

Notice of Meeting

Southern Area Planning Committee

Date: Tuesday 23 April 2019

Time: 5.30 pm

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

For further information or enquiries please contact:

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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 A Finlay (Chairman)	Chilworth Nursling And Rownhams
Councillor I Richards (Vice-Chairman)	Abbey
Councillor N Adams-King	Blackwater
Councillor N Anderdon	Chilworth Nursling And Rownhams
Councillor G Bailey	Blackwater
Councillor D Baverstock	Cupernham
Councillor A Beesley	Valley Park
Councillor P Boulton	Broughton And Stockbridge
Councillor P Bundy	Chilworth Nursling And Rownhams
Councillor D Busk	Broughton And Stockbridge
Councillor C Collier	Abbey
Councillor M Cooper	Tadburn
Councillor S Cosier	North Baddesley
Councillor A Dowden	Valley Park
Councillor C Dowden	North Baddesley
Councillor M Hatley	Ampfield And Braishfield
Councillor I Hibberd	Romsey Extra
Councillor P Hurst	Tadburn
Councillor I Jeffrey	Dun Valley
Councillor A Johnston	Romsey Extra
Councillor J Ray	Cupernham
Councillor C Thom	Valley Park
Councillor A Tupper	North Baddesley
Councillor A Ward	Kings Somborne And Michelmersh

Southern Area Planning Committee

Tuesday 23 April 2019

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 - 2 April 2019**
- 6 Information Notes 5 - 10**
- 7 18/03109/FULLS - 28.11.2018 11 - 22**

(OFFICER RECOMMENDATION: PERMISSION)

SITE: Birchdene, Ling Dale, Chilworth, SO16 7LR

CHILWORTH

CASE OFFICER: Mr Jacob Cooke

- 8 19/00287/FULLS - 07.02.2019 23 - 31**

(OFFICER RECOMMENDATION: PERMISSION)

SITE: 4 Caernarvon Gardens, Chandlers Ford, SO53 4NG

VALLEY PARK

CSE OFFICER: Mrs Sacha Coen

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, or the Planning Control Committee instead, and this will happen if any of the following reasons apply:

- 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.
- Applications which the Head of Planning and Building Services considers are of significant local interest or impact.
- Applications (excluding notifications) where a Member requests in writing, with reasons, within the stipulated time span that they be submitted to Committee.
- 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.
- Notifications on which material planning objection(s) has been received within the stipulated time span (the initial 21 day publicity period) and no agreement with the Chairman of the appropriate Committee after consultation with the appropriate Ward Member(s) has been reached.
- Determination of applications (excluding applications for advertisement consent, 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 in the stipulated time span 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 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 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.
- * Where the Committee has resolved to make a decision, which in the opinion of the Head of Planning and Building, has a possible conflict with policy, public interest or possible claims for costs against the Council, those applications shall be referred to the Planning Control Committee for determination.

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 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). 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 24 July 2018 the Government published a revised National Planning Policy Framework (NPPF). The revised NPPF replaced and superseded the previous NPPF published in 2012. 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.	18/03109/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	28.11.2018
APPLICANT	Mr and Mrs Chandhoke
SITE	Birchdene, Ling Dale, Chilworth, SO16 7LR, CHILWORTH
PROPOSAL	Two storey side and rear extension to provide additional living space and accommodation, single storey rear extension to provide sauna and hot tub, and demolition of existing detached garage
AMENDMENTS	None.
CASE OFFICER	Mr Jacob Cooke

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.

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The site is located within the residential area of Chilworth. The site includes a single detached dwelling which forms part of a linear form of development facing Ling Dale. There are 4 silver birch, 1 sycamore and trees subject to the Tree Preservation Order; two to the front and two at the north east corner of the plot. The site level changes, sloping down to the south east toward the neighbouring property of Brookdene House/45 Ling Dale creating a significant level change between the rear gardens of Birchene and Brookdene House/45 Ling Dale.

3.0 PROPOSAL

- 3.1 Two storey side and rear extension to provide additional living space and accommodation, single storey rear extension to provide sauna and hot tub, and demolition of existing detached garage.

4.0 HISTORY

- 4.1 **18/02495/FULLS** Boundary treatment along south east boundary (part retrospective) **PERMISSION subject to conditions and notes** 05.11.2018.
- 4.2 **17/02283/FULLS** Construction of a retaining wall to S.E. boundary to level the existing ground **PERMISSION subject to conditions and notes** 26.01.2018.
- 4.3 **17/00041/FULLS** Two storey side and front extension with elevational changes and single storey rear extension following demolition of existing detached garage **PERMISSION subject to conditions and notes** 19.04.2017.

- 4.4 **06/01815/FULLS** Erection of conservatory to rear of property. **PERMISSION subject to conditions and notes** 04.08.2006.
- 4.5 **TVS.05830/3** Erection of single storey side extension to provide dining room and study **PERMISSION subject to conditions and notes** 24.08.2000.
- 5.0 **CONSULTATIONS**
- 5.1 **Ecology:** No concerns – subject to note.
- 5.2 **Trees:** No objection – subject to condition.
- 6.0 **REPRESENTATIONS** Expired 21.12.2018
- 6.1 **Parish Council:** Objection – the proposed development will contravene Local Plan Policy E4 (b), the developments size, scale and layout type is incompatible with the character of the area.
- 6.2 **5 x Letters of Representation from Brookdene House, Happylandings, Malabu, Fleetwood House, and Dene House:** Objection (comments summarised) –
- Overlooking.
 - Adverse impact to the character of the area.
 - Poor design.
 - Impacts the street scene.
 - Overbearing to Malabu.
 - Loss of light.
 - Roof line out of compatibility with other properties in the area.
 - Contravene Policy E4 (b).
 - Property is too far left and will look like it is joined to the neighbours property.
 - Too high.
 - Concern with the amount of vehicles/vans parking opposite our driveway. This restricted access into and out of our driveway. This will only get worse if the planning application is approved.
 - Consultation should have been taken on the effect of us being their neighbour.
 - Overdevelopment.
 - Reduces the separation distance between Malabu and application site.
 - Noise disturbance.
- 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)
Policy COM2 – Settlement Hierarchy
Policy E1 – High Quality Development in the Borough

Policy E4 – Residential Area of Special Character

Policy E5 - Biodiversity

Policy LHW4 – Amenity

Policy T2 – Parking Standards

7.3 Supplementary Planning Documents (SPD)

Chilworth Village Design Statement (VDS)

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of development
- Impact on the character and appearance of the area
- Impact on trees
- Impact on amenity
- Impact on parking standards
- Impact on biodiversity

8.2 **Principle of Development**

The site is located within the settlement boundary of Chilworth as designated by the Inset Maps within the Test Valley Borough Revised Local Plan 2016. Therefore, the principle of development is considered acceptable subject to the proposals accordance with other policies contained within the TVBRLP 2016.

8.3 **Impact on the Character and Appearance of the Area**

Views of the front elevation of the proposal would be in the public view from the adjacent highway of Ling Dale. The proposed alterations to the front elevation consist of increasing the ridge height by 0.9m, first floor extension to the west side, continuation of the ground floor front extension, and first floor extension to right side of front elevation.

8.4 A streetscene drawing has been submitted which demonstrates the streetscene relationship with the neighbouring properties of Malabu and Brookdene House. This drawing shows that the separation distance between Malabu and the proposed dwelling would be 3.85m. The separation distance between the proposed dwelling and Brookdene House would be 9.6m. These separation distances are considered to not have an adverse impact on the character and appearance of the area; the prominent character feature of large detached properties is retained.

8.5 The existing single storey extension to the west of the site is located 0.5m from the boundary with Malabu. The proposed first floor extension on the west of the site would be located 1.7m from the boundary with Malabu. Therefore, the proposal increases the separation distance of the application site from the boundary with Malabu. Due to the separation distances between the side elevations of the application site and neighbouring properties, the third party comments relating to the proposal would result in an appearance of a semi-detached property cannot be supported.

- 8.6 The increase in ridge height of 0.9m would maintain the tiered relationship of the properties along Ling Dale. The property of Malabu would still remain higher than the application site by 1.1m with the proposed ridge height in situ. The tiered relationship with the neighbouring property of Brookdene House adjacent the application site, would not be adversely impacted as a separation distance of 9.3m is maintained and the ridge height increase would not be overbearing to this property due to the current site levels of the existing property.
- 8.7 The proposed scheme is considered to integrate and compliment the streetscene. When compared to a previously permitted scheme under 17/00041/FULLS, the current scheme would retain greater separation between dwellings. Therefore, the siting of the proposal is considered to compliment the area of special character.
- 8.8 The design of the dwelling is a contemporary rendition of the traditional house design. This is evident through the use of materials, fenestration details and roof forms. The use of timber cladding compliments the appearance of Chilworth through the use of good quality natural materials, as per the Chilworth Village Design Statement. The overall design is considered as high quality due to the integration with the streetscene, the appropriate use of materials, the scale and siting of the proposal, and the layout which respects the existing tiered relationship with neighbouring properties, also the retention of views between properties of the wooded areas beyond.
- 8.9 Concerns have been raised regarding the two storey rear extension. The design and scale is considered to be complimentary to the scale of the existing dwelling and neighbouring properties, thus integrating with the character of properties in the immediate area.. Furthermore, the two storey rear extension would not be in the public view from the adjacent highway of Ling Dale. The single storey extension to the rear would not adversely impact the character and appearance of the area as this would not be in the public view from the adjacent highway of Ling Dale. The proposal is considered to be in accordance with Policy E1 and E4 of the TVBRLP.
- 8.10 Overdevelopment
The plot size is 1174.6m²; the existing dwelling has a footprint of 179m² which equates to 15.2% of the site. The proposed dwelling has a footprint of 298.7m², which equates to 25.4% of the site. Therefore, with the proposal in situ this would retain 875.9m², or 74.6% of the plot. In light of this, and the retention of the open space on site, the proposal is considered to not overdevelop the site due to the amount of space retained within the plot. The proposal is considered to be in accordance with Policy E1 and E4 of the TVBRLP.
- 8.11 **Impact on Trees**
An area Tree Preservation Order (TPO.TVBC.473) is situated to the rear garden in the north west corner of the site. The single storey extension would impact this area. An assessment of the quality and value of the trees subject of

this TPO has been carried out by the Tree Officer. The trees in this area are of poor quality, health and value. However, to ensure that trees are not eroded from the immediate area, a mitigation strategy has been submitted and considered appropriate to carry out replacement tree planting to the south eastern boundary. Therefore, subject to condition the proposal is in accordance with Policy E2 of the TVBRLP.

8.12 **Impact on Amenity**

Overshadowing

A shadow diagram of the existing dwelling and the proposed dwelling has been carried out using the BRE Report, *Site layout planning for daylight and sunlight: a guide to good practice*. This diagram indicated that due to the ridge height increase, this would increase the length of shadow cast toward the neighbouring property of Malabu. The overshadowing is considered to not adversely impact the neighbouring property of Malabu as the shadow cast by the proposal is not significantly different from the shadow cast by the existing property. Furthermore, the shadow falling toward the property of Malabu would be within the hours of 9am until 12pm. Therefore, due to the shadow created is not significantly more than the existing dwellinghouse, the proposal would not have an adverse impact on the amenity of neighbouring property. The proposal is in accordance with Policy LHW4 of the TVBRLP.

8.13 Loss of Sunlight

The proposed development and existing neighbouring properties would receive adequate natural light once the scheme is implemented. As demonstrated by the shadow diagram assessment and the separation distances between properties, the private garden spaces would not be overshadowed to the extent where daylight and sunlight is reduced to an unacceptable level. The proposal is in accordance with Policy LHW4 of the TVBRLP.

8.14 Overbearing

It is considered that the two storey side and rear extension would not be overbearing to the neighbouring property of Malabu due to the separation distance with the application site. Furthermore, when the context of the existing dwelling is taken into account which has a flank elevation featuring brick and windows at first floor, the current proposal would not change the principle appearance of this. As such, due to the similarity between the existing and proposed development, and the site level, whereby Malabu is situated at a higher level than the application site, it is considered that it could not be concluded that the proposal is overbearing.

8.15 Overlooking

In relation to the third party representations, these have set out that the proposal would have an adverse impact regarding overlooking. The existing dwelling currently has windows at ground floor level on the side elevation which overlook the neighbouring property of Brookdene House. However, it can also be argued that the first floor windows of Brookdene House overlook the application site at ground floor level. Therefore, it is considered that it can be concluded that the two properties mutually overlook each other.

Regarding the first floor windows and rooflights proposed; the first floor window proposed to the east side elevation would not have an adverse impact as one already exists in a similar position. The proposed rooflights and slit window are high level, therefore potential occupiers would not be able to view out of these windows. The proposed scheme does not adversely impact the existing relationship of mutual overlooking through the introduction of further fenestration to the side elevation of the application site.

