
APPLICATION NO.	19/00090/VARN
APPLICATION TYPE	VARIATION OF CONDITIONS - NORTH
REGISTERED	15.01.2019
APPLICANT	Mr and Mrs Pearce
SITE	Dingwall, Little Ann Road, Little Ann, SP11 7NW, ABBOTTS ANN
PROPOSAL	Vary condition 4 (details of soft landscaping), condition 5 (landscape management plan), and condition 10 (approved plans) of 15/02912/FULLN to replace drawing P01 B with L201 and B201, P02 with P201, P10 C and P11 C with P202, and replace amended landscape plan with C.01 and five year management plan
AMENDMENTS	
CASE OFFICER	Mrs Mary Goodwin

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

1.1 The application is presented to Northern Area Planning Committee at the request of local ward members “due to the large amount of local interest and the wider issue of the consequences of applicants not building to the permission granted”.

2.0 SITE LOCATION AND DESCRIPTION

2.1 Dingwall is a detached two storey dwelling within a mature garden, located within the conservation area and village of Abbots Ann. For the purposes of local plan policy COM2, the site lies within the defined settlement boundary. The site is surrounded by residential properties of mixed age and character. It lies at a tight bend in the road and is prominent and readily viewed from various points along Little Ann Road from the north, north west, west and south west. There is also a public footpath to the south, beyond the neighbouring property at White Smocks, and the site can also be viewed from this footpath through and over the boundary hedges and trees.

2.2 Dingwall is a substantial two storey house, constructed with pale rendered walls, tiled pitched roof, dormer windows, brick chimney and detached double garage. The garden to the west is being developed and a detached two storey dwelling is under construction, alongside the original house. This development is the subject of the current application. At the time of the application submission, the building had been constructed to roof height. The applicant has confirmed that building works have ceased on site, pending the determination of this planning application. The roof was in situ and tiled, no windows were installed and the blockwork walls had not been rendered at the time of the officer site visit.

2.3 The conservation area within the vicinity of the site, which is in the 'Little Ann,' area of the village, comprises an attractive mix of older houses and cottages, including clusters of listed and thatched cottages and some later post-war development, particularly to the south of the road. The Conservation Area Assessment (updated 2005) refers to the site and immediate context as follows:

The large corner plot is occupied by Dingwall, a detached house hidden from view behind high, mature trees. White Smocks, adjacent, is a modest brick bungalow (originally the tennis pavilion to St. John's, which is the large house at the top of Abbotts Hill and now subdivided into flats). Beyond this is Abbotts Hill Lodge (former lodge to St. John's), the most interesting building in the group. This red-brick lodge of local interest is partially obscured by mature trees, but provides an attractive focal point when looking down the street from Pennymarsh.

2.4 There are several listed cottages further to the north east of the site. On the opposite side of the road are two post war detached dwellings. As noted in the conservation area assessment, the mature trees and hedges within the vicinity contribute to the green character of the area and village, although a number of trees have been removed from the application site in recent years (see paragraphs 4.8 - 4.1 below). Pillhill Brook runs along the valley to the north of the road. It is noted that the village of Abbotts Ann contains a high ratio of listed to unlisted buildings.

3.0 **PROPOSAL**

3.1 The application seeks to vary conditions associated with planning permission 15/02912/FULLN, for the erection of a new dwelling with associated site works. The proposal is to revise the approved plans for this development (detailed under condition 10 of the planning permission) in terms of its layout, detailed elevations, siting and landscaping. The application also seeks to vary the details approved under condition 4 (soft landscaping). In addition, details are submitted in respect of condition 5 (landscape management). No changes are proposed to the site access, which is to be shared with the existing dwelling At Dingwall. The planning history is detailed at paragraph 4.

3.2 The main changes to the approved scheme, as proposed within the current plans, can be summarised as follows:

1. The proposed boundary between Dingwall and the proposed new dwelling has been moved by approximately 2.2m to the west. This increases the garden surrounding Dingwall and correspondingly reduces the plot for the proposed new dwelling.
2. The building has been repositioned towards the west within the site, by approximately 2.4m, increasing the space available between the house at Dingwall and the new dwelling.
3. The proposed dwelling is larger in depth and width than the approved dwelling. The width of the building (east-west) has increased from approximately 10.8m to 12.4m, the depth has increased from approximately 13.6m to 14.2m.

4. The proposed building would lie at a distance of approximately 2.5m from the western site boundary (at its closest point), rather than at a distance of approximately 7m, as previously approved.
5. The footprint of the building has increased. The rear single storey side projection is significantly larger than approved (measuring approximately 4.5m by 5.5m, compared to 1.3m by 5.1m).
6. The front elevation was previously symmetrical, with the exception of a chimney stack to the west side. The amended proposal is longer (by approximately 600mm) to the west (than to the east side) of the front gable and entrance.
7. The side and rear elevations are revised to show a more substantial rear projection with a higher catslide roof to the west side of the two storey rear wing. This roof includes three additional rooflights. The approved scheme showed a smaller and lower single storey lean-to, against the two storey rear wing (and no rooflights to the west elevation).
8. The fenestration is revised to the single storey rear projection, with the glazed doors onto the patio moved from the west elevation to the rear elevation.
9. The current scheme includes two additional tall ground floor windows to the side (east) elevation.
10. The proposed landscaping for the site is revised and submitted in compliance with condition 4 of planning permission 15/02912/FULLN, to reflect the re-siting of the building, a revised patio arrangement and to show replacement tree planting towards the boundary. This also shows the retention of existing trees to the frontage and rear and the planting of 7 new garden trees to the western site boundary (sorbus aucuparia, betula utilis snow queen, malus tschonoskii and acer plat princeton gold).
11. The submission includes a landscape management plan, which is submitted in compliance with condition 5 of planning permission 15/02912/FULLN.

