
APPLICATION NO.	21/00462/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	15.02.2021
APPLICANT	Mr and Mrs Hill
SITE	Marlbrook, Julian Close, Chilworth, SO16 7HR, CHILWORTH
PROPOSAL	Proposed loft conversion, to accommodate 2 additional bedrooms
AMENDMENTS	
CASE OFFICER	Mr Gregory Anderson

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 HISTORY

- 2.1 **TVS.369** Extension and replacement double garage and utility room - Marlbrook, Julian Close, Chilworth. Permission 14.11.1974.
- 2.2 **TVS.00369/1** - Erection of first floor side extension over existing garage to provide extended living accommodation. Permission subject to conditions - 04.12.1997.
- 2.3 **TVS.00369/2** - Retention of entrance gates with brick piers. Permission subject to conditions - 29.11.1998.
- 2.4 **TVS.00369/3** - Erection of a two storey side extension, and first floor extension over existing rear facing lounge, and the erection of a covered walkway at the rear. Permission subject to conditions - 19.04.2001.
- 2.5 **TVS.00369/4** - Formation of swimming pool with glazed telescopic retractable canopy to rear of property. Permission subject to conditions - 24.10.2001.
- 2.6 **TVS.00369/5** - Formation of swimming pool with glazed retractable roof to rear of property (Revised scheme to that previously approved under TVS.00369/4). Permission subject to conditions - 21.06.2002.
- 2.7 **07/01454/FULLS** - Erection of garage extension and porch to kitchen door, replacement porch to main entrance door on north elevation and addition of window to east elevation. Permission subject to conditions - 09.07.2007.
- 2.8 **20/02934/FULLS** - Loft conversion consisting of 6 dormer windows and raising the ridge line of the principal dwelling. Withdrawn - 13.01.2021.

3.0 **CONSULTATIONS**

3.1 **TVBC Ecology** – No objection (subject to conditions)

3.2 **TVBC Trees** – No objection (subject to conditions)

- The proposal appears to be located mainly within the existing house footprint, distant from most important mature trees. However, access to undertake the works will require use of the property frontage which is close to a good quality cedar. It is likely that material storage and space will be required for working so precautions to avoid damage to this tree should be undertaken.
- In terms of future occupancy concerns, the proposed alterations do not bring occupied spaces significantly closer to the cedar on the frontage, or trees along the rear boundary than existing habitable rooms. These trees will be no more significant in blocking sunlight to the dwelling after the development than before, in obstructing skylight or in being unduly dominant. I do not believe this proposal is likely to bring new pressures on the tree.

4.0 **REPRESENTATIONS** Expired 30.07.2021

4.1 **Chilworth Parish Council** – Objection

- The windows shown in the south facing second floor elevation are not of a “velux style” flat roof dormers. This is confirmed by the associated floor plan that shows the windows facing forward. In addition, the largest of these proposed new windows exhibit the appearance of doors with a balcony in front. However, the appearance is not defined and further details are required.
- The proposals are not in accordance with Policy E4(b) of the Local Plan. The proposed size, setting, layout and design is not compatible with the character of this residential area.
- The proposed six bedroomed house is a serious over development on a plot measuring 0.37 acres.
- The proposed second floor raises the height of the house above an acceptable rise in the ridge line.

4.2 **Sun Corner** – Objection

- The smaller velux type windows do not deal with the overriding objection that the new height is out of all proportion to the rise in the ridge line.
- The rear elevation is unchanged from the previous application, the only difference being a move of the Juliet balcony.
- The proposal appears to offend Policy E4b) of the Local Plan as the proposed development’s size, setting, layout and design are not, in my opinion, compatible with the character of this residential area.
- The proposal seems to be entirely out of character, compared with the existing houses in Julian Close, which are either 3 or 4 bedroomed houses set in a quiet and residential Close. They appear to result in a major point of focus in the Close.
- I ask you to consider whether the proposed six bedroomed house is a serious over development of this plot.

- Loss of privacy – the second floor appears to allow an unacceptable view over private houses and gardens in the Close.

