
APPLICATION NO.	21/02904/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	05.10.2021
APPLICANT	Mr and Mrs Savage
SITE	Warblers Cottage, Chapel Lane, Timsbury, SO51 0NW, MICHELMERSH AND TIMSBURY
PROPOSAL	Alterations and single storey extension
AMENDMENTS	None
CASE OFFICER	Kate Levey

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

- 1.1 The application has been called to Southern Area Planning Committee at the request of a member.

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The application site is a detached, Grade II listed two storey dwelling located on the north side of Chapel Lane in the settlement area of Timsbury. The existing property also includes a two storey garage outbuilding in close proximity to the side (west) and rear (north) elevation of the main dwelling.

3.0 PROPOSAL

- 3.1 The proposal is for the erection of an extension measuring approximately 9.1 metres by 6.9 metres by 5 metres. The proposed development would adjoin the rear (north) elevation of the existing dwelling at its eastern end, this link will be provided by way of a modest element with a footprint of approximately 0.7 metres by 1.5 metres, and the ridge height of the link is approximately 3.9 metres.

4.0 HISTORY

- 4.1 **Dismissed appeal: APP/C1760/W/19/3232988** relating to 19/00301/FULLS. Copy of appeal decision attached at appendix A
- 4.2 **Dismissed appeal: APP/C1760/Y/19/323984** relating to 19/00302/LBWS. Copy of appeal decision attached at appendix A
- 4.3 **19/00301/FULLS** Erection of two storey rear extension to provide additional living, and associated works. **Refuse 18.04.2019**
- 4.4 **19/00302/LBWS** - Erection of two storey rear extension to provide additional living, and associated works. **Refuse 18.04.2019**

- 4.5 **18/00636/LBWS** - Minor crack repair to front elevation and to the inside of the front porch; painting front elevation and exterior and interior of porch. *Consent subject to conditions and notes, decision issued on 18.04.2019.*
- 4.6 **17/02436/LBWS** - Two storey linked extension to rear of the building to provide kitchen and lounge diner with bedroom and bathroom accommodation over, alterations to the layout of existing listed building, and levelling and refurbishment of floor, alterations and conversion of garage into office/workshop on the ground floor and bedroom on the first floor, including conversion of external staircase to balcony, and erection of covered walkway. *Application withdrawn on 20.11.2017.*
- 4.7 **17/02435/FULLS** - Two storey linked extension to rear of the building to provide kitchen and lounge diner with bedroom and bathroom accommodation over, alterations and conversion of garage into office/workshop on the ground floor and bedroom on the first floor, including conversion of external staircase to balcony, erection of covered walkway from existing cottage to existing garage, and erection of detached garage/store. *Application withdrawn on 20.11.2017.*
- 4.8 **TVS.09426** - Replacement of existing garage and potting shed with oak framed garage, potting shed and garden store and studio at first floor level. *Permission subject to conditions and notes.*
- 5.0 **CONSULTATIONS**
- 5.1 Conservation – at the time of writing this report no formal written comments have been received, however verbally objections have been received and formal written comments will be included within the update paper.
- 5.2 Ecology – at the time of writing this report no comment has yet been received, however this will be included within the update paper.
- 5.3 Trees - at the time of writing this report no comment has yet been received, however this will be included within the update paper.
- 6.0 **REPRESENTATIONS** Expires 05.11.2021
- 6.1 Michelmersh and Timsbury Parish Council – no objection
- 7.0 **POLICY**
- 7.1 Government Guidance
National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Planning (Listed Building and Conservation Areas Act) 1990
- 7.2 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 E2: Protect, Conserve and Enhance the Landscape Character of the Borough

Policy E5: Biodiversity
Policy E9: Heritage
Policy LHW4: Amenity
Policy T1: Managing Movement
Policy T2: Parking Standards

7.3 Supplementary Planning Documents (SPD)
Michelmersh and Timsbury Village Design Statement (2001)

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of development
- Character and appearance of the area
- Heritage
- Biodiversity
- Neighbouring amenity
- Highways
- Parking provision

8.2 **Principle of development**

The application site lies within the settlement boundary of Timsbury 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 the other policies of the TVBRLP. The proposal is assessed against relevant policies below.