4.0 **HISTORY**

4.1 ***Planning:***

- 15/02912/COND2 - Condition 2 of 15/02912/FULLN - Details of materials to be used in the construction of all external surfaces – Approved 1.10.2018
- 15/02912/COND4 - Condition 4 of 15/02912/FULLN - Details of landscaping works – Approved 1.11.2018
- 15/02912/COND5 - Condition 5 of 15/02912/FULLN - Landscape management – Refused 14.11.2018
- 15/02912/COND8 - Condition 8 of 15/02912/FULLN - Details of ground levels – Approved 01.10.2018
- 15/02912/FULLN - Erection of a new dwelling with associated site works. Permission 04.07.2016

- 07/00108/FULLN – Erection of rear and side extensions to provide kitchen, living room, study and store area with bathroom and en-suite over. Erection of front central bay projection and three new dormer windows. Erection of single storey canopy and erection of detached double garage – Permission 27.02.2007
- 06/01446/FULLN - Erection of two storey extensions to provide entrance lobby and landing, dining room, cloakroom and utility area with master bedroom and en-suite over, together with alterations to roof and provision of five dormer windows on front elevation – Refused 30.06.2006

4.2 **Trees:**

- 18/01272/TPON - Fell 2 Ash – Consent 14.06.2018
- 18/01274/TREEN - Fell 1 Ash – No objection 14.06.2018
- 15/00311/TPON - T4 - Horse Chestnut Tree - Fell, T6 - Purple Leaved Plum Tree – Fell – Consent – 26.03.2015
- 13/02520/TPON - T1 - Ash – Fell – Consent - 05.12.2013
- 13/02519/TREEN - T2 - Willow – Fell - No objection 05.12.2013
- 05/00006/TPON - Prunus (No 3) - re-crown to 2.5 metres, thin and deadwood. Beech (No 26) – Fell – Consent 03.10.2005
- 05/00008/TREEN - Fell - Cyprus tree (No 1), Laurel (No 6), 17 Cypress trees (No 7 - 24), Apple (No 25), Willow (No 39), Yew (No 40) and Spruce (No 41) – No objection 30.09.2005

5.0 **CONSULTATIONS**

5.1 **Conservation Officer – Objection:**

The development does not sustain, and has resulted in harm to, the significance of the conservation area as a designated heritage asset, without providing any public benefits sufficient to outweigh this harm, contrary to Policy E9 of the Test Valley Borough Local Plan 2016.

5.2 The conservation consideration here is whether the development will result in harm to the significance of the heritage assets affected. These include the conservation area, a designated asset, a number of listed buildings, including Constantia Cottage and 135 Little Ann Road, and Pollyanna Cottage. White Smocks and The Lodge, south of the site, are considered non-designated heritage assets, the latter shown as a building of local interest in the conservation area appraisal. The adjacent buildings to the east of the site on Little Ann Road are post-war houses, as are those on the west side of the road as it turns south (Pinewood and Paddocks End).

5.3 Dingwall, one of the post war-houses on the south side of Little Ann Road at this point, occupied a corner plot. Hence, in views from the west and south-west, it did not feature prominently in the street scene. Its impact was reduced further by a group of TPO'd trees on the western boundary which are identified as an important group in the conservation area appraisal. The garden and the treed boundary contributed to the spacious and green character of this part of the conservation area, particularly on the corner as the road turns south at this point.