4.3 **The Cottage** – Objection

- Whilst I continue to have no objection to the concept of a third storey development, I strongly believe it should be within the existing dimensions of the property as raising the height of the property makes it ever more dominant within the Close (this property is already the physically largest dwelling in the Close having benefitted from numerous enlargements).
- The proposed raised ridge height changes the natural ‘flow’ described by the surrounding properties’ ridge lines and yet again impacts the visual aspect towards the Golf Course from the Close by this property.
- In the process of submitting an Application to TVBC to develop a third storey of my property as part of a larger schedule of works a few years ago, it was explicitly commented that I retain the overall roof level and work within the existing height of my home to minimise the impact on the visual amenity of the Close. We agreed with the reasoning, complied with the Council’s directive and the Council gave its Consent.
- Also, I was advised not to make any other enlargement to my home that in any way impacted the ‘street-view’ towards the Golf Course. Marlbrook however completely blocks the view around its land due to past developments (it ‘touches’ both boundary sides) and this will be aggravated by raising the height.
- Additionally, I believe that the third storey windows should solely be placed to the rear of the property, this would again avoid making the property appear ever more dominant in its location within the Close. Whilst accepting that this revised Application has a reduced forward-facing glass area with the style changed to a ‘Velux’ rather than the previous protruding ‘dormer’, my concern remains.
- Again, when I submitted the Application to develop a third storey of my property, it was explicitly commented that there should not be any forward-facing windows. We again totally understood and agreed with the comments, submitted appropriate plans and the Council gave its Consent.

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

Policy E4 – Residential Areas of Special Character

Policy E5 – Biodiversity

Policy LHW4 – Amenity
Policy T2 – Parking Standards

- 5.3 Supplementary Planning Document
Chilworth Village Design Statement
Residential Areas of Special Character (RASC) Appraisals – Chilworth (June 2017)
Residential Areas of Special Character SPD (January 2019)

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 trees
- Impact on ecology
- Impact on parking provision

6.2 **Principle of development**

The sites lies within the settlement boundary of Chilworth 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**

The development comprises raising the ridge height of the dwelling to accommodate a loft conversion for two additional bedrooms, the installation of three velux windows to the front elevation and three dormer windows to the rear elevation. The application site consists of a large detached property set on a sizeable plot which is set below the neighbouring dwellings to the north west by the natural slope of Julian Close. The site is surrounded by other large detached dwellings.

6.4 Representations have been received raising objection to the size and design of the proposal and that the works would constitute overdevelopment of the plot and would not be in accordance with Policy E4. These comments are addressed below.

6.5 The proposal will raise the existing ridge height of the dwelling by approximately 1.5 metres with three velux windows installed to the north elevation and 3 dormer windows to the south elevation. Given that the application site is already set below the dwellings to the north west, it is not considered the proposed new ridge height would result in a dwelling that is out of scale for the area. Furthermore, the hipped design of the roof will help to reduce the bulk and mass of the extension so should not result in a structure that will dominate the Close. This is a re-submission of a previous application which proposed dormer windows to the front elevation, it is considered that the change to velux windows is an improvement to the design. Given that velux windows are already present on the dwelling, these additions would be more

subtle and would allow the dwelling to better integrate with the character of the area. The dormer windows to the rear elevation are considered to be of an appropriate size, scale and design to the original dwellinghouse and would have no adverse impact on the character and appearance of the area.

- 6.6 In accordance with Policy E4 the plot is located within a Residential Area of Special Character (Character Area 3F). The RASC SPD outlines general principles that should be respected for all new development throughout defined areas. Area 3F is characterised in the RASC SPD by the following: *“The plots consist of deep setbacks with the buildings facing onto the frontage. Entrances from the cul-de-sac are individual. These are generally consistent plot sizes and some mature trees in the public realm. The areas each have distinctive geometric turning areas. There are some inconsistent boundary treatments on the frontages.”*
- 6.7 It is considered that the proposal respects the principles set out in the RASC. The plot size will not be affected nor will it be subdivided, the building line and setback will remain the same and the existing landscaping, trees and boundary treatments are to be retained. While the ridge height is being increased, the design of the proposal ensures the visual separation and spacing between buildings will be maintained. In terms of building design, there is a variety of design styles within the existing street scene with a mix of gable and hipped roof forms, as such the proposed hipped roof would not look out of character for the area. The width of the frontage of the property will remain the same with only the height increasing. As mentioned above, Julian Close is situated on sloping ground with the application site set below the neighbouring properties to the north west. Due to the change in levels it is considered the increased ridge height of the property would not have an adverse impact on the character and appearance of the area or result in an overdevelopment of the plot as the property would be at a similar height to neighbouring dwellings and would therefore not be out of scale with the surrounding area.
- 6.8 The development is located in a position such that public views would be possible. Any views of the proposal would be seen in the context of the existing dwelling and streetscene, in this respect the proposal would not adversely affect the character and appearance of the area, in compliance with Policies COM2, E1 and E4 of the TVBRLP and the guidance set out within the Chilworth Village Design Statement.
- 6.9 **Impact on amenity of neighbouring property**
Concerns have also been raised in regard to a loss of privacy for neighbouring dwellings as a result of the proposed rear dormer windows, while this is noted, it is not considered the views from these windows would offer vantage points much different to those currently available from the first floor of the application site. By virtue of the size (bulk and mass) and design of the proposal, it's juxtaposition relative to neighbouring property, 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 trees**