- 8.16 It is noted that Brookdene House has submitted comments relating to a previous application 18/02495/FULLS for the erection of boundary treatment between the application site and Brookdene House of 2.7m high. Due to the significant site level change, this height of fence would not screen the ground floor side elevation of the application site from Brookdene House; boundary treatment of approximately 5m would most likely achieve the screening however. Due to the proposed dwelling maintains the tiered relationship with the neighbouring property of Brookdene House, and the placement of the existing and proposed fenestration to the east side elevation, it is considered that it could not be concluded that the proposal would result in an adverse impact on the privacy or amenity of Brookdene House.
- 8.17 Single Storey Rear Extension
The single rear extension is 2.1m to the eaves height; due to the site level change, the boundary treatment with Malabu is 1.9m in height. The site level difference between the two sites results in the 1.9m boundary being higher than the eaves height of the single storey structure closest to the boundary. The roof of the single storey provides relief by going away from the boundary with Malabu to an eaves height of 3.5m. As such, due to the boundary treatment of closed boarded timber fencing, the site level change and that this is a single storey rear extension, this would not result in an adverse impact to overshadowing, overbearing, or loss of daylight or sunlight to neighbouring properties. The proposal is in accordance with Policy LHW4 of the TVBRLP.
- 8.18 Noise
With regard to the third party comments regarding potential noise impact during the course of construction. This aspect is covered by separate legislation under the Environmental Protection Act 1990. Therefore, should any noise nuisances occur, this can be reported to the Test Valley Borough Council Environmental Protection team for their investigation.
- 8.19 **Impact on Parking Standards**
The total number of bedrooms proposed is 5; as set out in Annex G of the TVBRLP, a dwelling with this number of bedrooms requires three car parking spaces and 2 cycle storage provision. The existing hardstanding to the front elevation facilitates the car parking for at least 3 vehicles. The outbuilding to the rear of the property is considered to facilitate the cycle storage provision for 2 bicycles. With regard to the third party comments of vehicles parking on the highway blocking their driveway; Ling Dale is a public highway with no parking restriction in place. As such, guidance should be taken from section 238 to 252 of The Highway Code as issued by the Department for Transport.

The proposal is able to fulfil the car parking requirement as set out within Annex G and Policy T2 of the TVBRLP. Therefore, the proposal is in accordance with these policies.

8.20 **Impact on Biodiversity**

The proposal would affect the roof, however due to this is to a modern extension there is limited potential for this to support a bat roost. Therefore, an informative note is added to this recommendation which provides guidance for the applicant should bats, or evidence of bats, be discovered during the course of construction. The proposal is considered to be in accordance with Policy E5 of the TVBRLP.

9.0 **CONCLUSION**

9.1 The proposal is considered to not have an adverse impact on the character and appearance of the area and does not overdevelopment the site. The streetscene tiered relationship with the neighbouring properties is retained. The proposal would not result in an adverse impact with regard to amenity, highway safety or the character and appearance of the area. The proposal is in accordance with the relevant policies of COM2, E1, E2, E4, E5, LHW4, and T2 contained within the Test Valley Borough Revised Local Plan (2016).

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:**
Tree Protection Plan (Drawing ref: 3297-065-TPP Rev A)
Composite Plan - Proposed (Drawing ref: 22)
Composite Plan - Existing (Drawing ref: 01 C)
Proposed Streetscene Plan (Drawing ref: 24)
Reason: For the avoidance of doubt and in the interests of proper planning.
3. **Prior to first use of the development hereby approved, replacement tree planting shall be carried out in accordance with paragraph 7.2 of the Arboricultural Implications Assessment by Arborsphere Arboricultural Experts (31 January 2019). The 2no. silver birch trees shall be planted on the south eastern boundary to the roadside of the existing Sycamore tree. Once planted, the trees shall remain in perpetuity unless otherwise agreed in writing by the Local Planning Authority.**
Reason: To ensure the enhancement of the development through the implementation of trees in accordance with Test Valley Borough Revised Local Plan policy E2 (2016).

4. **No development shall take place above DPC level of the development hereby permitted until full planting details and a schedule of landscape management and maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas and an implementation programme, shall be submitted to and approved in writing by the Local Planning Authority. The approved management plan shall be carried out in accordance with the implementation programme.**

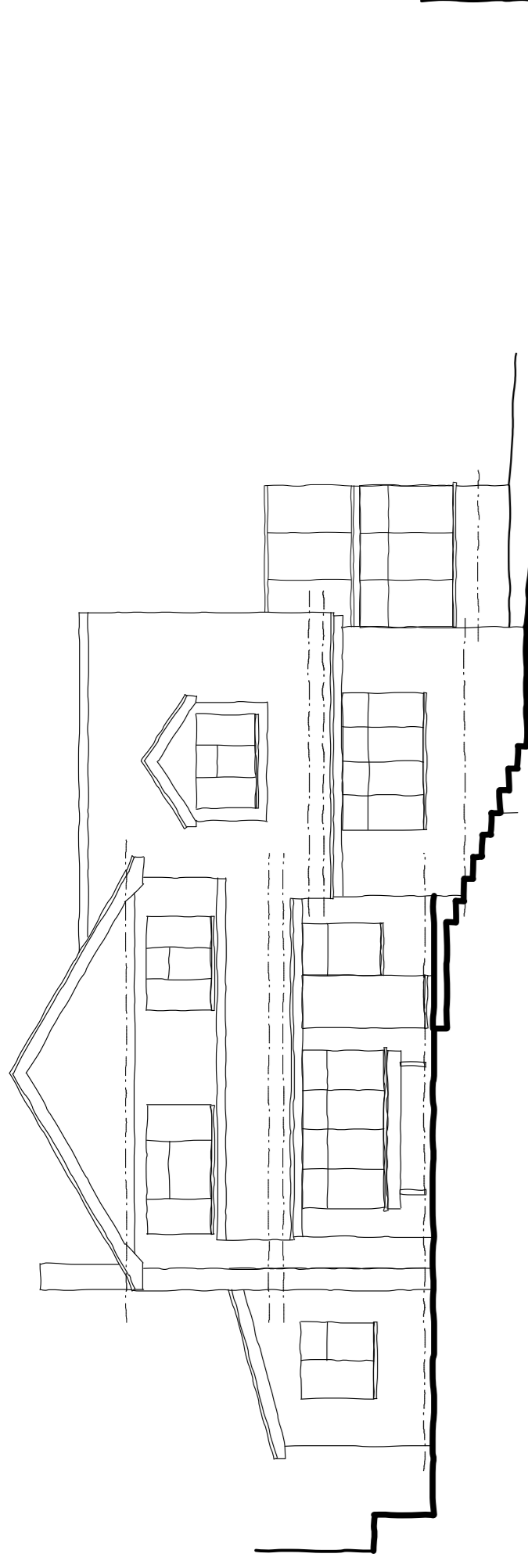
Reason: To ensure the provision of amenity afforded by proper maintenance of existing and new landscape features as an improvement of the appearance of the site and to enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E2.

Notes to applicant:

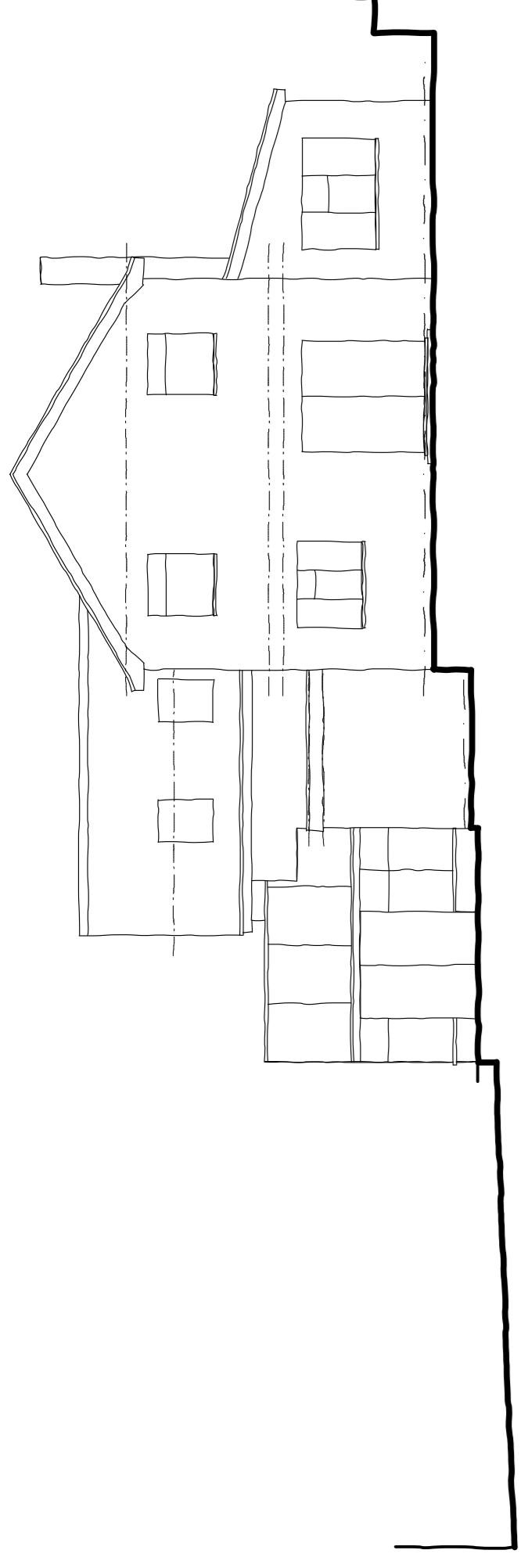
1. **In reaching this decision Test Valley Borough Council (TVBC) has had regard to the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering 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). 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.**
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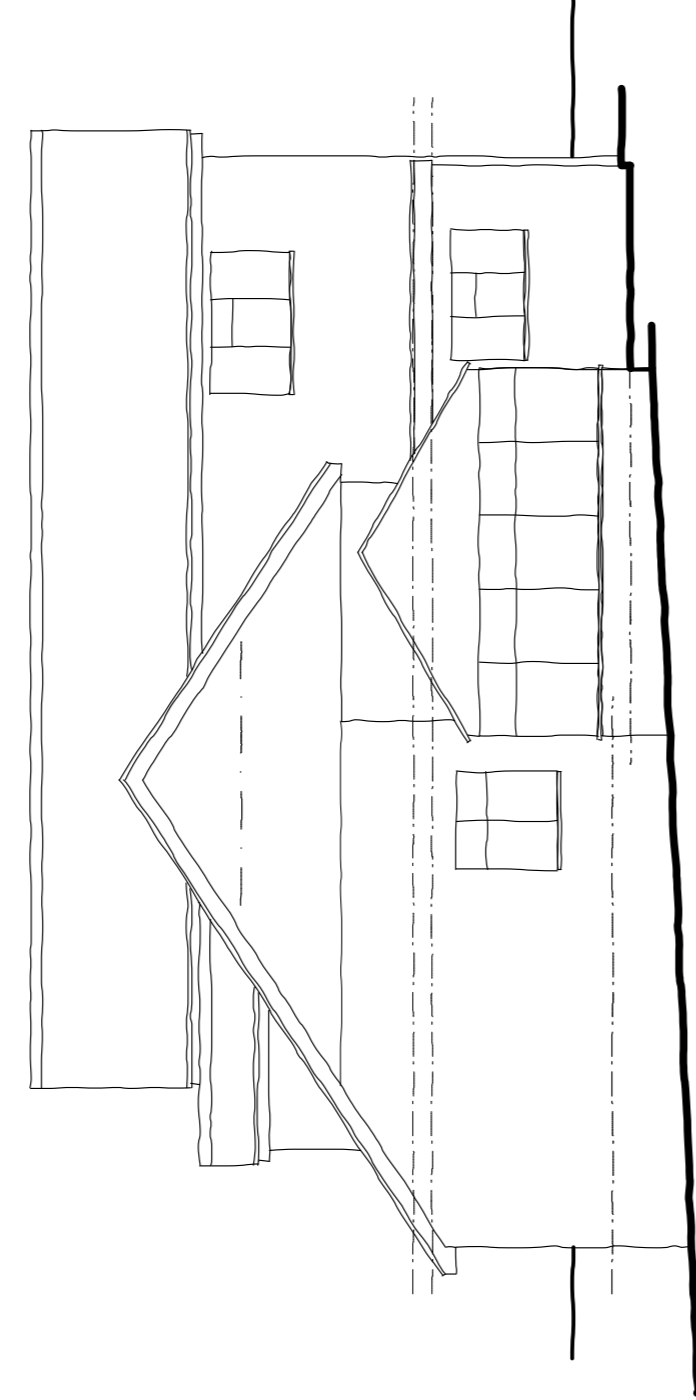
Siteplan