- 5.4 Consent was granted in 2016 (15/02912/FULLN) for a new house in the garden to the west of Dingwall, between the west end of the existing house and the western roadside boundary. As approved, it would have been sited significantly closer to Dingwall than the western boundary, allowing the mature trees on that boundary to be retained (NB: because of their condition TPO consent was granted for their removal subject to them being replaced by new trees). A series of photo montages accompanied the 2015 application, showing the visual impact of the proposed dwelling.
- 5.5 As constructed, the house that forms the subject of this application is significantly closer to the western boundary than the approved scheme. It is also larger than the approved building, and some of this extra size is the result of extending the roof of the west side of the rear wing as a catslide roof over a single-storey element, extending out almost as far as the west end of the principal two-storey part of the house as built. The siting of the house as built, much closer to the western boundary of the plot, means that trees of the type and size that occupied this space cannot be replanted.
- 5.6 The impact of the house, as built, on the street scene and character and appearance of the conservation area, is noticeably different from, and greater than, that of the approved scheme. Although the house as approved would have been visible from the street, and more so than Dingwall was on its western side, it would have been sufficiently set back from this boundary to allow an usable area of garden and the replanting of trees in number and size similar to those that existed along this frontage. Therefore, as built, the proximity of the house to the western boundary means that it is, and will remain, very prominent in views from the street. The existing character of the neighbouring C20 development in this part of the conservation area is principally one of single detached dwellings in gardens and set back from the road, resulting in an open and spacious character. The house as built, is very prominent, particularly so when viewed as approached from the centre of the village where the end wall, close to the boundary, is in full view and the long low catslide roof over the side extension with its three rooflights, is prominent in the foreground. This closeness to the boundary is not typical of the neighbouring dwellings, e.g. it is significantly further forward than the front walls of White Smocks and The Lodge to its south. The harm resulting from the greater proximity to the boundary is compounded by the increased bulk of the house as built. Part of the increased bulk is due to infilling of the angle of the rear wing of the original design with its shallow catslide roof, the latter with rooflights, features which were not located in such a visible location in the 2015 scheme.
- 5.7 The development does not reflect the character and appearance of this part of the conservation area nor sustain its significance. Consequently, it is considered that the house as built results in harm to the significance of the conservation area. There are no conservation-related public benefits resulting from this development.

5.8 **Tree Officer** – Comment:

Project nearing completion and a few existing trees remain. The Ash to western limit of site's northern road frontage is subject to TPO and a multi-stemmed Sycamore within southern boundary is protected by presence of Conservation Area. This latter tree is currently subject to notice of intent to fell submitted by White Smocks. Two saplings, one Sycamore and one Rowan stand to south west corner of rear garden. Five other trees, that were subject to TPO have been lost from this property prior to construction of the house.

5.9 This submission contains several variations to the approved scheme with regards to arboricultural impact:

1. the house, as it has been built, is located further west than the location of the house that had consent to be built;
2. The house as built has a larger footprint;
3. the indicated new 2m high close boarded fence that would form the eastern boundary to the rear garden is set further west;
4. the house as built is of altered design;
5. proposed parking spaces have been shifted slightly to the east.

5.10 The resultant impact of 1-3 above is a reduction in available space for the planting and successful establishment of replacement trees, which are required for the TPO'd trees that have been lost from this property. The altered house location, in conjunction with its larger size, has resulted in the western elevation extending closer to the western boundary of the site. Where there had been 6.6m separation between the north western corner of the proposed house and the western boundary fence there is actually now only 2.5m. Where the original proposal allowed for the retention of three trees (trees that have since been lost from the site) this current submission shows new tree planting. Where the trees would have stood some 6m from the house that gained consent, the nearest tree has been planned to be planted at 2.8m from the house as built.

5.11 The reduction in garden size and space between the house (as built) and the road to the west has restricted the choice of tree species to a pallet of slow growing small trees. Those chosen have amenity merits, but not the stature and presence provided by the trees that preceded them or that could have been able to establish in conjunction with the previously approved scheme.

5.12 Suppliers of the *Betula Utilis* "Snow Queen" (Birch) quote a growth of 7m tall by 3.5m spread after 20 years. Whilst a tree of such modest dimensions might establish in the proposed location without risk of significant conflict with the house for years, it will not grow to a size such as to go even halfway to replacing the cover or amenity afforded by the TPO'd Horse Chestnut that has been removed from that spot. Similarly the two proposed *Sorbus* (Mountain Ash) may be of a size more suited to the property that has been formed here, as a species they are unable to develop into anything close to the size or presence of the TPO'd Ash and Beech that have been removed from this part of the site. Similar remarks remain pertinent with respect to the two *Malus* (Crab Apples) and the two *Acers* (Maples).

- 5.13 The five year landscape management plan is lacking in adequate maintenance detail with respect to the proposed preparation of tree planting pits, tree aftercare, mulching, watering, formative pruning, stake or tie adjustment and so forth, giving no confidence that this has been prepared by or considered by someone with appropriate knowledge and experience, or that the necessary input will be maintained to ensure the trees would establish successfully to achieve independence in the landscape.
- 5.14 **Landscape Officer** – Comment:
The larger projection to the west is within full view when travelling north and south around the corner of Little Ann Road. Dwelling is visually more prominent around this corner site and now has reduced space with which to provide visual softening with medium to large trees and reduced space between building and road.
- 5.15 The original application allowed for new, good sized, appropriate trees to replace those TPO trees removed along the Little Ann Road boundary. These trees would replace those lost and soften where the previous proposal would have been built, with suitable space for growth. The current landscaping plan provided takes little account of the required appropriate rooting space. The redline of the previous permission clearly shows how adequate space visually and within the garden had been allowed along this western edge.
- 5.16 The properties and street character here are all set back from the corner creating a sense of space, with garden vegetation and mixed medium–large trees and landscaping, hence the position agreed and reason that new trees were required to retain the character of the village.
- 5.17 The trees now shown are generally classed as small trees and will not recreate the corner character that was anticipated with the approved drawings, nor will they reach a height or stature to soften the building.
- 5.18 The ground floor projection and increased size of the dwelling, moved west, utilises a not insignificant proportion of the proposed available garden space that had been allowed for with the previous application also.
- 5.19 In terms of the visual impact, the closer build to the west would be mitigated to some extent with proposed new trees, however these trees, as shown, cannot attain the size required to mitigate views.
- 5.20 Trees of a good size may be provided along the southern edge of the western boundary where a little more space allows, however these, would in turn cast afternoon shade over the small area of garden remaining. There is likely to be pressure to thin, reduce and fell these trees in future years due to their proximity and the reduced garden space.