The Tree Officer was consulted and raised no objection to the proposal subject to conditions. The proposed alterations do not bring occupied spaces significantly closer to the cedar on the frontage, or trees along the rear boundary than existing habitable rooms. These trees will be no more significant in blocking sunlight to the dwelling after the development than before, in obstructing skylight or in being unduly dominant. As such this proposal is not likely to bring new pressures on the trees. Subject to a condition for the protection of the Cedar Tree on the frontage and a condition to ensure the Tree protective measures installed are maintained and retained for the full duration of works, the development is not considered to have any adverse impact on trees in accordance with Policy E2 of the TVBRLP.

6.11 **Impact on ecology**

The application is supported by a Bat Roost Assessment (Phillips Ecology, July 2021). A small number of old droppings were identified within the roof void of the original eastern roof. During the Phase 1 bat survey work, however no access to the loft void was identified within the internal inspection at this time. While this may be the case, external features were identified (raised tiles) which may be suitable for crevice dwelling species such as common pipistrelle and therefore, given the clear potential for roosting bats, further emergence and re-entry surveys were conducted, in accordance with best practice guidelines.

6.12 Two thorough Phase 2 (dusk emergence and dawn re-entry) surveys were carried out in optimal conditions. This showed a reasonable level of local bat activity, showing bats are active in the area and likely roosting in various nearby locations such as other houses and trees. However, despite this, no bat emergences or re-entries were noted from the application site. Given the lack of bat emergences and the likely age of the identified droppings, the conclusion that the house does not support a bat roost at this time is reasonable.

6.13 In view of the survey findings the ecologist has advised that the development is unlikely to result in a breach of the law protecting bats and would raise no further concerns. As such the proposal is not considered to give rise to any adverse impacts on existing habitat or on-site ecology, in accordance with Policy E5 of the TVBRLP.

6.14 **Impact on parking provision**

The proposal will result in the creation of two additional bedrooms at the dwelling. In accordance with the parking standards as set out in Annex G and Policy T2 of the TVBRLP, a 4+ bedroom unit should provide a minimum of 3 on-site car parking spaces, the site plan confirms this is achievable and as such the development accords with Policy T2 of the TVBRLP.

6.15 **Other Matters**

Further objection comments relate to the potential for the development to block views of the golf course however, long distance views of the golf course from Julian Close are already largely obscured by the existing mature trees in the centre of the Close. Other comments regarding previous planning applications at another property have also been taken into consideration during the determination of this application however each planning application is considered on its own merits and planning policies may have changed since.

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:**
20055/005P A
20055/003P C
20055/004P D
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. **Development shall proceed in accordance with the measures set out in Section 5 'Recommendations' of the Marlbrook, Julian Close, Chilworth, Bat Roost Assessment (Phillips Ecology, July 2021). Thereafter, mitigation and enhancement features shall be permanently maintained and retained in accordance with the approved details, with photographic evidence provided to the Local Planning Authority within 6 months of occupation.**
Reason: to ensure the favourable conservation status of protected species in accordance with Policy E5 of the Test Valley Revised Local Plan DPD.
5. **External lighting will follow best practice guidelines outlined by the Bat Conservation Trust and the Institute of Lighting Professionals (Guidance note 08/18 Bats and artificial lighting in the UK). Prior to commencement, a detailed lighting strategy for the construction and operation phase of the development shall be submitted to and approved in writing by the Local Planning Authority. Development**

shall subsequently proceed in accordance with any such approved details, with the approved lighting strategy maintained in perpetuity. Reason: to prevent disturbance to protected species in accordance with the National Planning Policy Framework and the Revised Test Valley Local Plan DPD.

6. No development shall take place (including site clearance and any other preparatory works) until a scheme for the protection of the cedar tree on the frontage to be retained has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall demonstrate that all site works, mixing areas, storage areas, remain wholly outside any tree protection zones and at a suitable separation to prevent damage to retained trees. It must also include a plan showing the location and specification of tree protective barriers. Such barriers shall be erected prior to any other site operations and at least three working days notice shall be given to the Local Planning Authority that it has been erected.

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 enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2 (2016).

7. Tree protective measures installed (in accordance with the tree protection condition) shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities, nor material storage, nor placement of other equipment what-so-ever shall take place within the barrier.

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.

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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