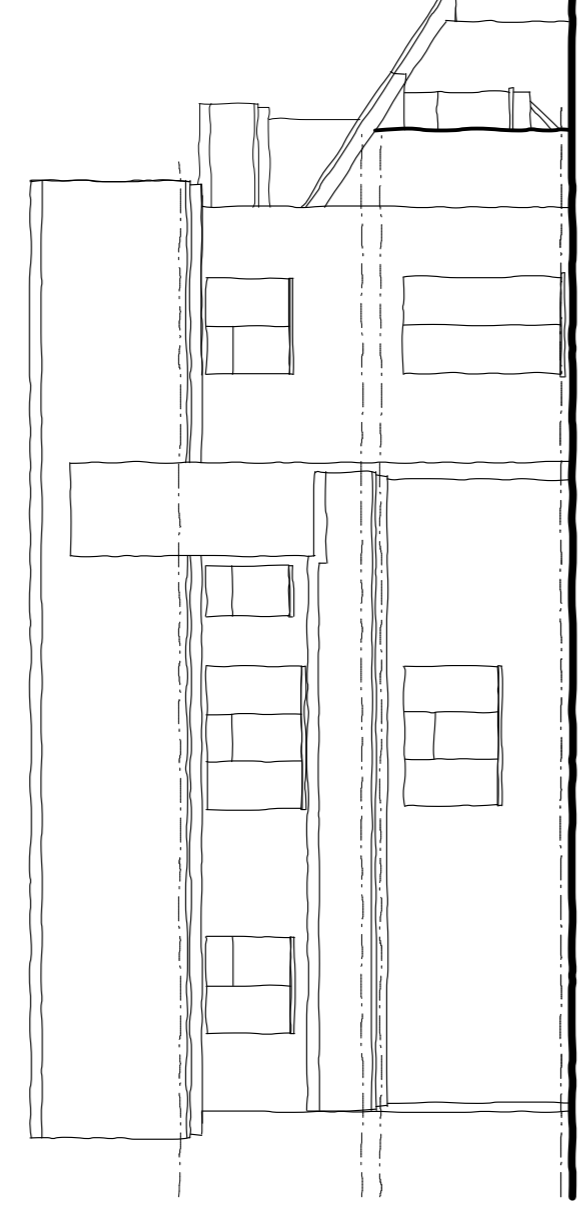
Existing Front Elevation 1:100



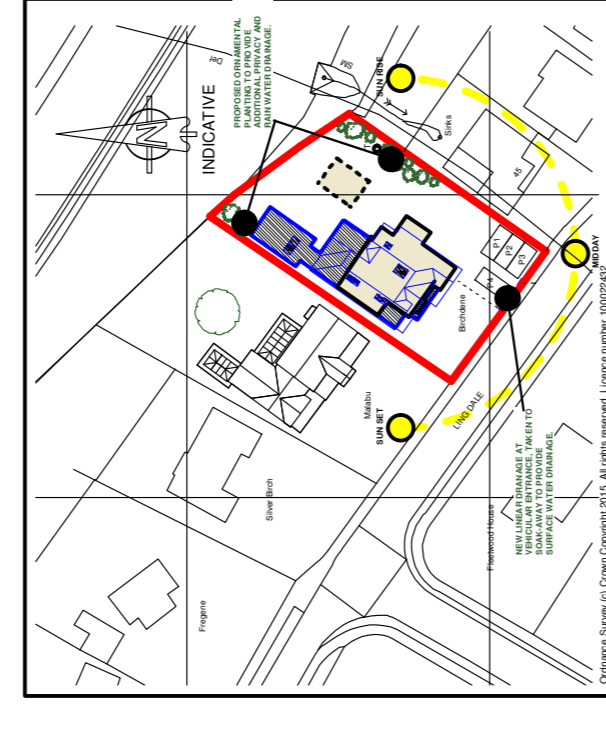
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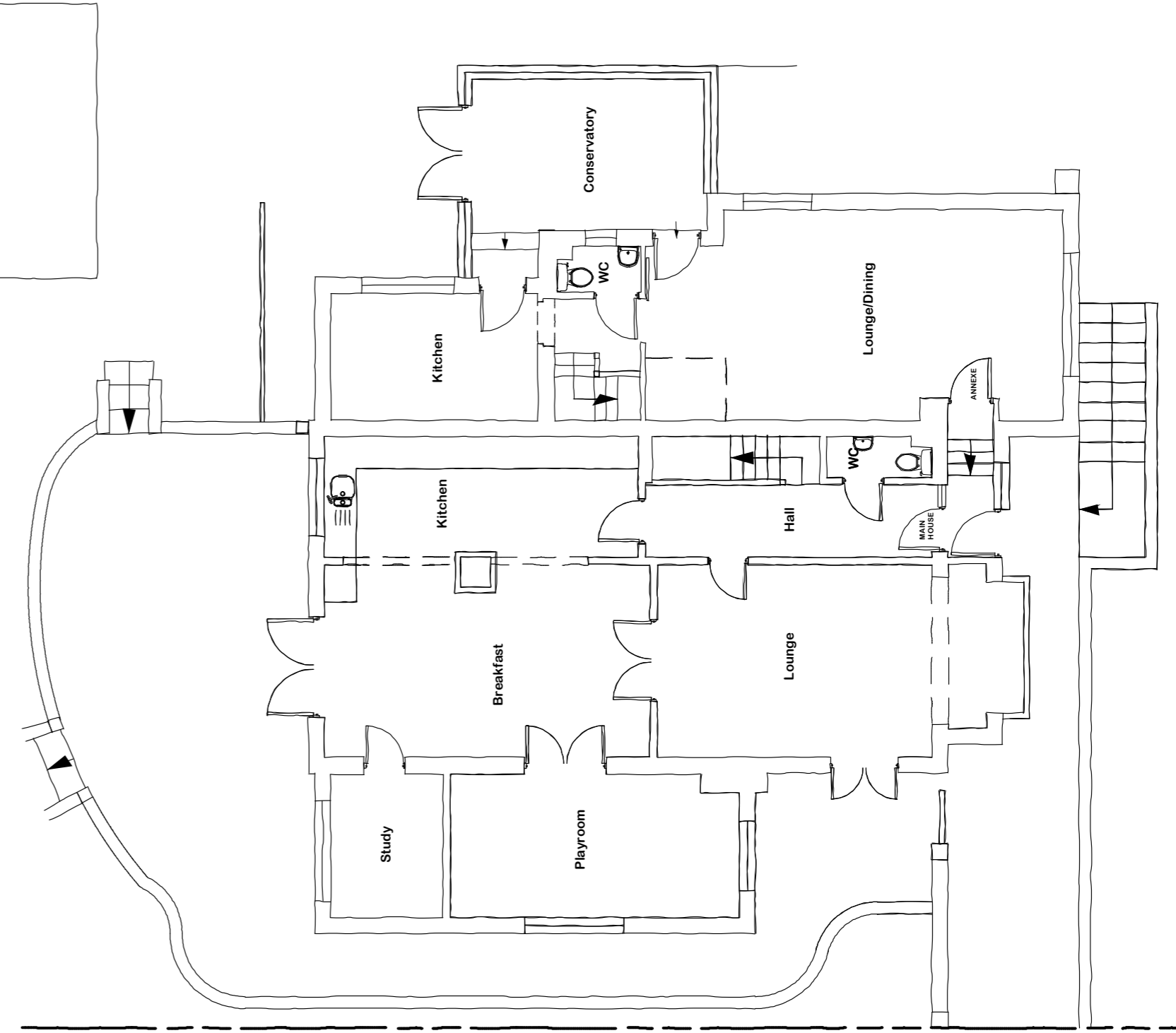
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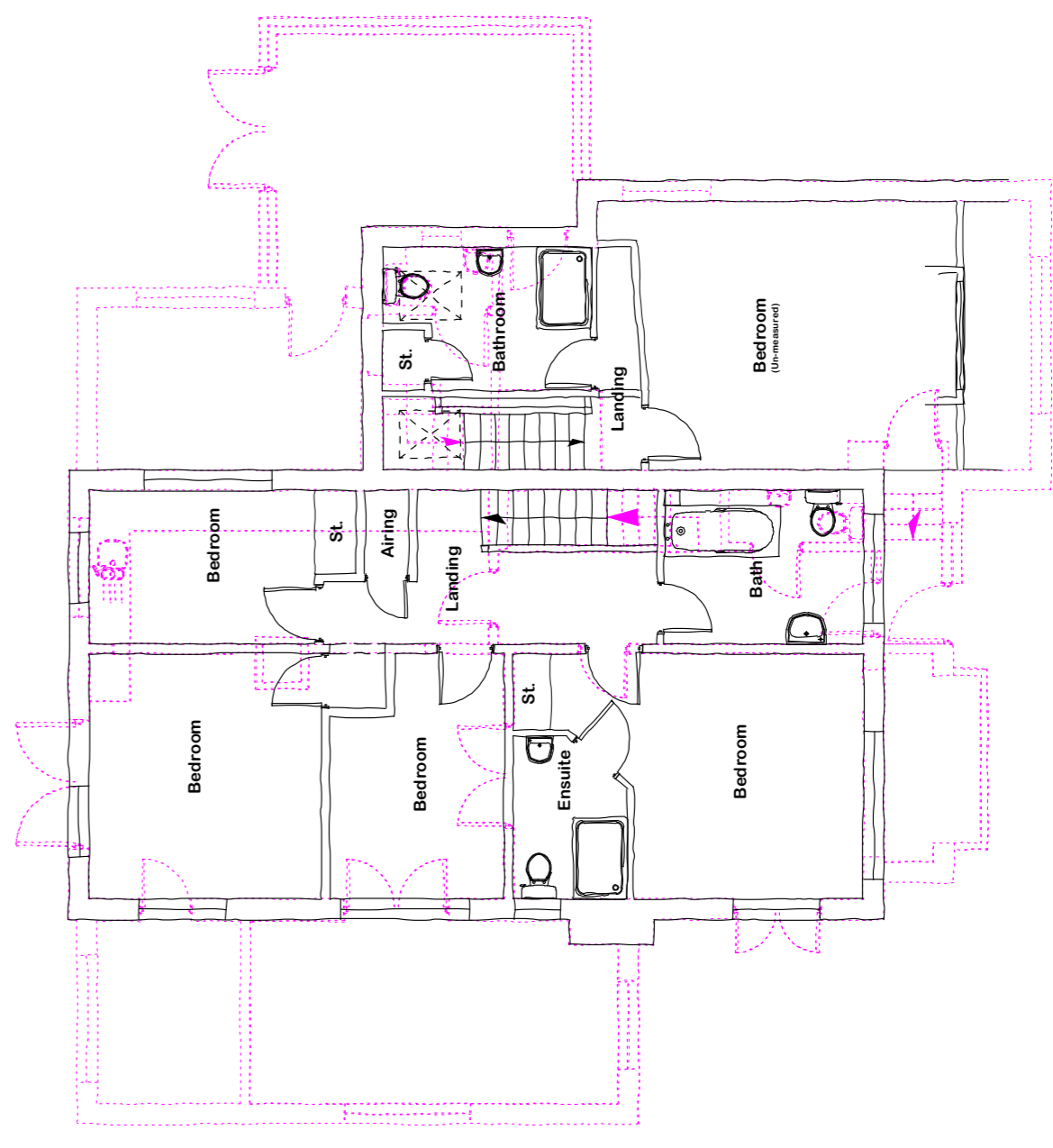
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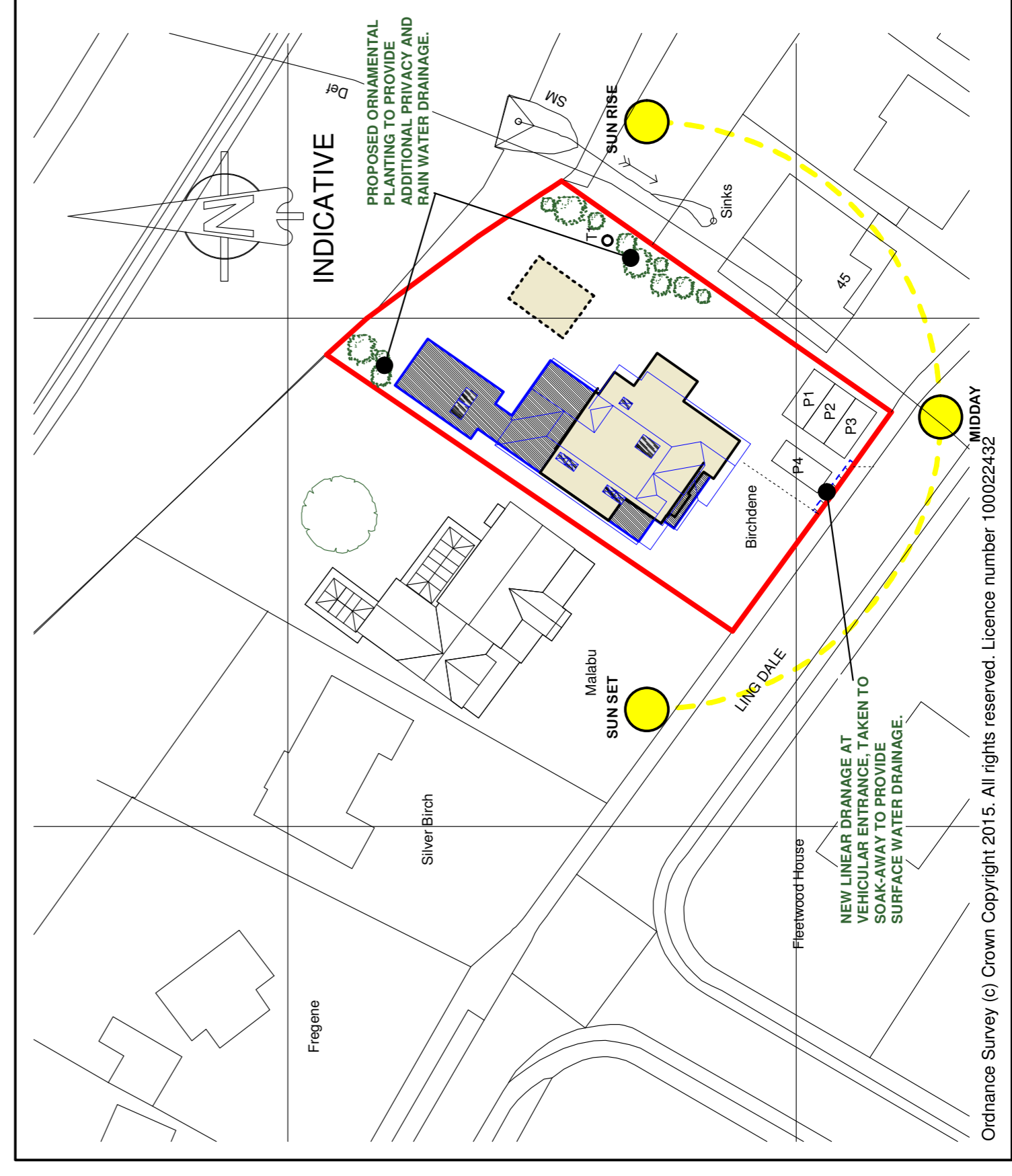
Location Plan 1:1250



Existing Ground Floor Plan 1:100



Existing First Floor Plan 1:100



Site Plan 1:500

Important Notes

It is the sole responsibility of the building owner to draw up all legal notices and to ensure that all necessary permissions and consents are obtained for any proposed works. The building owner is responsible for the design and construction of any proposed works. The building owner is responsible for the design and construction of any proposed works. The building owner is responsible for the design and construction of any proposed works.