- 5.21 The stepping closer to the west creates a mass of building where a more open and green corridor corner was anticipated. Visually it may be more suitable to investigate a more visually recessive render colour or different material to reduce this impact, as much as possible.
- 5.22 Removing the ground floor projection to ensure a more suitable open garden space and would reduce the pressure to thin and fell trees as they mature, as a good garden space would be attained, more proportionate to the dwelling itself.
- 5.23 Five year landscape management plan is lacking in adequate maintenance detail with respect to proposed preparation of tree planting pits, tree aftercare, mulching, watering, formative pruning, stake or tie adjustment and so forth giving no confidence that this has been prepared by or considered by an someone with appropriate knowledge and experience or that the necessary input will be maintained to ensure the trees would establish successfully to achieve independence in the landscape.

6.0 **REPRESENTATIONS** Expired 15.02.2019

6.1 **Abbotts Ann Parish Council** – No objection.

6.2 **8 x representations of support** [Eagle Inn PH, Duck Street; 26 Duck Street (x2); 1 Warren Drive; Burlea, Little Ann Road; Hayfields, Little Ann Road; 26 Duck Street; 4 Manor Close; 136 Little Ann Road]:

- The building itself appears to be of a good build quality and is aesthetically pleasing in the current location;
- The views from any neighbours have not changed significantly from the previous plan;
- The applicant is prepared to replace the trees lost to disease in a bid to soften the appearance – this is commendable as we have lost many trees in the village to disease, any new additions must be supported;
- Building is in keeping with it's current neighbour and such a small variation should be allowed and completed, prior to new development on the other side of site;
- The need for housing in the whole area is increasing and an additional property in the village will provide more social and economic benefits for Abbotts Ann;
- The building has been constructed to blend in with the surrounding properties and does not cause disturbance to surrounding roads or properties or views;
- A speedy resolution will reduce any further unnecessary works, thus allowing the village to maintain its peaceful and high quality standards of living;
- The building design has been sympathetic to the immediate neighbours in that there aren't windows on the Western side overlooking their properties;
- There is no real discernible difference to the vista due to the changes in the building location and the builder is looking to further disguise the building with the addition of several newly planted trees which is applaudable;

- The additional separation of the property from the adjoining property makes sense as the building and its siting are more balanced than that originally proposed, making better use of the available ground;
- Properties of this standard will enhance the entrance road to the heart of a very popular village;

6.3 **5 x representations of objection** [Norfolk House, Duck Street; Pinewood, Little Ann Road; Paddock End, Little Ann Road; Lower Cottage, Abbots Ann; 1 Lower Knoll, Douglas Avenue, Exmouth]:

- Prominent corner site in conservation area. Proposal is harmful to the conservation area;
- The house is visually too big for the plot and looks cramped in;
- There used to be a line of trees alongside the road which were designated an important group of trees in the Conservation Area Statement. These have all disappeared and there is now insufficient space to plant, due to size and proximity to house;
- In June 2018, permission was granted, subject to conditions, to fell two Ash trees on site that were dead or dying, and covered by Tree Preservation Orders. The Tree Officer's report notes that there is evidence of herbicide use within the rooting area and this could have been a contributory factor in their decline. A condition attached to the TPO consent requires new trees to be planted of nursery stock size or larger, within 2m of the stump of each of the felled trees. A further condition requires any replacement trees to be replanted if they die, are removed, uprooted or destroyed, by another tree of a similar size and species. Legislation confirms that there is a duty to replant TPO trees that are removed or destroyed. These conditions are necessary and reasonable to preserve the amenity value of the trees within the conservation area;
- The re-siting of the building makes it impossible to replace the felled Ash protected by a TPO with 'another tree of an appropriate size and species a the same place' as required by legislation, as the building is on top of the land required for the root system and canopy of the replacement trees;
- The house is more bulky than approved (2.6m wider) with an additional room to the south west corner, and with changes to the roofline, with 3 velux rooflights to west. No justification provided and no plans submitted to the Council before the works took place;
- Proposed building is 4.9m nearer to road to west than approved. This reduces the space about the building to as little as 2.5m. Other nearby buildings (White Smocks, Paddock End and Dingwall itself) are set back at least 12m from the road;
- The submitted landscape plan shows much smaller and slower growing species which would not screen the large building effectively;
- The loss of larger trees will have an adverse impact on wildlife;
- There is a need for housing and the build quality is good but the application does not result in additional housing, just a larger single dwelling than approved;