8.3 **Heritage**

Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require special regard to be had to the desirability of preserving the listed building or its setting or any features of special architectural or historical interest which it possesses.

8.4 In relation to the assessment of the proposal on designated heritage assets, Paragraph 199 of the NPPF sets out that great weight should be given to the assets conservation, stating as follows:

When considering the impact of a proposed development on the significance of the heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

8.5 Furthermore, paragraph 202 of the NPPF asserts that any harm to the significance of the heritage asset should be weighed against any public benefits:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.

- 8.6 In addition, Policy E9 of the TVBRLP is pertinent to development affecting heritage assets and states as follows:

Development and/or works affecting a heritage asset will be permitted provided that:

- a) it would make a positive contribution to sustaining or enhancing the significance of the heritage asset taking account of its character, appearance and setting; and*
- b) the significance of the heritage asset has informed the proposal through an assessment proportionate to its importance.*

- 8.7 In this instance, the host property is a Grade II listed dwelling and in addition, the neighbouring properties to the west, Wealden and Elizabethan Cottage are also Grade II listed. Therefore, it is necessary to consider the impact of the proposal on the historical significance of these designated heritage assets.

8.8 Assessment of the impact on Warblers Cottage

Warblers Cottage is listed at Grade II and comprises a 17th century timber-framed building with brick repairs and a brick extension to the eastern end, added in the 1940s. The existing building is mostly painted, although some of the later brickwork is exposed. With the exception of the 1940s extension, which is single-storey, the cottage is 1 and half storeys under a thatched roof with eyebrow dormers. There is a gabled tiled brick porch roof with an old plank door in the centre of the front elevation and chimney stacks on either end.

- 8.9 It is considered that one of the historically significant characteristics of the cottage is its form, both in terms of its modest size and that it has been largely unaltered, remaining as a simple linear building. However, survival of this plan form is rare and therefore where it has not been compromised as in this case here, it is important that the existing plan form is conserved. In relation to this consideration, it is noted that Warblers Cottage was listed as a nationally important example of a building of its type. The 1940s extension adjoining the side (east) elevation is modest and follows the building line, which keeps its impact to a minimum. So few buildings of this type have survived so unaltered, and this rarity makes its preservation all the more important.

- 8.10 For this reason, it would be very difficult to extend the building through a rear (north) projection without harming its significance. The extension as proposed is not considered acceptable, as this would fundamentally alter the character of the cottage from being linear to an 'L'. As a result of the proposed layout and siting of the development, the proposal serves to erode the historically significant plan form of the building, adversely impacting its special interest.

- 8.11 In addition to the direct impact on the cottage, the proposed extension would also have an effect on its setting, especially as it would be visible in views of the front of the building from Chapel Lane. Traditionally, it would not possible to see a rear extension in context with the front elevation. The visibility of the proposed extension from the front draws attention to the size of the extension,

and prevents it appearing subservient because it appears too large to be hidden by the host building. As a result, the proposed extension affects all areas of the listed cottage, including the principal elevation whereas a more proportionate rear extension would at least be screened by the building from the front. Consequently, there is harm to the appearance of the whole of the cottage and for the purposes of the NPPF, this harm is considered to be less than substantial.