It is the sole responsibility of the building owner to comply with the party wall act 1996. The building owner is responsible for the design and construction of any proposed works. The building owner is responsible for the design and construction of any proposed works. The building owner is responsible for the design and construction of any proposed works.

Building Regulation Drawings Only. Drawing to be read in conjunction with Structural Engineer's details under separate cover. All structural elements indicative in appearance only. Refer to Structural Engineer's report for detail & design of structural elements and connections. Contractor to determine installation heights of beams & positions on site as required.

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Work carried out before building regulation approval or client's own risk.

Specifications subject to change until building regulation (full plans) approval has been issued.

Client to contact Southern Water to accurately locate mains sewer positions, dappins and diameters, prior to any work commencing on site.

revisions

- A - 06.02.17 - Retaining wall & associated ground level alterations removed from scheme.
- B - 14.03.17 - Altered Scale Bars

Test Valley Borough Council - Southern Area Planning Committee - 23 April 2019

Project
Birchdene
Lingdale
Chilworth
Hampshire
SOT16 7LR

Client
Mr & Mrs Chandhoke

drawing

Existing Dwelling, Site & Location Plans

stage

Stage 3 - Planning

scale

1:100 & 1:50@A1

date

November 2018

revision

C

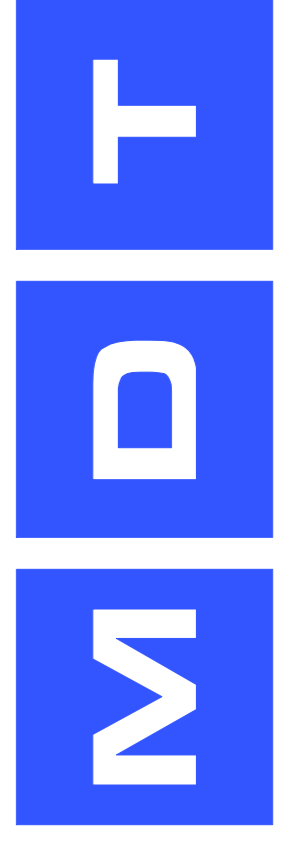
job no.,
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dwg no.,

01_

The Studio, 1A Portsmouth Road
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 Hampshire
 SO50 7HF

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 M. 07881 587261
 E. info@mdesign.co.uk
 W. www.mdesign.co.uk



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Important Notes

It is the sole responsibility of the building owner to draw up all legal agreements with adjoining property owner to cover the over the building, mat design can not be held responsible in any way whatsoever for any legal costs or other costs incurred through any neighborhood disputes.

It is the sole responsibility of the building owner to comply with the party wall act 1996 mat design can not be held responsible in any way if non compliance is adopted.

use figured dimensions only.

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revisions

Test Valley Borough Council - Southern Area Planning Committee - 23 April 2018

project

**Birchdene
Lingdale
Chilworth
Hampshire
SO16 7LR**

client

Mr & Mrs Chandhoke

drawing

Proposed Alterations

stage

Stage 3 - Planning

scale

1:100 & 1:50@A1

date

September 2018

job no.

2009/07_22

revision

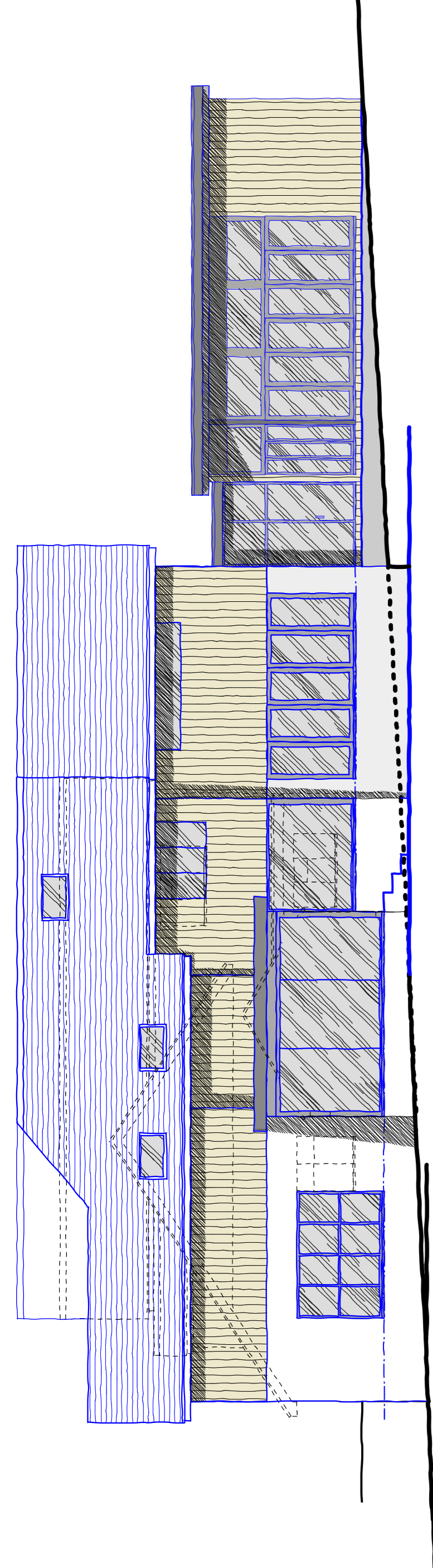
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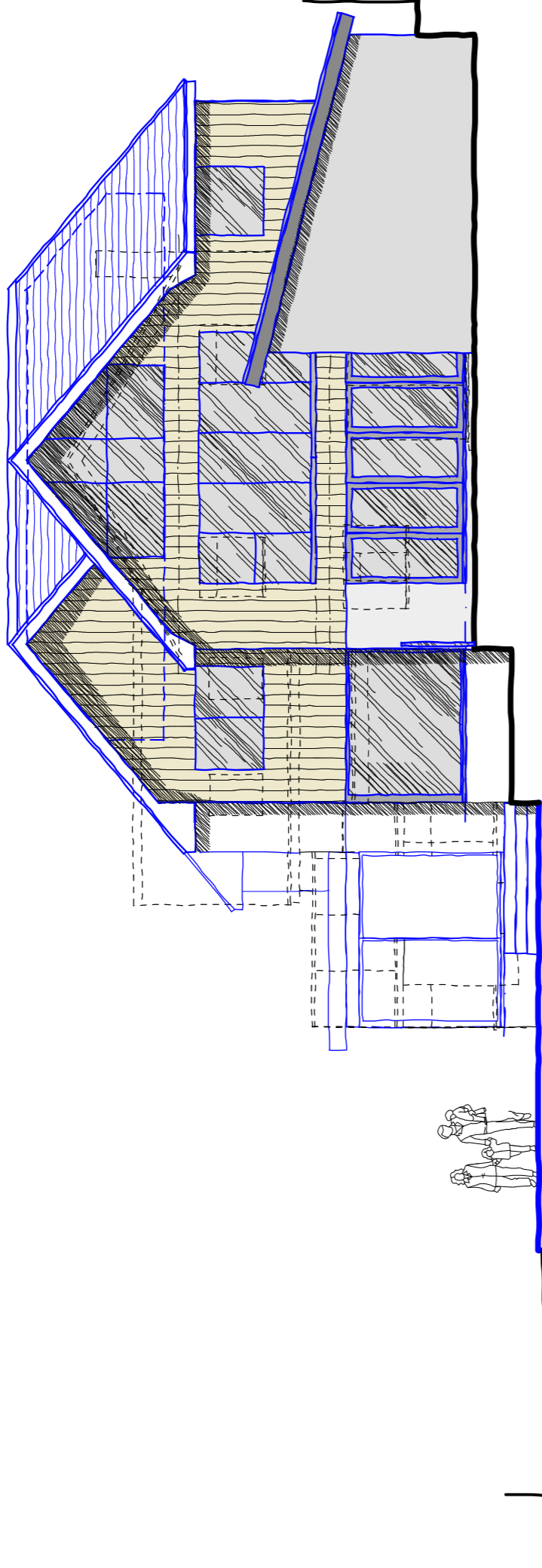


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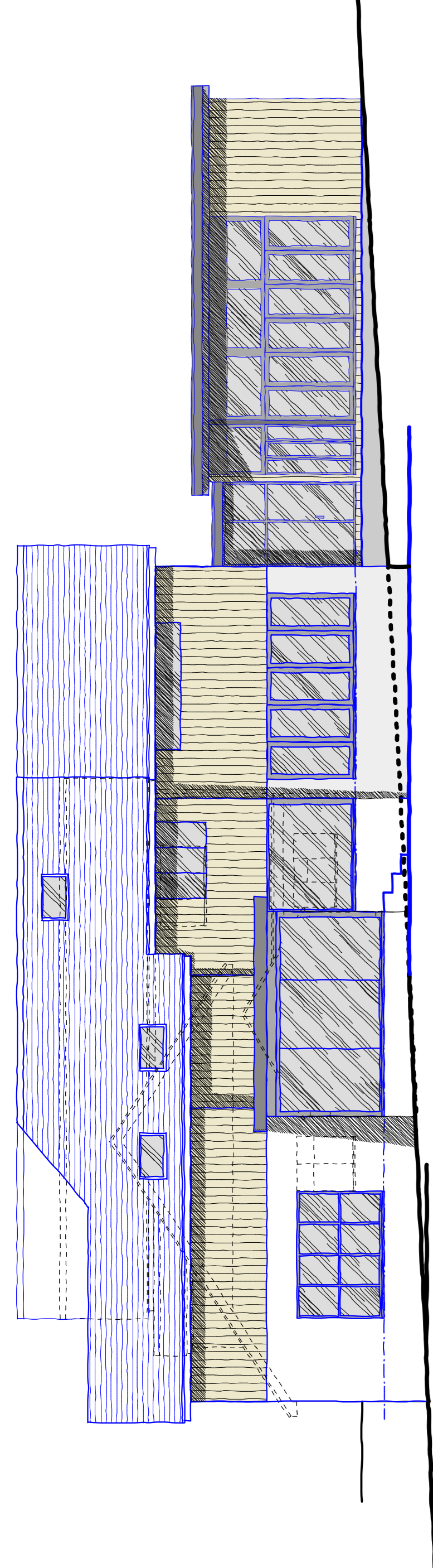
architectural services