- Having lived at Pinewood for a number of years prior to 2016, we are appalled that the applicant has got away with de-nuding the site of all major trees of the past number of years;
- The development is so different from what has been approved that it needs planning permission;
- The proposed building would come forward of the north-south building line and leaves no space for the line of trees and foliage that has been lost and which should be replaced in accordance with the 2016 planning permission and TPO provisions. This problem is exacerbated by the addition of the structure to the south west of the building;
- The building is neither architecturally pleasing nor softened by foliage;
- The dwelling would overlook and be overlooked by Pinewood and Paddocks End;
- The proposed changes are for the advantage of the applicant and are not justified by any material change in circumstances and it should be refused. The applicant is an experienced builder and project manager. Profit should not be achieved by subverting the planning process or damaging amenity of trees and conservation area.

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)

COM2 – Settlement Hierarchy

COM 15 - Infrastructure

T1 – Managing Movement

T2 – Parking Standards

E1 – High Quality Development in the Borough

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

E7 – Water Management

E9 - Heritage

LHW1 – Public Open Space

LHW4 – Amenity

7.3 Supplementary Planning Documents (SPD)

Abbots Ann Village Design Statement

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of Development
- Design, siting and impact on character of area and heritage assets
- Trees
- Highway Matters
- Ecology
- Water Management
- Residential amenities

8.2 **Principle of Development**

The site lies within the settlement boundary for Abbots Ann as defined by Policy COM2 of the Revised Local Plan 2016 and as such the principle of development is acceptable.

8.3 **Design, siting and impact on conservation area/heritage assets**

Policy E1 of the RLP permits development if it is of a high quality in terms of design. To achieve this, development should integrate, respect and complement the character of the area in which it is located in terms of siting, appearance, scale, materials and building style. Policy E2 seeks to protect, conserve and enhance the landscape character of the Borough.

8.4 Policy E9 of the RLP requires new development to; a) make a positive contribution to sustaining or enhancing the significance of the heritage asset(s) taking into account it's character, appearance and setting; and, b) be informed by an assessment of the significance of the heritage asset (the assessment should be proportionate to the importance of the heritage asset). The policy states that development that would result in substantial harm to the heritage asset will not be permitted unless there is substantial benefit to the public. Where there may be 'less than substantial harm' to the heritage asset as a result of new development, this harm must be considered against any public benefit associated with the proposal and the merits balanced against the scale of any loss or harm.

8.5 The site is located in Little Ann, in the Conservation Area, and within the historic core of Abbots Ann village. It lies on a plot that has two frontages onto Little Ann Road (to the north and west) which has a sharp bend, at the site. The boundary with the lane is defined by a 2m solid timber fence with some shrubs and trees within the site, to the boundaries. Surrounding the site is a varied mix of post war and older dwellings. The village has an attractive, open character and numerous listed buildings, with housing and other buildings generally set back from the road. Historically, the application site had a mature and green character, with numerous trees within it. However, gradually over time, TPO and Conservation Area consents have been granted for the removal of many of the trees within the site, due to their poor condition or disease (see planning history at paragraph 4). It is noted that at least 14 trees have been removed with TPO consent since 2005.

8.6 Design:

The proposed design has similarities with the existing dwelling at Dingwall, in terms of its architectural style and detailing. It is proposed to have a light (off white) self coloured render finish to the walls, with tiled pitched roofs, dormer windows and low eaves. However, the proposed dwelling is significantly larger than that previously proposed. As a result, the proposed two storey house has a longer projection to the west than the east (the approved scheme had symmetry in the front elevation). To the rear, the single storey projection is significantly more substantial in bulk, height, width and length than that previously approved. In particular, the single storey rear projection would no longer form a subservient and narrow lean to addition, tucked alongside the two storey rear wing. As proposed, it has a bulkier form, giving the house a more 'square' footprint, with a deep catslide roof against the two storey rear

wing. This is to be detailed with three rooflights to the west elevation and revised ground floor fenestration. The revised design, building mass and detail is considered to be harmful to the character of the area and less sympathetic to the site, street scene, and rural village context.

8.7 Siting:

The re-siting of the proposed larger dwelling, towards the west, as proposed in the current application, brings the built form significantly closer to the western boundary with Little Ann Road, than shown in the approved scheme. The garden boundary between Dingwall and the new dwelling is also shown 2m further to the west than previously proposed. This reduces the size of the plot for the new dwelling (and increases the space around Dingwall, the existing dwelling), by approximately 43 square metres. It also results in a more cramped layout for the new dwelling, with less space about the larger building to provide usable garden space and new tree planting, within the site boundaries. It also brings the dwelling significantly closer to the road than others in the immediate vicinity of the site, at a point where there is a sharp bend in the road. The resultant development would therefore appear more cramped and dominant within its plot and at a more forward position, towards the western boundary.