- 8.12 In addition, it is not considered that the proposal assumes a wholly 'traditional' appearance although it is proposed to be finished in weather boarding, which is common for ancillary buildings in this area. However, the proposed glazing present including the apex window in the rear (north) elevation, the domestic style of the other windows, and the large amount of glazing on the side (west) elevation, the glass within the roof of the link and the form of the building cumulatively prevent the proposal from assuming a convincing appearance as an outbuilding. The proposed detailing and materials of the extension draws more attention to it, detracting from the setting of the historic cottage and again resulting in adverse harm considered to be less than substantial.
- 8.13 The existing property may well have been some form of agricultural labourer's dwelling, however, it is unlikely that it was ever a farmstead in its own right given its style and modest size. The historic mapping does not appear to show any outbuildings associated with it. Consequently, there is no precedent for barn-type buildings, as the style of the proposed extension might be argued to be, in this location, and it would either be an incongruous feature or would have the potential to be misleading. Either would be harmful to appreciating the special interest of the site especially combined with the existing outbuilding which does not serve to set a precedent for extensions to the cottage or other buildings on site.
- 8.14 It is noted that the proposed extension would be attached to the 1940s extension by a narrow link and would therefore not conceal or damage any historic fabric. As such, the proposal is considered to have a neutral impact on the historic fabric of the designated heritage asset.
- 8.15 With regard to any potential public benefits to outweigh the harm identified, as directed by the NPPF, this has not been demonstrated. It is acknowledged that the use of the existing property to serve a local housing need would constitute a public benefit. However, it is understood from the supporting statement and previous planning history (application reference 18/00636/LBWS), that the cottage has recently been repaired and refurbished. However, it does not appear the need for work resulted from the cottage not being viable as a dwelling and having therefore remained unoccupied for a protracted period with associated decay. Rather, the building was in the same ownership for a protracted period, and very little significant work has been done to it for some time.

- 8.16 The existing dwelling comprises two bedrooms, two reception rooms, a kitchen, and an upstairs bathroom. It would be difficult, therefore, to argue it is not a viable dwelling not capable of serving a local housing need in its current state. The property has also benefitted from a substantial outbuilding to the left, which provides additional domestic accommodation.
- 8.17 Applications for planning permission and listed building consent for an extension in the same location were submitted (19/00301/FULLS and 19/00302/LBWS) and were and subsequently refused in April 2019. These applications proposed the erection of a two storey extension measuring approximately 7.2m by 6.1m by 5m. The proposed development would adjoin the rear (north) elevation of the existing dwelling at eastern end, through the erection of a single storey link, measuring approximately 0.8m by 2m by 2.4m. The proposed development would serve to provide additional living accommodation and included the erection of a dormer window and two rooflights in the side (west) elevation.
- 8.18 This application proposes a single storey extension with a lower ridge height than previously considered. The current ridge height considered under this application is 4.8 metres, and under the previous 2019 the ridge height proposed was 5.1 metres. The large dormer window on the side (west) elevation as proposed under the previous 2019 application has been removed, and has been replaced with large amounts of proposed glazing on this elevation. The scale, siting and design of the proposed extension is broadly the same as the 2019 applications previously considered.
- 8.19 The Inspector's recent decision for the appeals (APP/C1760/W/19/3232988 and APP/C1760/Y/19/323984 which are attached at appendix a) are important material considerations. The Inspector commented in paragraph 6 of the decision notice that due the scale and design of the proposed extension would not 'be either physically or visually subsidiary to the listed cottage. Whilst it would be located to the rear it would still dominate the proportions and plan form of the existing vernacular cottage'. The Inspector did not find any significant public benefit arising from the proposal and that securing a more viable family house would not outweigh the harm to the listed building. As a result, the Inspector concluded that the proposal would fail to comply with the requirements of policy E9, and the appeals were dismissed.
- 8.20 Consequently, as a result of the assessment above it is considered that the proposed extension would, by reason of its size, design, siting, use of materials and impact on the building's plan form, have a harmful impact on the special interest of Warbler's Cottage. This harm would be less than substantial for the purposes of the NPPF and is not outweighed against any public benefit. As a result, the application is contrary to policy E9 of the TVBRLP in addition to paragraph 199 of the NPPF.

8.21 Assessment of the impact on Wealden and Elizabethan Cottage

Due to the intervening distance between the siting of the proposed extension and both listed properties of Wealden and Elizabethan Cottage, in addition to the intervening boundary treatment it is not considered that the proposal will adversely impact the historic significance or setting of either designated heritage asset.