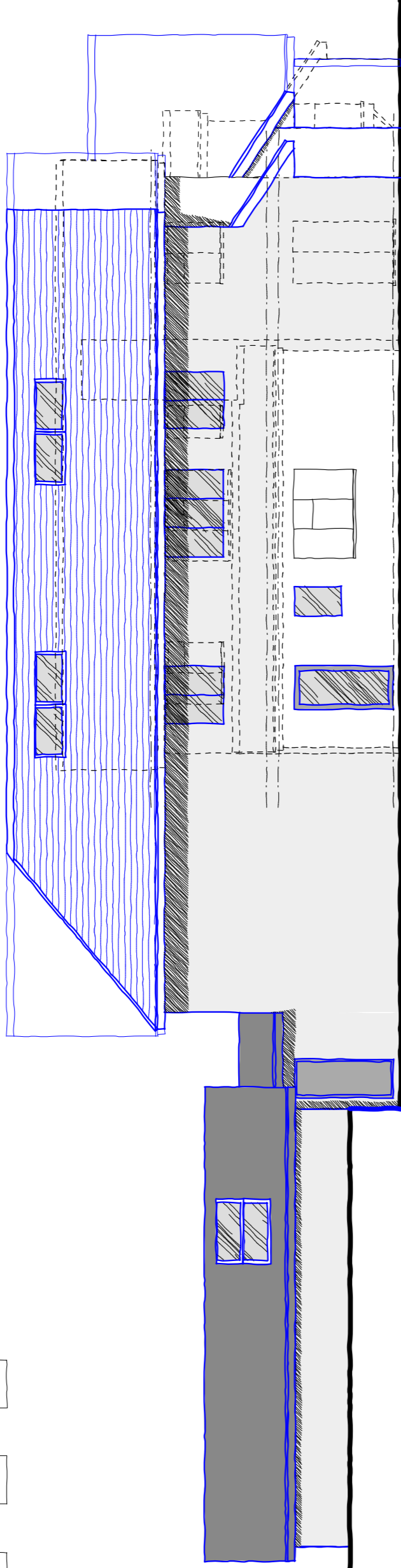
Proposed Front Elevation 1:100



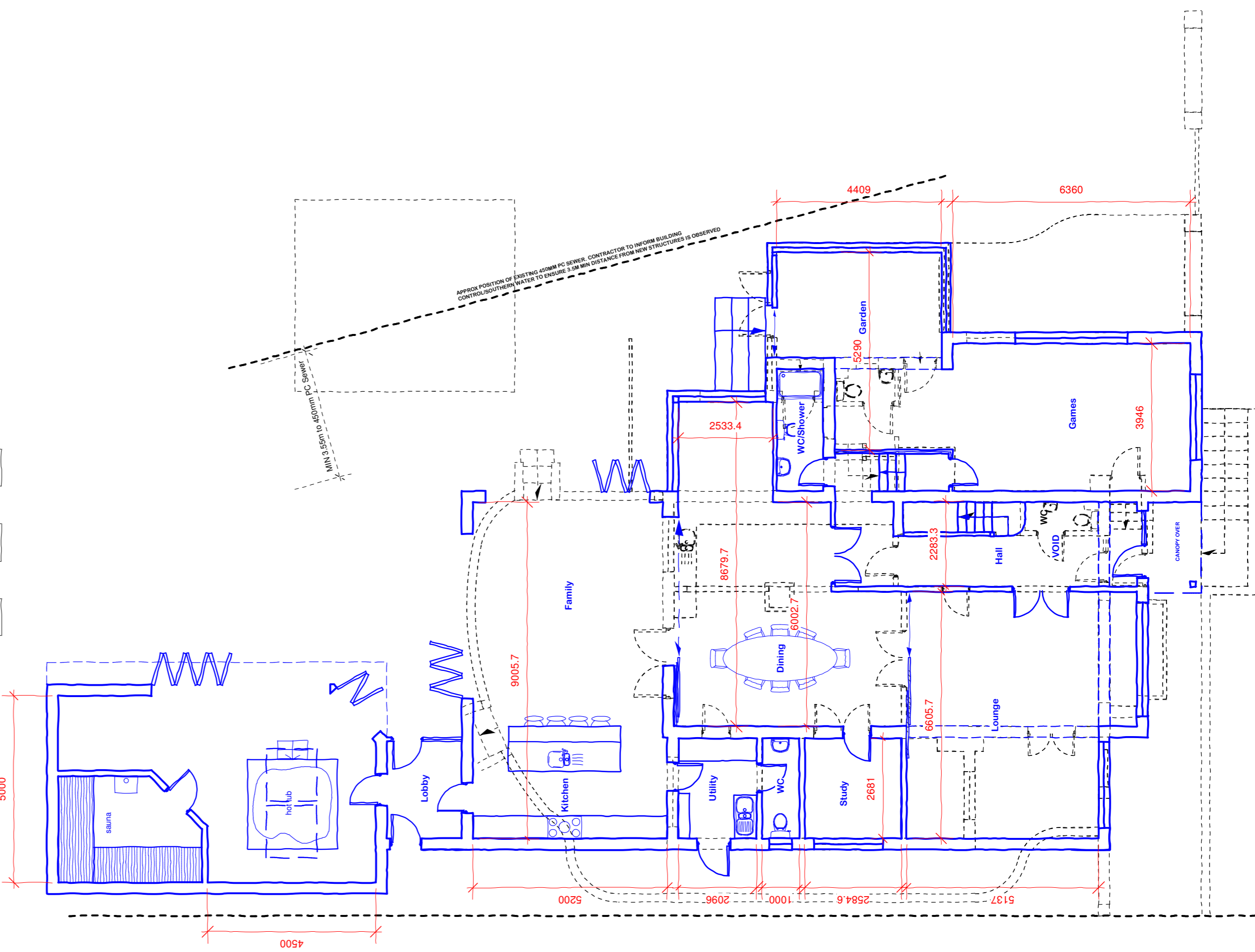
Proposed Rear Elevation 1:100



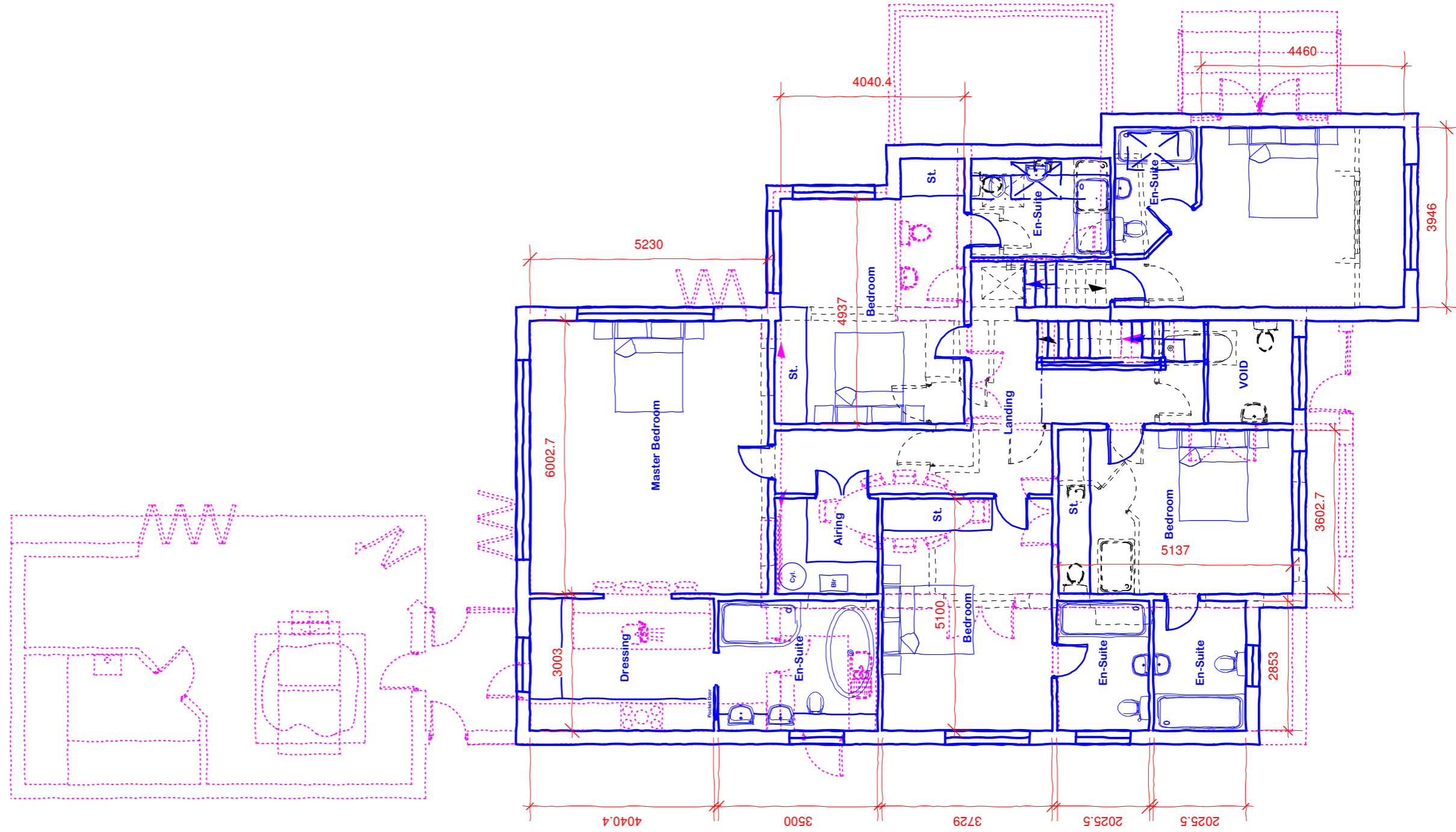
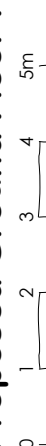
Proposed Side Elevation 1:100



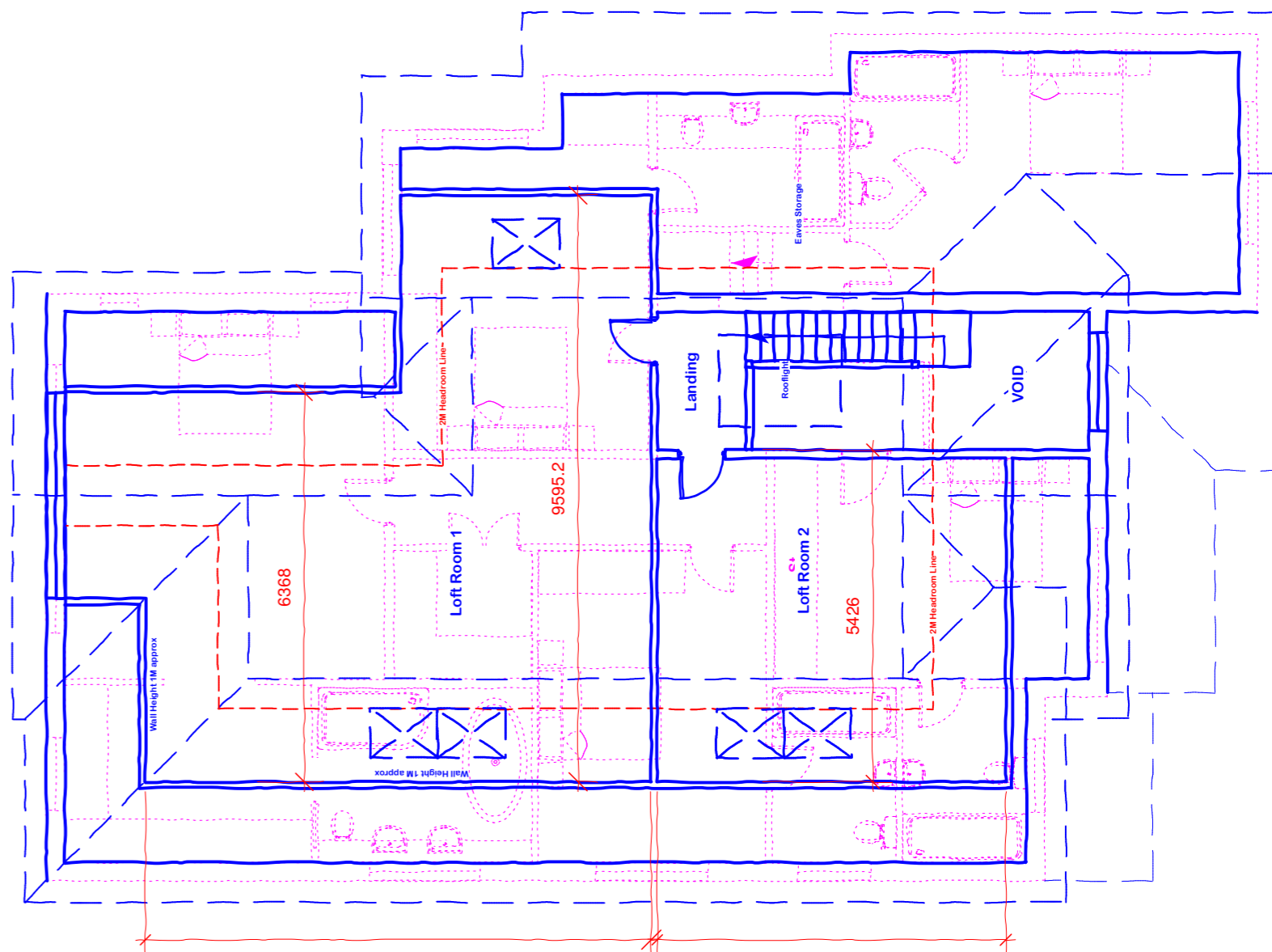
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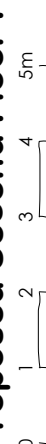
Proposed Ground Floor Plan 1:100



Proposed First Floor Plan 1:100



Proposed Second Floor Plan 1:100



Important Notes

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revisions

Test Valley Borough Council - Southern Area Planning Committee - 23 April 2019

project

**Birchdene
Lingdale
Chilworth
Hampshire
SO16 7LR**

client

Mr & Mrs Chandhoke

drawing

Proposed Street Scene & Relationship Drawings

stage

Stage 3 - Planning

scale

1:100 & 1:50@A1

date

January 2019

job no.

2009/07_

dwg no.

24_

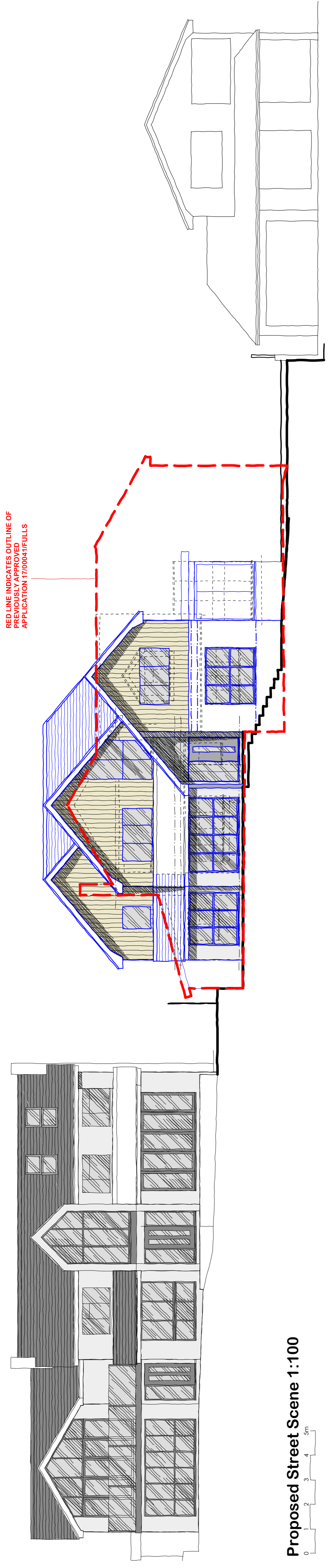
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SO50 7HF