8.8 Impacts of revised scheme in views and on character and appearance of the area:

In views from the adjoining lane, the revised design and re-siting of the proposed dwelling, results in a more prominent, bulky and visually intrusive building, which is sited closer to the road than any others in the immediate vicinity. It is considered that the building would be particularly dominant and exposed in views from the adjoining lane, which follows the site boundary on two sides (to the north and west). The additional building mass and bulk, to the west of that previously proposed, and the additional single storey projection to the north west (with catslide roof and three rooflights above) would have a prominent and harmful impact in views, as one approaches the site from Abbots Ann village, from the south west.

8.9 The buildings' increased prominence will be exacerbated by the absence of mature trees to the west or south west of the building and by the very limited space available within the revised layout for any significant or meaningful new planting, to achieve adequate screening for the enlarged building, particularly towards the western site boundary.

8.10 Two mature ash trees were recently felled to the north west edge of the site, with TPO consent, and another ash tree removed with conservation area consent. These works were approved in June 2018, due to the poor health and condition of the trees. The TPO consent includes conditions which require that 2 new trees of suitable species (as specified in the condition) are planted towards the western boundary, within 2m of the felled trees. Similar conditions are attached to a 2015 TPO consent for the removal of two TPO'd trees to the western boundary (a purple plum and horse chestnut). The required replacement tree planting remained outstanding at the time of writing this

report. It is noted that the submitted and approved landscape scheme for application 15/02912/FULLN includes the supplementary planting of various new young trees to the western site boundary, to help soften and screen the new development. This layout also retained ample space to the west of the dwelling for further replacement tree planting, in respect of the two recent TPO consents. The tree issues are considered more fully at paragraphs 8.14 - 8.19 below.

- 8.11 The proposed new planting as shown within the current application includes slower growing trees than those recently felled. These trees species are unlikely to grow into substantial mature trees. They would have a very limited impact in the short term, but would mature in time, to provide a degree of softening and screening, in the medium to longer term. However, due to the limited space available within the revised layout, any new tree planting to the immediate west of the building is very unlikely to achieve the height or stature of the recently removed trees, which were an important landscape feature within the village, given the revised siting of the proposed building. Moreover, it is highly likely that there would be predictable pressure to prune or remove any trees planted at this location (to the immediate west and south west of the building) due to shading, branches conflicting with the building, and leaf and debris fall to patios, rooflights, gutters, etc. For these reasons, it would not be appropriate to seek the planting of more substantial or faster growing trees (such as those removed) at this position on the site. The application fails to demonstrate how new tree planting could grow and mature at this location, at close proximity to the building, patio areas and rear garden. It is pertinent that when the previous application was submitted, the site contained three significant large and mature trees towards the western boundary (two of which were protected by a TPO) and that the approved layout provided ample space for these trees to be retained and for new additional and supplementary tree planting to take place, in order to both enhance this tree group and to help the approved development to integrate successfully within the conservation area setting.
- 8.12 For the reasons set out above, it is considered that the proposed revisions to the siting, form, appearance, layout and design of the dwelling (combined with the loss of space for landscaping and trees within the site) would result in a building and development that would be unduly prominent, bulky and visually intrusive in views, and which would be harmful to the green character and generous spatial qualities of the Conservation Area, at a prominent bend in Little Ann Road. The building would be significantly closer to the western boundary than that previously approved, exacerbating its harmful visual impact and dominance in public views. Moreover, the building cannot be adequately screened and softened by the existing planting or by additional new tree planting to the west or south west of the house, due to the limited space available. Additional tree planting is considered important at this location, in order to provide the longer term amenity benefits, that had previously been provided by the recently felled TPO trees within the site, which were of high amenity value.

8.13 For these reasons it is considered that the proposed dwelling would fail to respect and complement the character of the local area, in conflict with the provisions of RLP policy E1. The revised scheme also fails to ensure the protection, conservation and enhancement of the local landscape. As such, it is contrary to the provisions of RLP policy E2, in that it fails to ensure the health and future retention of important landscape features, and because the existing and proposed landscape features do not enable the development to positively integrate into the landscape character of the conservation area and village.

8.14 Impact on heritage assets

In view of the above assessment, and given the detailed assessment of the Council's Conservation Officer (see paragraphs 5.1 – 5.7) it is considered that the proposal fails to reflect or respond positively to the character and appearance of this part of the Abbots Ann Conservation Area (and the closest designated and undesignated heritage assets). Neither does it help to sustain their significance. The applicant has not provided an assessment of the significance of the heritage assets nor shown how this proposal has responded to their significance. Moreover, it is considered that the revised scheme would result in (less than substantial) harm to the significance of the conservation area, a designated heritage asset, and that there are no public benefits put forward within the application, or associated with the development, to off-set or outweigh this harm. The application is therefore contrary to the provisions of RLP Policy E9 (criteria a) and b).

8.15 **Trees**

The site lies within a conservation area and all trees within it are therefore protected. In addition, there are TPOs that cover specific trees within the site, including the Ash to the western side of the northern frontage. Since 2015, consent has been granted for the removal of 4 TPO trees to the western edge of the application site, due to their poor health and/or condition and this has had a significant impact on the appearance and character of the site and vicinity. The few mature trees that remain help to maintain the green character of the area. There is a multi-stemmed Sycamore towards the southern boundary, which lies just outside the site (there is a notice of intent to fell on this tree submitted by 'White Smocks' to the rear). Two young tree saplings (one Sycamore and one Rowan) stand to the south west corner of the rear garden and there is a line of young trees within the site frontage, and two larger specimens exist adjacent to the site access, forward of Dingwall. Subject to suitable tree protection, the current proposal is unlikely to result in direct harm to these existing trees on the site.