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

Policy E1 of the TVBRLP is relates to the design of development and states as follows:

Development will be permitted if it is of a high quality in terms of design and local distinctiveness. To achieve this development:

- a) *should integrate, respect and complement the character of the area in which the development is located in terms of layout, appearance, scale, materials and buildings styles;*

Development will not permitted if it is of poor design and fails to improve the character, function and quality of the area.

8.23 Furthermore, the guidance in the Michelmersh and Timsbury Village Design Statement asserts:

New buildings should be in keeping with the existing designs, proportions and materials of buildings which are in the surrounding area.

8.24 As a result of the assessment undertaken above from paragraphs 8.3 to 8.18, it is considered that the proposed development does not respect or complement the character of the existing dwelling, by virtue of its siting, scale, form and appearance. Consequently, by virtue of this failure to preserve or enhance the historic character and significance of the host property, it follows that the proposal cannot be considered to be high quality design which improves the quality of the area. As such, the application is contrary to policy E1 and the guidance in the Michelmersh and Timsbury village design statement.

8.25 Trees

The application site is characterised by a variety of mature trees, located predominantly towards the rear (north) of the plot and along the eastern boundary. The scale and siting of the proposal avoids any conflict with the canopies and root protection zones of the mature trees. As a result, it is considered that subject to a condition securing a tree protection plan for the associated construction phase, in the event that permission was recommended, the application will preserve the landscape character of the area in accordance with Policy E2 of the TVBRLP.

8.26 **Impact on the amenity of neighbouring property**

Privacy

In the absence of any neighbouring property in close proximity to the rear (north) boundary it is not considered that the proposal will materially alter privacy levels in this direction. With regard to the proposed ground floor fenestration in the side (east) elevation, it is considered that the screening provided by the existing boundary vegetation will sufficiently obscure views towards the neighbouring properties in this direction.

8.27 In relation to the proposed ground floor and first floor windows in the opposite side (west) elevation, the existing two storey garage outbuilding on this boundary of the plot will serve to protect the current privacy levels of Bramble Bank. Consequently, it is considered that the proposal sufficiently provides for the privacy of neighbouring dwellings.

8.28 Daylight/Sunlight Provision

Due to the orientation of the proposed development in the centre of the plot, any additional shadow will fall on the host property itself. As a result, it is not considered that the proposal will adversely impact the daylight or sunlight provision for any neighbouring property. Consequently, the application sufficiently provides for the amenity of neighbouring dwellings and is in accordance with Policy LHW4 of the TVBRLP.

8.29 **Ecology**

The proposal is supported by an ecological appraisal (Pro Vision, October 2021) and the survey identified that the proposal would not adversely impact any protected species and proposed a series of measures to enhance biodiversity on site. No further ecological survey work is proposed. Therefore, subject to a condition securing the implementation of the proposed enhancement measures in the event that the proposal was acceptable, it is considered that the application is in accordance with Policy E5 of the TVBRLP.

8.30 **Highways**

The proposal would not result in any alterations to the existing vehicular access and the existing driveway is sufficient for the parking of 3 vehicles on site. Therefore, it is considered that the proposal will not adversely impact the highway safety of the local road network, in accordance with Policy T1 and complies with the minimum parking standards set out in Annex G and Policy T2 of the TVBRLP.

9.0 **CONCLUSION**

9.1 In light of the concerns raised regarding the impact of the proposal on the historical significance of the identified heritage asset, the application is not considered to comply with Policies COM2, E1 and E9 of the Test Valley Borough Revised Local Plan (2016). The harm to the heritage asset would be less than substantial for the purposes of the NPPF and is not outweighed against any public benefit. Therefore, it is recommended that planning permission be refused.

10.0 RECOMMENDATION

REFUSE for the reason:

- 1. The siting, scale, form and appearance of the proposed development is detrimental to the special architectural and historic importance of the heritage asset and therefore, would result in unacceptable harm to the character and appearance of the designated heritage asset. The proposal would not result in any public benefits to outweigh this harm. As such, the proposal is considered to be contrary to Policies E1, E9 and COM2 of the Test Valley Borough Revised Local Plan (2016), in addition to paragraph 199 of the National Planning Policy Framework.**

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.**
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