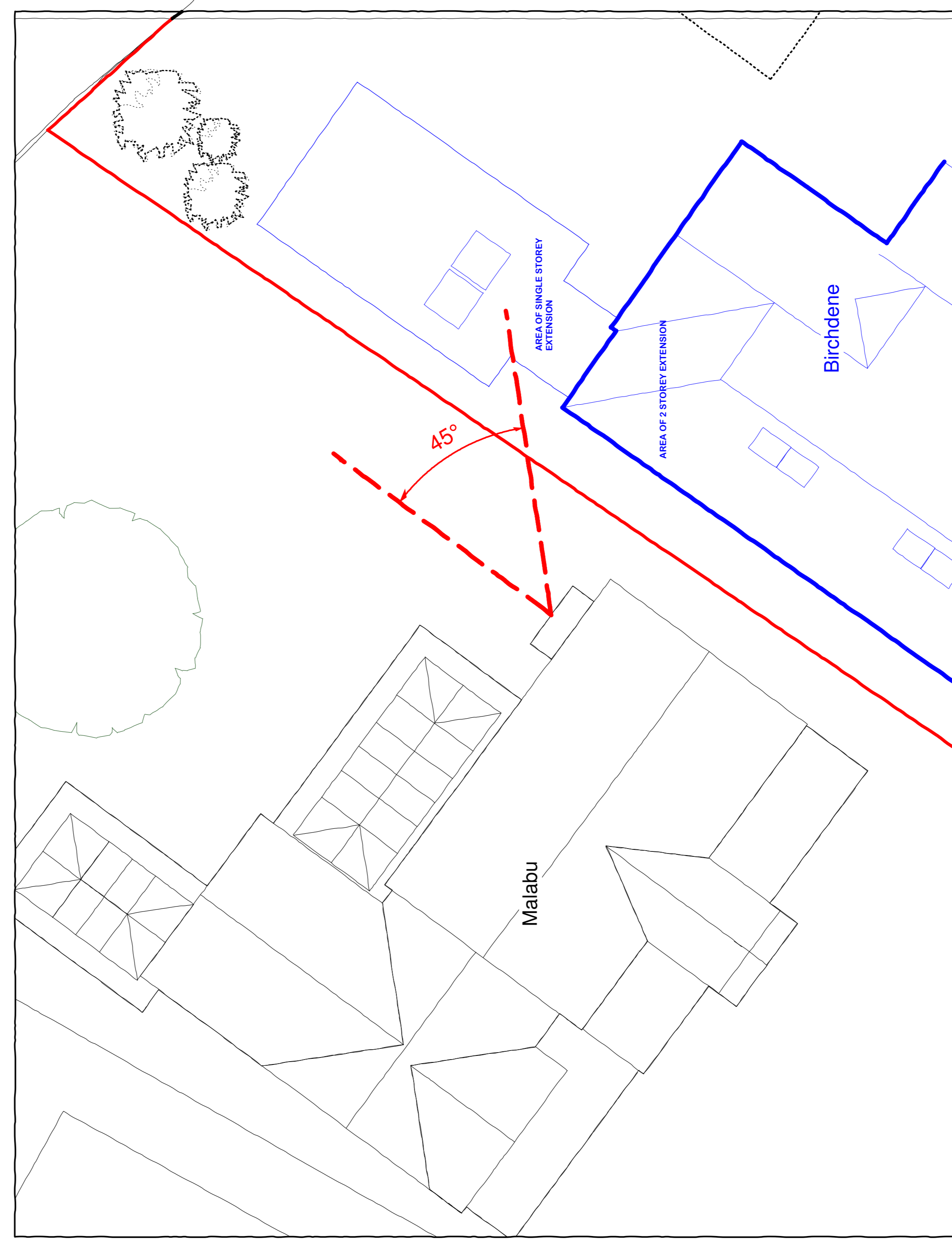
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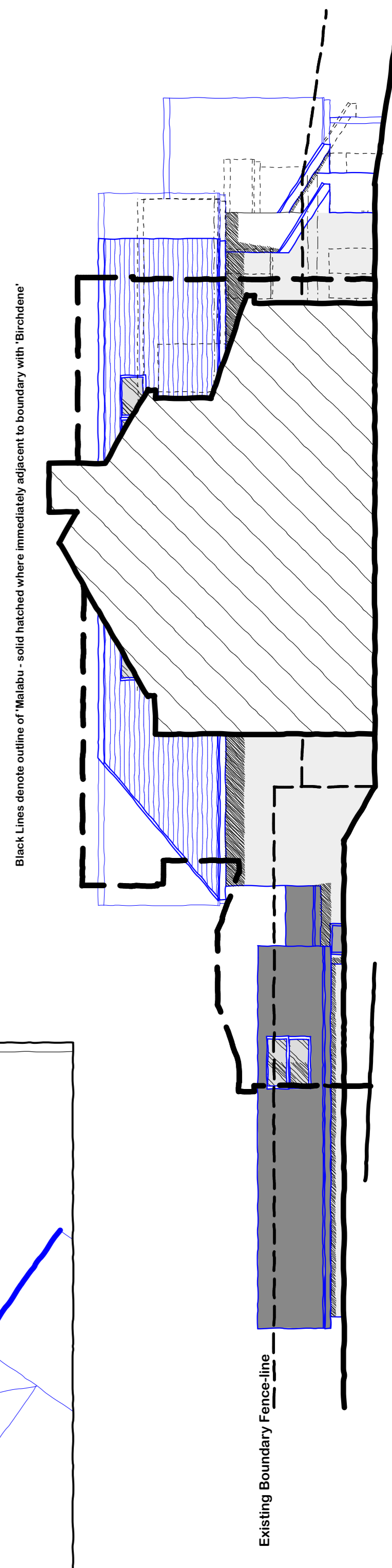
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Proposed Street Scene 1:100



Light Impact Plan showing horizontal 45 degree line 1:100



Proposed Side Elevation including relationship to 'Malabu' 1:100

ITEM 8

APPLICATION NO.	19/00287/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	07.02.2019
APPLICANT	Mrs Ola Osuch
SITE	4 Caernarvon Gardens, Chandlers Ford, SO53 4NG, VALLEY PARK
PROPOSAL	Demolition of existing conservatory and erection of single storey rear extension with flat roof to form extended living accommodation.
AMENDMENTS	None
CASE OFFICER	Mrs Sacha Coen

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.

2.0 HISTORY

- 2.1 TVS.10557 - Erection of first floor extension over existing garage, two storey infill extension and conservatory to rear to provide additional living and bedroom accommodation – Refused 15.02.2005.
- 2.2 TVS.10557/1 - Erection of conservatory to rear of property and two storey side extension incorporating existing garage to create extended utility to the rear of the property and an extended porch on the front of the property at ground floor level and one bedroom with en-suite facilities and extended bedroom on first floor – Permission 20.06.2005.

3.0 CONSULTATIONS

- 3.1 **Ecology:** No concerns.

4.0 REPRESENTATIONS Expired 01.03.2019

- 4.1 **Parish Council:** No comment.
- 4.2 **3rd Party Correspondence:** Objection:
- Scale and bulk resulting in loss of light.
 - Over-development.
 - Design.

5.0 POLICY

- 5.1 Government Guidance
National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

5.2 Test Valley Borough Revised Local Plan (2016)(TVBRLP)

Policy SD1 - Presumption in Favour of Sustainable Development

Policy COM2 - Settlement Hierarchy

Policy E1 - High Quality Development in the Borough

Policy E5 - Biodiversity

Policy LHW4 - Amenity

Policy T2 - Parking Standards

6.0 **PLANNING CONSIDERATIONS**

6.1 The main planning considerations are:

- Principle of development
- Impact on the character and appearance of the area
- Impact on amenity of neighbouring property
- Impact on ecology
- Impact on parking provision

6.2 **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.

6.3 **Impact on the character and appearance of the area**

Concern was raised that the proposed extension would result in overdevelopment. The size of the dwelling house with the proposed extension has a total foot print measuring approximately 120.34m². The size of this residential plot measures at approximately 266.46m² and therefore the resulting amenity garden space and driveway measures at approximately 146.13m². The extension is single storey in nature with more than half of the plot remaining as amenity space, therefore the development is not considered to result in overdevelopment.

6.4 The development is located in a position such that limited public views would be possible. Any glimpsed views of the proposal would be seen in the context of the existing dwelling and in this respect the proposal would not adversely affect the character and appearance of the area, in compliance with Policies COM2 and E1 of the TVBRLP.

6.5 **Impact on amenity of neighbouring property**

Concern has been raised that the proposed extension will block out the sunshine into the garden of 3 Caernarvon Gardens during summer, which means by 3pm there will be shadow of between 9-10 metres in the garden which would also block/reduce sunlight to the kitchen and dining room.

6.6 Given the orientation and location of the proposed extension some additional shade will be cast upon the neighbouring property to the east of the application site number 3 Caernarvon Gardens. However, as a result of a shade diagram completed by the officer using a sun on ground indicator for the 21 March,

the majority of the shade cast upon 3 Caernarvon Gardens is as a result of the existing boundary fencing and the host property. It is therefore considered that the additional shade cast is such a minimal amount not to warrant refusal of this proposed development.

6.7 The proposed extension is flat roofed and has an overall height of approximately 2.8 metres as measured at a scale of 1:100 on the submitted plan number 002 OSUCH. The rear garden of the host property has a slight incline from the rear of the property to the end of the garden. The existing boundary treatment between 3 and 4 Caernarvon Gardens is shiplap fencing approximately 1.8 metres in height. The fencing will partially screen a majority of the proposed extension leaving approximately 1 metre showing above the fence line. However, due to the topography of the land, as the extension extends further into the rear garden, the existing fencing will screen more of the extension. Given the existing screening and the flat roofed single storey nature of the proposed extension, it is not considered to constitute overbearing upon the neighbouring property of 3 Caernarvon Gardens.

6.8 Given the host property is slightly higher than the neighbouring property at 3 Caernarvon Gardens, it is considered reasonable and necessary to add a condition to obscurely glaze the proposed window in the south-eastern elevation to prevent any unwarranted overlooking.

6.9 By virtue of the size (bulk and mass) and design of the proposal, it's position relative to neighbouring properties, and the nature of the intervening boundary treatment the proposal would not give rise to an adverse impact on the living conditions of neighbouring properties by virtue of loss of daylight, sun light, or privacy. The proposal is in accordance with Policy LHW4 of the TVBRLP.

6.10 Impact on ecology

The Ecology Officer has raised no concern given the condition of the property. However, given the application site is adjacent to a line of trees and nearby wooded areas an informative note has been attached to this decision to stop works if bats or any evidence of bats are encountered. The application therefore complies with Policy E5 of the TVBRLP.

6.11 Impact on parking provision

The proposal does not give rise to an additional demand for car parking or result in the loss of existing car parking spaces to serve the dwelling, in accordance with the parking standards as set out in Annex G and Policy T2 of the TVBRLP.

6.12 Other Issues

Whilst it is noted that the conservatory has been incorrectly drawn on the existing floor plan showing a rectangular layout rather than a hexagonal shape, the conservatory is to be replaced by the proposed extension and therefore the existing plan is immaterial.

7.0 CONCLUSION

7.1 The proposal is considered acceptable and in accordance with the policies of the TVBRLP.

8.0 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:
Drawing Number 003 OSUCH - Location Plan
Drawing Number 004 OSUCH - Site Plan
Drawing Number 001 OSUCH - Existing Plans and Elevations
Drawing Number 002 OSUCH - Proposed Plans and Elevations
Reason: For the avoidance of doubt and in the interests of proper planning.
3. The external 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 Revised Local Plan (2016) Policy E1.
4. The window in the south-eastern elevation of the development hereby permitted shall be fitted with obscured glazing and thereafter retained as such.
Reason: To protect the amenity and privacy of the adjoining occupiers in accordance with Test Valley Borough Revised Local Plan (2016) Policy LWH4.
5. No development shall take place (including site clearance and any other preparatory works) until tree protective fencing has been erected 2 metres from the rear of the extension hereby approved. The protective fencing shall be maintained and retained for the full duration of the development. At least three working days notice shall be given to the Local Planning Authority that the fencing has been erected. No activities, nor material storage, nor placement of site huts or other equipment what-so-ever shall take place within the barrier.
Note: The protective barriers shall be as specified at Chapter 6.2 and detailed in figure 2 of B.S.5837:2012 unless otherwise agreed in writing with 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 Revised Local Plan policy E2.

Notes to applicant:

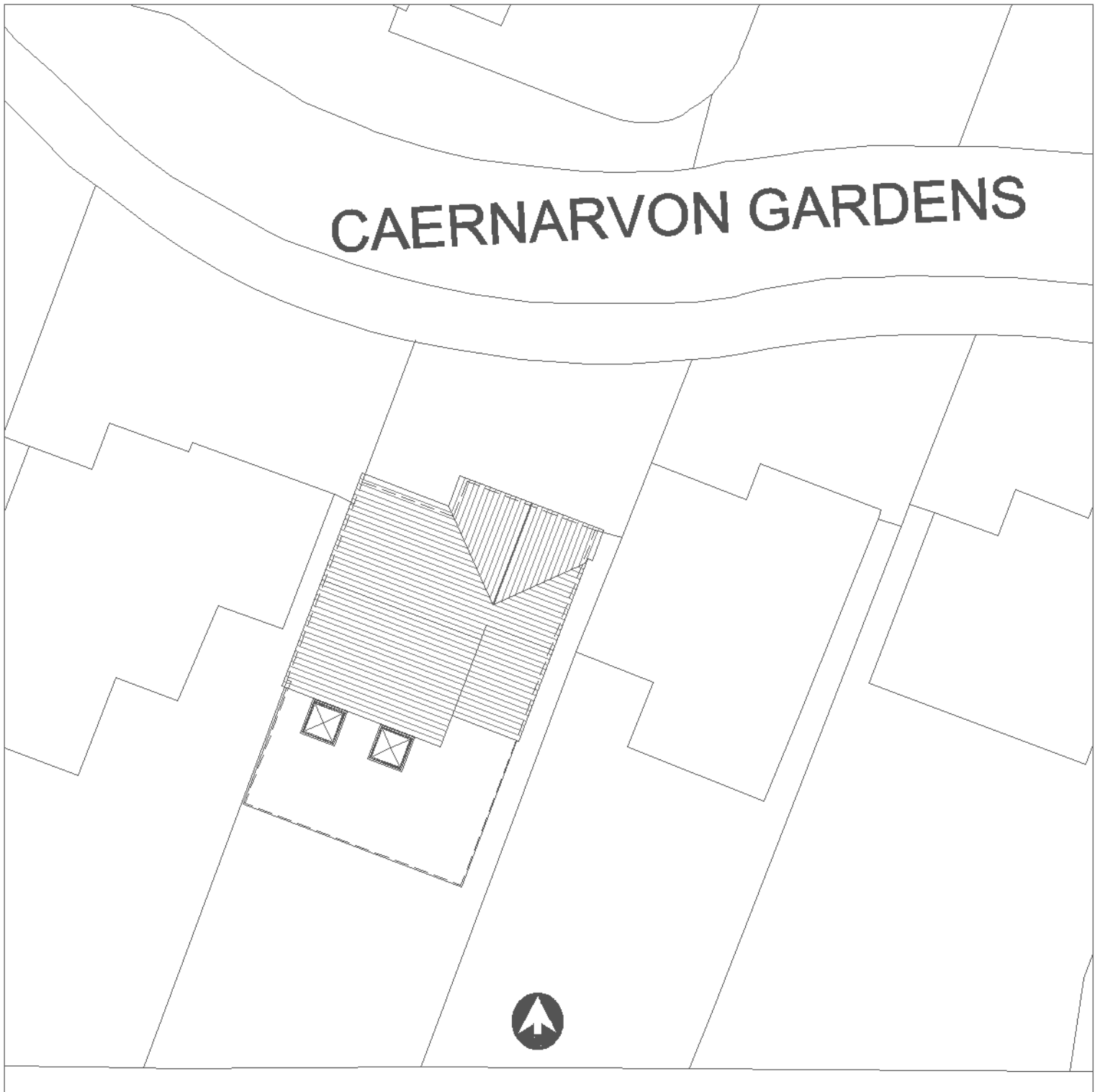
1. In reaching this decision Test Valley Borough Council (TVBC) has had regard to the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a 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 2010 (as amended). 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.**
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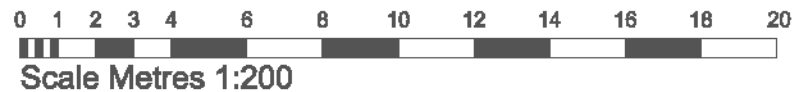
Siteplan