8.16 However, the Council's Tree Officer notes that the current application proposes 'a reduction in available space for the planting and successful establishment of the replacement trees, which are required for the TPO'd trees that have been lost from this property'. In recent years, 4 trees have been felled to the west of the site (2 x ash (18/01272/TPON), 1 x horse chestnut and 1 x purple leaf plum (15/00311/TPON). Conditions attached to these TPO consents require new trees of suitable species to be planted close to the removed trees. However,

the altered house location, as currently proposed, in conjunction with its larger size, results in the western elevation extending closer to the western boundary of the site. Where there had been 6.6m separation between the north western corner of the proposed house and the western boundary fence there is actually now only 2.5m. Where the original proposal allowed for the retention of three existing mature trees (trees that have since been lost from the site) the current submission shows new tree planting.

- 8.17 The nearest new tree planting to the west of the house is proposed at 2.8m from the west elevation of the two storey house. This limited space has restricted the choice of suitable tree species to a pallet of slow growing small trees. The Council's Tree Officer notes that while the proposed trees have amenity benefits, they cannot achieve the stature and presence provided by the trees that preceded them or that could have been able to establish in conjunction with the previously approved scheme. Moreover, there is an outstanding requirement for four replacement trees to be planting within the site, further to the 2015 TPO consent for the removal of two trees to the western boundary and the more recent 2018 TPO consent for the removal of two ash trees to this boundary. There appears to be insufficient space on site for the planting and establishment of the required replacement trees, given the position of the new building and its proximity to the western site edge and smaller garden.
- 8.18 With regard to the proposed new planting plan, the Tree Officer notes that the proposed *Betula Utilis* Snow Queen (Birch) grows to approximately 7m tall by 3.5m spread after 20 years. This tree might establish in the proposed location without risk of significant conflict with the house for years, but it will not grow to a size such as to replace the cover or amenity afforded by the TPO'd Horse Chestnut that has been removed. Similarly the two proposed *Sorbus* (Mountain Ash), *Malus* (Crab Apple) and to a lesser extent, acers (Maples) may be of a size suited to the property formed here, but these will similarly not develop into anything close to the size or presence of the TPO'd trees removed from this part of the site.
- 8.19 The five year landscape management plan is considered to be lacking in adequate maintenance detail with respect to the proposed preparation of tree planting pits, tree aftercare, mulching, watering, formative pruning, stake or tie adjustment for the new tree planting. The Council's Tree Officer is not satisfied that the plan submitted demonstrates that the necessary input will be maintained in order to ensure that the newly planted trees, as shown within the submitted plans, would establish successfully to achieve independence in the landscape.
- 8.20 For the reasons set out above, the current proposal is considered unlikely to result in harm to existing trees on or adjoining the site, with regard to the provisions of RLP policy E2. However, it is not considered that the proposed revisions to the siting and layout of the dwelling, and/or the submitted planting details and landscape management plans, are acceptable, with regard to the requirement to provide suitable additional and replacement tree planting within the site, given the recent losses of mature trees that were of significant and high amenity value and which were protected by Tree Preservation Orders.

8.21 **Highway Matters**

The proposed dwelling will be a three bedroom dwelling which is to share the existing access within its neighbour, at Dingwall. The parking and access arrangements are very similar to that shown on the approved plans (15/02912/FULLN). Two car parking spaces are shown within the site layout for the proposed dwelling and sufficient car parking is shown to be retained for the existing dwelling, in accordance with Policy T2 of the RLP. Turning space is indicated on the site layout and the proposal is considered to be acceptable in this regard.

8.22 **Ecology**

The proposed dwelling is to be located within an existing managed garden and as such the proposal is considered unlikely to have ecological implications.

8.23 **Water Management**

The proposed dwelling will not result in the deterioration of water quality and the site is not within a Flood Zone or Groundwater Protection Zone. The RLP includes a requirement under Policy E7 (part c) to achieve a water consumption standard of no more than 100 litres per person per day. This reflects the requirements of part G2 of the 2015 Building Regulations. A condition can be attached to the recommendation to cover the requirements of part c of the Policy.

8.24 **Residential amenities**

Under the provisions of RLP policy LHW4, it is necessary to consider whether the proposal provides adequately for the residential amenity and privacy of the occupants of dwellings in the vicinity of the site and that of the occupants of the proposed new dwelling.

8.25 Impacts on neighbouring amenities

The proposed dwelling will have an east/west orientation, as previously proposed, with a similar alignment to the existing dwelling at Dingwall. However, the proposed dwelling is larger than that previously proposed and located at a more westerly position within the site. Most of the windows in the building will be on the north and south elevations of the dwelling, and as previously, these windows are considered to be sufficiently separated from the neighbouring gardens and any windows serving neighbouring dwellings, in order to avoid detrimental overlooking, with regard to RLP policy LHW4.

