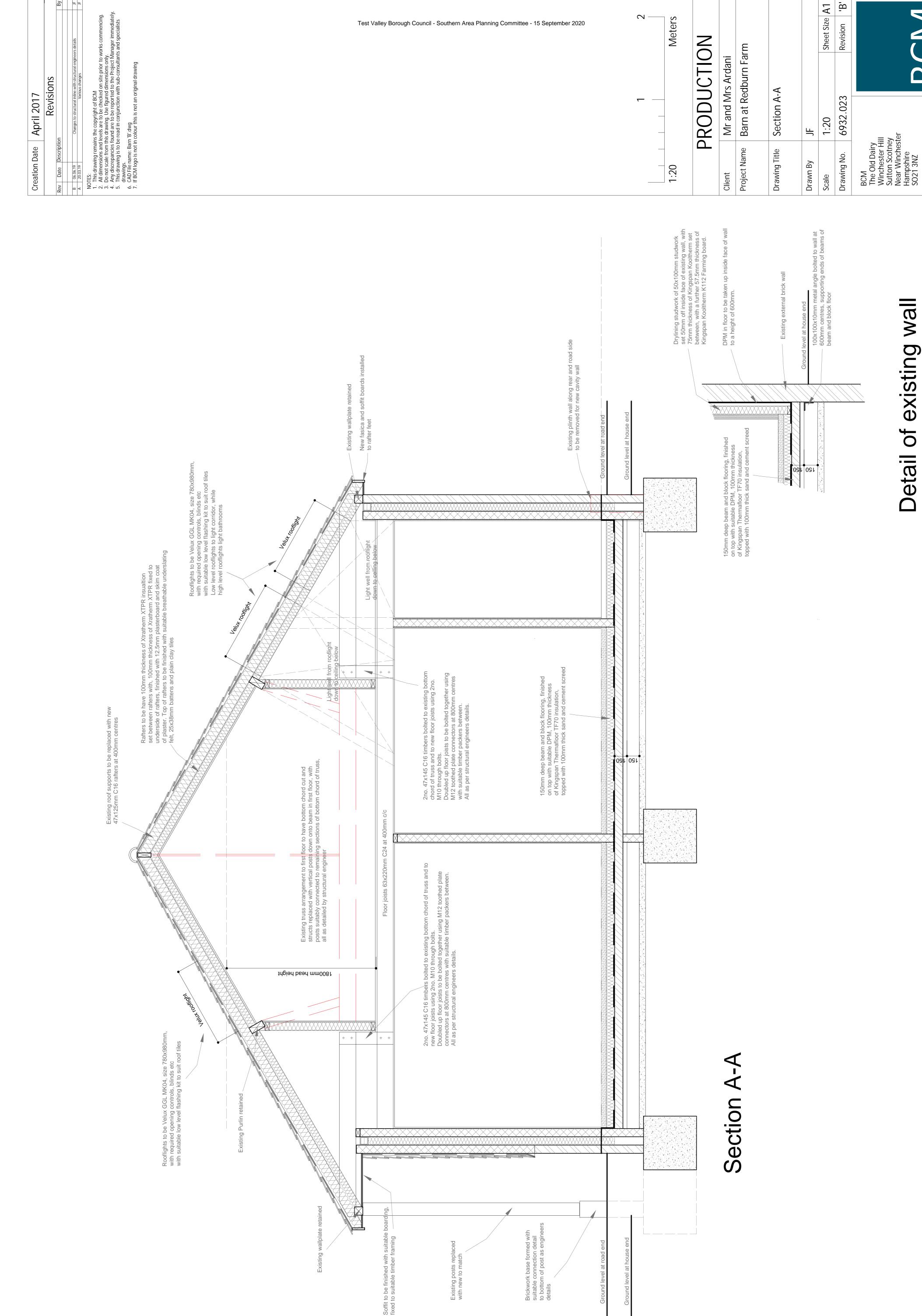






BCM
The Old Dairy
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Sutton Scotney
Near Winchester
Hampshire
SO21 3NZ

t 01962 763 900 www.bcm.co.uk



Detail of existing wall and new floor junction

t 01962 763 900 www.bcm.co.uk