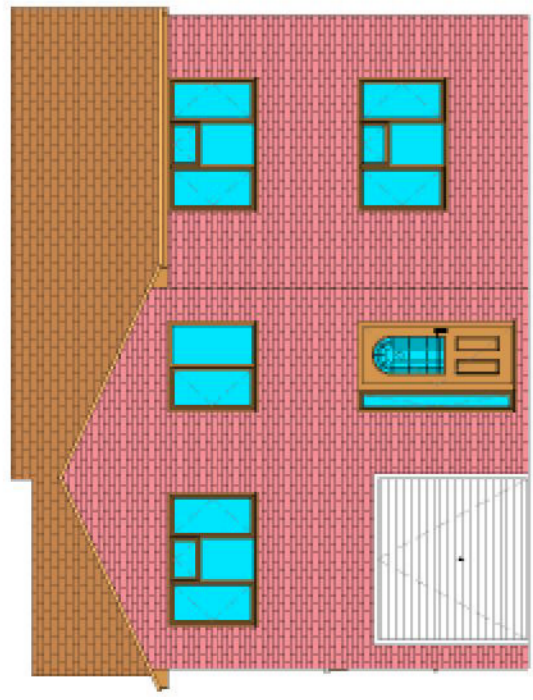




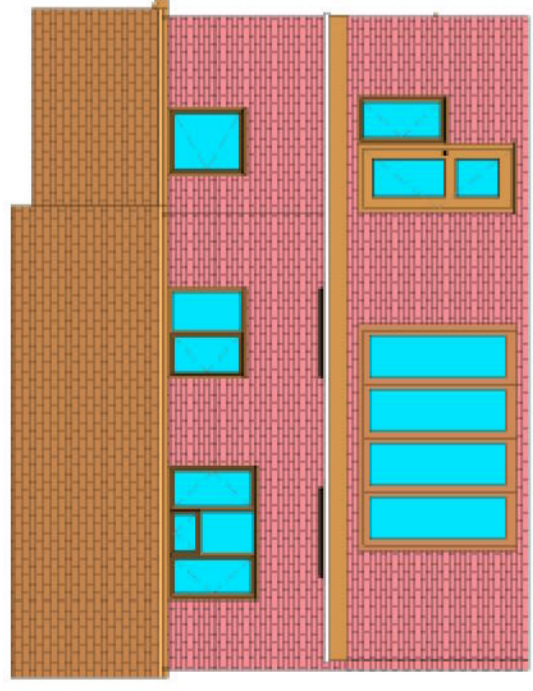
02 January 2019 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date.
This map shows the area bounded by 442339,119622 442339,119764 442481,119764 442481,119622
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BLOCK PLAN 1:200

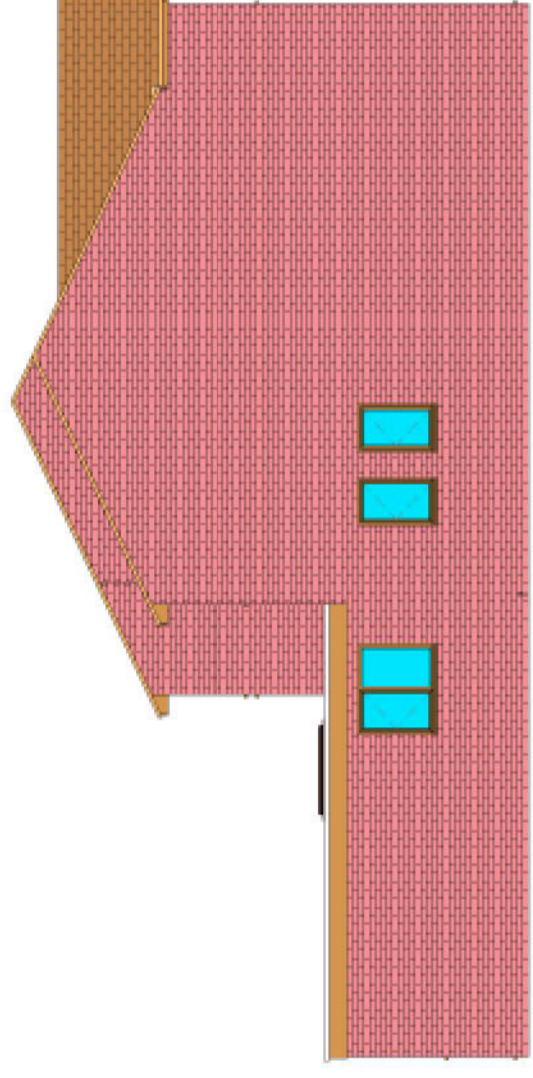




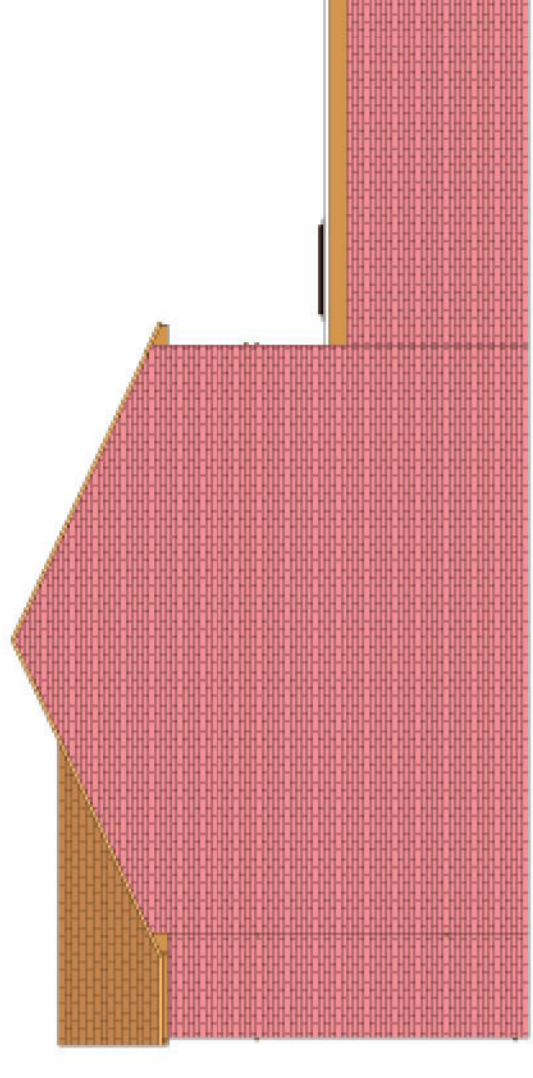
3 Proposed Front Elevation
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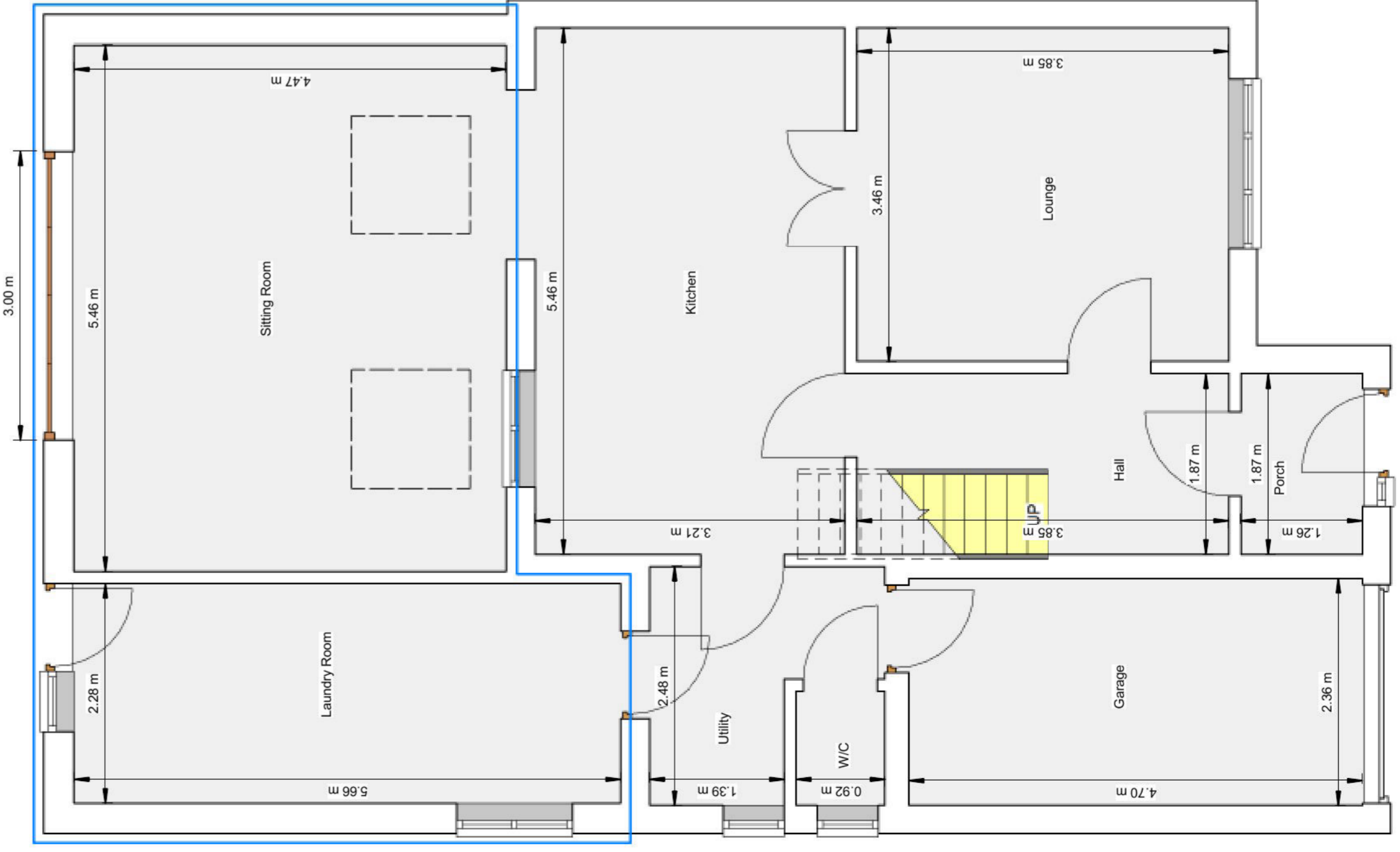
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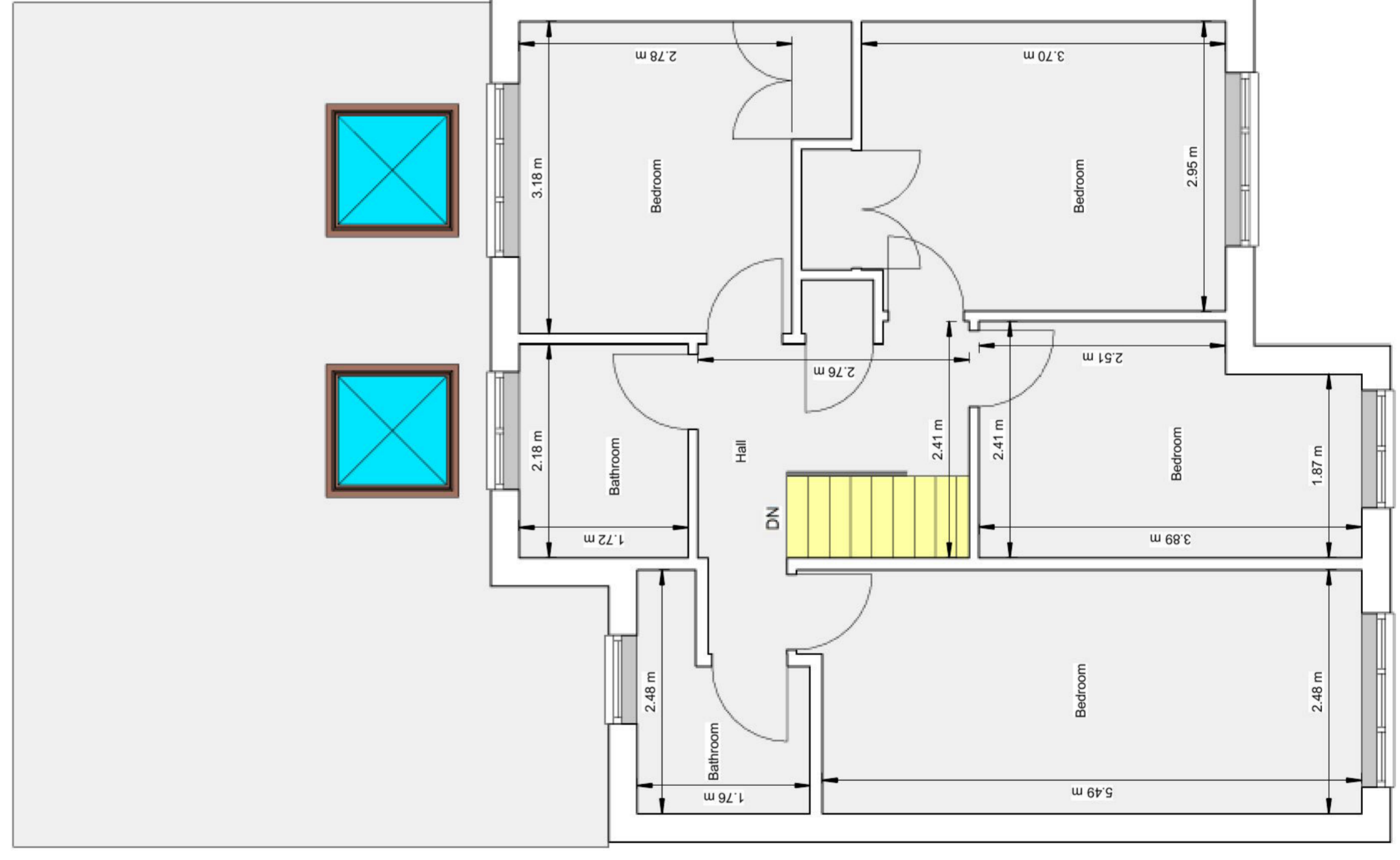
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1 : 100