8.26 The design of the west elevation differs from the previously approved scheme, and includes three additional rooflights, in a catslide roof, over a ground floor dining room. The patio doors previously proposed to this side elevation, at ground floor level, have been revised and relocated to the south, or rear elevation. The proposed additional rooflights sit within the roof, above head height (cill height at 2.7m above the internal floor) and it is not considered that they would offer any opportunities for overlooking towards neighbouring properties. Three windows are proposed in the west elevation, at ground floor level, at a distance of 3m, 4.5m and 6m from the side boundary. These openings are proposed at least 12m distant from the nearest residential properties, which lie on the opposite side of Little Ann Road (Pinewood and Paddocks End). It is noted that a third party representation raises concerns about overlooking to and from the dwellings to the west, at Pinewood and

Paddocks End. However, given the separation between the properties, with an intervening 1.8m solid fence and highway, it is not considered that the proposed windows in the west elevation of the dwelling would result in harm to the amenity or privacy of any neighbouring residential properties to the west, north or south, with regard to RLP policy LHW4.

8.27 Two additional tall ground floor windows are proposed to east elevation of the dwelling, facing towards the existing dwelling at Dingwall, at a distance of approximately 1m from the boundary. At this point, a 2m solid fence is proposed to the shared boundary and it is considered that this would minimise any possible overlooking to and from these additional ground floor windows, providing adequate privacy between the properties.

8.28 Given the alignment, size and position of the proposed dwelling on the site, as revised by the current proposals, it is not considered that the proposal would result in overshadowing, loss of light, or that it will be overbearing, with regard to any existing dwellings on or neighbouring the site.

8.29 *Privacy and amenity of the occupants of the proposed new dwelling:*
The proposed variations to the approved plans will have implications for the living conditions of the future occupants of the proposed new dwelling. The proposed plot is revised and is smaller than previously proposed, due to the more western alignment of the shared boundary with Dingwall. In addition, the proposed building footprint is larger than previously approved and this reduces the garden area for the new dwelling, when compared against the approved scheme. The proposed gardens comprise grassed areas, trees, patio, paths and parking. While parts of the proposed garden will be overshadowed by the building, existing and new trees, it is considered that there is sufficient space within the plot to provide adequate usable private amenity space for the occupants of the proposed dwelling, with regard to the provisions of Policy LHW4.

8.30 It is therefore considered that the proposed variation to the approved plans for a new dwelling on the site are in accordance with Policy LHW4 of the RLP.

9.0 **CONCLUSION**

9.1 The proposed revisions to the approved plans for the development of a dwelling within the grounds of Dingwall are considered to be unacceptable with regard to the impact the proposed development would have upon the character and appearance of the site, conservation area and village, due to the bulk, mass, siting and appearance of the dwelling, its relationship to the plot and surrounding development and its impact on the street scene. It is considered that the proposal will result in harm to the significance of a designated heritage asset and that this harm will not be offset or outweighed by any public benefit. Moreover, inadequate space is available within the site, due to the siting of the building proposed, to provide meaningful landscaping and tree planting to help the development to integrate successfully within its setting and to preserve the character and appearance of the conservation area, in the short or longer term. The proposal therefore fails to accord with the provisions of RLP policies E1, E2 and E9.

10.0 RECOMMENDATION

REFUSE for the reason:

1. The proposed variations to the approved plans for the design, siting, landscaping and landscape management of the development are considered to be unacceptable and harmful to the character and appearance of the site and wider conservation area, and therefore contrary to the provisions of Test Valley Borough Local Plan (2016) policies E1, E2 and E9, for the following reasons:
 - a) The proposed siting of a larger dwelling within a reduced plot at a more westerly and visually prominent position adjoining the bend in Little Ann Road, combined with its bulky design, mass and deep roof form, results in a development that would appear cramped, out of scale and unduly dominant in views within this part of the village, where neighbouring dwellings are typically set further back from the road edge. For this reason, the proposal fails to respond positively to the character and appearance of the Abbots Ann Conservation Area (a designated heritage asset);
 - b) Inadequate space is to be retained between the west elevation of the dwelling and Little Ann Road in order to maintain the green character and landscape setting of this part of Abbots Ann Conservation Area or to ensure that appropriate meaningful tree planting of wider amenity value, can be established and maintained in the longer term to help the development integrate successfully within its setting and to provide replacement tree planting, following the grant of TPO consents in 2015 and 2018 to remove 4 mature trees on the western edge of the site;
 - c) The application fails to provide an assessment of the significance of the heritage assets within the immediate vicinity and the application does not demonstrate how the proposal has responded to their significance. The revised scheme would result in (less than substantial) harm to the significance of the conservation area (a designated heritage asset) and no public benefits are put forward within the application or are associated with the development, to outweigh this harm;
 - d) The submitted Landscape Management Plan fails to demonstrate that the existing trees and proposed additional soft landscaping will be adequately managed and maintained, in the short or longer term, in order to help the development to positively integrate into the local landscape character and conservation area.

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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