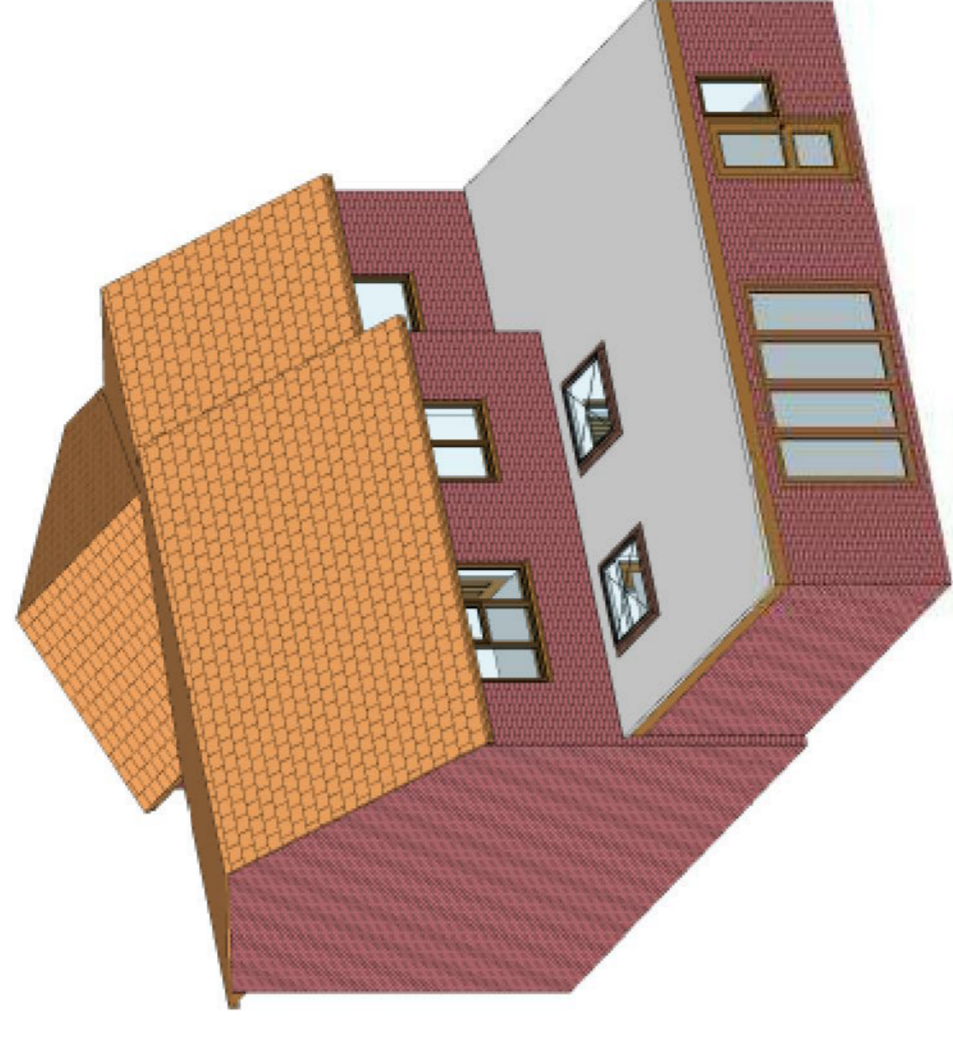
6 Proposed Side (Right) Elevation
1 : 100



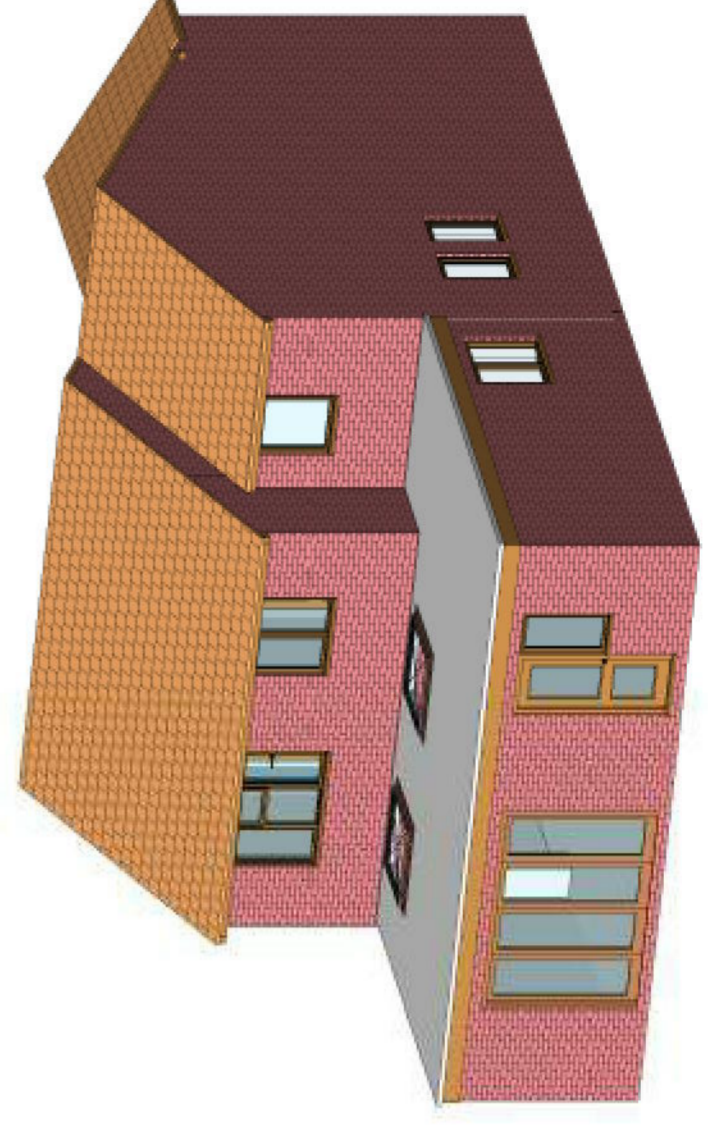
1 Proposed Ground Floor Plan
1 : 50



2 Proposed First Floor Plan
1 : 50



7 Rear Right 3D



8 Rear Left 3D

Revision

Drawings by:

unsted design
3D Computer Aided
Architectural Design

Unsted Design Ltd
16 Hazel Close,
Eastleigh, Hampshire,
SO53 5RF

Tel: 02380274720
Fax: 02380274720
Email: info@unsteddesign.co.uk
Web Site: www.unsteddesign.co.uk
Company Number: 8013235

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Party Wall Agreements: It is the sole responsibility of the building owner or the contractor to ensure that any necessary Party Wall Agreements comply with the Party Wall Act. This drawing does not guarantee the position of the boundary.

Client: MR & MRS OSUCH
Project Address: 4 CAERNARVON GARDENS,
APPLETON LEIGH,
HANTS,
SO53 4NG.

Drawing Contents: PROPOSED FLOOR PLANS, 3D VIEW AND ELEVATIONS.
Purpose: PLANNING APPLICATION
Scale: 1:50 1:100
Date: 28th NOVEMBER 2018 Drawn by: JU

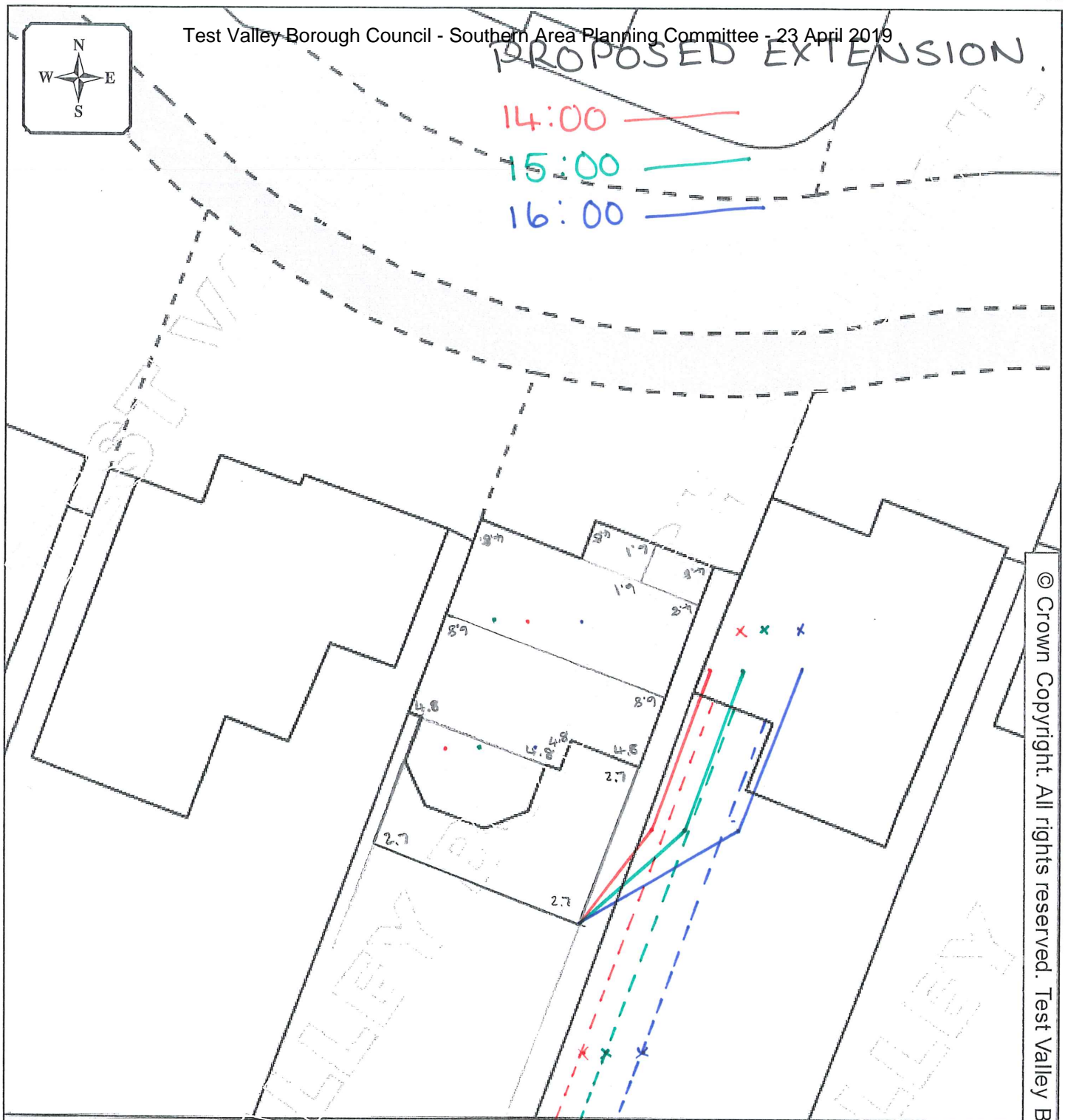


PROPOSED EXTENSION

14:00 ———

15:00 ———

16:00 ———



EXISTING FENCE 1.8m

14:00 - - - - -

15:00 - - - - -

16:00 - - - - -

+ 30.9m

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Scale:
Date:
Drawn:
Dept:
Doc: