
APPLICATION NO.	18/03203/FULLN
APPLICATION TYPE	FULL APPLICATION - NORTH
REGISTERED	10.12.2018
APPLICANT	Aster Group
SITE	Land adjacent 12 Branksome Close, Chilbolton, Stockbridge, SO20 6AQ, CHILBOLTON
PROPOSAL	Construction of detached chalet bungalow and parking
AMENDMENTS	Amended plans received 25 th January 2019, 8 th April 2019, 13 th January 2020, 22 January 2021 and 24 th May 2022 Amended plans received 16 th December showing a reduction in bedroom space from a 2 bedroom dwelling to a 1 bedroom dwelling. Amended plans received on the 24 th May 2022 show the removal of the roof light from the southern elevation and insertion of rooflights into the north-east and south-west elevation.
CASE OFFICER	Samantha Owen

Background paper (Local Government Act 1972 Section 100D)

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1.0 INTRODUCTION

- 1.1 The application is presented to Northern Area Planning Committee at the request of a Member as having seen the large number of letters of representation they consider it to be of significant local interest.

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The site comprises an "L" shaped plot of land which was formerly private garden land serving the dwellings at 8 and 12 Branksome Close and is located at the end of the cul-de-sac. The property is surrounded by residential development on all sides and it fronts onto the road along its northern boundary. It adjoins 12 Branksome Close to the north and east, the rear gardens of 5-8 Branksome Close to the south and east, and the rear boundaries of Barrimont and Greenwood, at Station Road, to the west. The land is mainly laid to grass, with a gradient across the site, rising towards the west.

3.0 PROPOSAL

- 3.1 The application seeks planning permission for the construction of a 1½ storey one bedroom dwelling, with access and parking for 2 cars along the site frontage. The proposed dwelling would be located towards the front of the plot aligning with the neighbouring property at number 12. It would have a hipped roof form and low eaves, with a bedroom and en-suite bathroom at first floor level. Roof lights are proposed at first floor level to the front and rear elevations. The property would have a long rear garden that would extend beyond the rear garden of number 12.

3.2 Amended plans received on the 24th May 2022 show the removal of the rooflight from the southern elevation. Roof lights have been inserted on the north-east and south-west elevation and the rooflight to the north elevation has been made larger.

3.3 Amended plans showing the removal of the screen along the boundary with Barrimont and Greenwood have been requested. Also an updated Site Plan showing the location of the car charging point has been requested. These will be reported in the Update Paper

4.0 **HISTORY**

4.1 None

5.0 **CONSULTATIONS**

5.1 **Highway Engineer** – No objection.

6.0 **REPRESENTATIONS** Expired 25.03.2019

6.1 **Chilbolton Parish Council – Objection**

- The design of the property is neither in character nor appropriate for this area. The height and mass will not sit sympathetically within the street scene;
- Overdevelopment of the site;
- Recent Housing Needs Survey suggests that affordable housing for rent or partial purchase would be preferred in this area;
- Proposal will result in overlooking and loss of privacy to neighbouring dwellings and gardens;
- The new property will add to congestion and there are parking problems in the area;
- Vehicles will not be able to manoeuvre safely in the space provided and there is insufficient on-site parking for a 2 bedroom dwelling at this location;
- The parking in the close is congested and there will be no room for emergency vehicles to turn around;
- If approved, permitted development rights should be restricted, as the dwelling is so close to its neighbours;
- Construction vehicles will block the road;

Following amended plans of 25.05.2022,

- Bedroom 2 is labelled as study but this is large enough to be a bedroom and if used as such property will have inadequate parking.
- New rooflights will overlook neighbouring properties

6.2 **95 x letters and emails from local residents at** Barrimont; Cranbrook; Greenwood; Hill View; Station Road; 3 Eastmans Field; unknown, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 13A, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 24A, 25, 26, 28, 30, 31, 32, 33, 34, 36, 37 and 38 Branksome Close objecting on the following grounds:

6.3 Highways and Parking

- The revision does not address the problem of parking at the front of the proposed build and in the close;
- There is no room for turning on site. There is insufficient room for a caravan or motorhome;
- There is not enough parking in the Close and the turning head is regularly used for parking, which restricts the access and turning space for the site. The Close is very congested;
- The ten flats in the close do not have sufficient parking and there is inadequate off road parking in the area. The official car park holds 11 vehicles but there are over 40 cars in the Close. This site could provide parking for the Close;
- Exiting the site will not be possible as there are often cars parked in front to the property and wall;
- The parking shortfall and congestion compromises safety for the elderly, mobility scooters, and children, who have to walk in the road;
- Turning head as more than 2 cars parked within it which is what the parking plan shows;
- Tracking plan does not show where cars actually park in the road;
- The need for a parking plan shows the site is not large enough; and
- Future residents of the dwelling are bound by a precise parking plan which is not acceptable.

6.4 Comments on all other issues:

- The design is not in keeping with the area. The height, bulk and scale of the building would appear overdeveloped and cramped;
- The neighbouring properties are single storey and this proposal is for a chalet style house with rooms in the roof;
- The development will be out of character with the surrounding development in the Close;
- The parking will appear closer to the road than in other properties;
- Overlooking to neighbouring properties, first floor rooflight openings are not acceptable;
- Overbearing to neighbours;
- Loss of light and loss of privacy to 12 Branksome Close;
- The fence around the property is on highway land and is deceptive;
- The eaves, soffit and guttering for the property will overhang the neighbouring property;
- The adjacent blockwork wall to the western boundary could collapse during building works;
- The site was previously well used as gardens and is not redundant land;
- The new dwelling opposite has been for sale for over two years and is vacant. There is no demand or need for another house in this street;
- Seen no permission to put 'screening' on top of the wall at the back of Greenwood;
- Site should be used for allotments or somewhere for children to play.
- Insufficient space between new dwelling and boundary to allow for safe cutting of neighbours hedge; and

- New roof lights look in and towards our property (Barrimont).

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

E1 – High Quality Development in the Borough

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

E5 – Biodiversity

E7 – Water Management

T1 – Managing Movement

T2 – Parking Standards

LHW4 – Amenity

7.3 Neighbourhood Plan – Chilbolton (NDP)

HD1 – Housing Scale and Mix

HD4 – Design of New Development

HD5 – Parking in Curtilage

7.4 Supplementary Planning Documents (SPD)

Chilbolton Village Design Statement

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- The principle of development
- Design and impact on the character and appearance of the area
- Highway safety and parking
- Amenity
- Nutrient Neutrality

8.2 **Principle of development**

The site lies within the settlement boundary for Chilbolton, as defined by the RLP inset maps. The land is not part of the garden of number 12 Branksome and has separate access and as such Chilbolton NDP Policy HD3 (Sub-division of residential gardens) is not relevant Policy COM2 of the RLP allows in principle for development and redevelopment within settlement boundaries, provided that it is appropriate to other policies of the RLP.

8.3 **Design and impact on the character and appearance of the area**

Policies E1 and E2 of the RLP seek to protect the landscape and character of the Borough through the provision of high quality development that integrates with and respects/complements the character of the area, and that does not have a detrimental impact on the appearance of the immediate area or the wider landscape character. Policy HD4 of the NDP also requires development to complement the character of the area and ensure development provides for amenity space and requires materials and finishes to be of high quality and sympathetic to the design and character of buildings in the vicinity.

- 8.4 The site lies within a residential part of the village and is surrounded by single storey and two storey buildings, made up of semi-detached houses and flats dating from the latter half of the C20th with modest gardens and some off-road parking. The buildings within the immediate vicinity have red brick elevations, with brown tiled hipped roofs, chimneys and white timber or UPVC casement windows. At the head of the cul-de-sac, opposite the site, is a more recently constructed smaller single storey dwelling, with red brick walls and tiled pitched roof granted consent under 09/02348/FULLN at land adj to 13 Branksome Close. Beyond the cul-de-sac, to the west and south-west, are the rear gardens of the detached dwellings that front onto Station Road. These properties lie at a significantly higher ground level than the application site.
- 8.5 The application site slopes down from south-west to north-east, with its lowest point adjacent to number 12. The development would be cut into the slope and would comprise of a modest 1½ storey one bedroom dwelling, aligned to the east of the site, along the boundary with number 12. It is proposed to have brick elevations, a hipped tiled roof and modest front and rear gardens. Parking is proposed for two cars within the site frontage. The submitted elevations indicate that the ridge height (70.25m Above Ordnance Datum (AOD)) would be marginally below that of the neighbouring dwellings at numbers 11 and 12 (70.58m) and the eaves height of 67.50m AOD would be at a similar level to number 12 Branksome at 67.45m AOD
- 8.6 The proposed dwelling would fit alongside the existing pair of single storey dwellings (11 and 12) at the end of the cul-de-sac and would have a similar overall height and pitched roof form. It would largely be aligned with a slight set back from number 12. The frontage would provide space for the parking of two cars and for some additional planting. The proposed plot width of 11.9 metres would be wider than number 12 which has a plot width of 7.9 metres or the dwelling opposite (Martin's Lodge) which has a plot width of 11.4m. The proposed frontage incorporates landscaping and has sufficient space for car charging points which will be conditioned. The dwelling is not considered to be prominent within the street scene nor harmful to the character and appearance of the area and it is considered that it would integrate within its context, in accordance with the provisions of RLP policies E1 and E2 and would also accord with Policy HD4 of the Chilbolton NDP.
- 8.7 **Highway Safety and Parking**
Third party representations have been received from local residents, which raise objection to the proposed dwelling, due to concerns about the proposed parking provision (2 spaces) and the impact of the proposed development upon on street parking within the cul-de-sac. Third parties comment on the limited availability of off road parking and the congestion caused by cars being parked on the street, turning head and footways and that additional parking on the street would reduce safety further for pedestrians and other highway users.

8.8 Parking

RLP policy T2 requires development to provide car parking in accordance with the Council's adopted standards as set out within Annexe G of the RLP which for a one bedroom property would require a minimum of one car parking space. It is noted that policy HD5 of the Chilbolton NDP requires that 1 bedroom dwellings should be provided with two car parking spaces. The proposed development would make provision for two car parking spaces to serve the proposed one bedroom dwelling.

- 8.9 Chilbolton Parish Council have raised concern that the revised plans of the 25th May 2022 show a study which could be used as a bedroom and if this was the case there would be insufficient parking under the Chilbolton NDP. The application indicates that it is a study and there is no clear evidence to the contrary that it would be used for a bedroom and as such the application is being considered as it is presented within the application. A condition is also recommended to ensure that the proposed dwelling remains a one bedroom property, in order to comply with NDP policy HD5 in terms of ensuring that sufficient on-site parking is provided to serve this proposed dwelling.

8.10 Highway Safety

The proposal would not have any direct impact upon the turning head to the front of the site and adequate provision has been made for the parking of vehicles within the site frontage, in order that parking on the carriageway can be avoided. A tracking plan has been provided which shows that cars can access on-site parking with cars parked on both the road and within the turning head. Third party concern has been expressed regarding the proposed tracking diagram arguing that cars do not park in the way shown on this plan. It is accepted that there may be locations within the road and turning head that make parking and turning onto and off the site more difficult. However any additional manoeuvring would not result in a clearly identified risk to highway safety and this is reflected in fact that the Highways Officer has raised no objections in this or any other highway regard and it is therefore concluded that the proposals accord with policy T1 of the RLP.

8.11 **Amenity**

12 Branksome Close

The proposed dwelling would sit immediately alongside the existing dwelling at 12 Branksome Close, which lies approximately 1.4m to the north east, and it would have a similar overall eaves and ridge height to this host property, with a fully hipped roof form. Although the proposed dwelling would project approximately 2m to the rear of the existing dwelling, at number 12, it is not considered that this would have an adverse or overbearing impact on the living conditions of this adjacent occupant. Although there would be a degree of overshadowing to the side of number 12, which lies to the north-east, this would be limited to the footway to the side of the house, including the rear/kitchen door to the garden. It is not considered that this level of overshadowing would result in loss of daylight or sunlight below acceptable levels.

- 8.12 The proposed dwelling would include roof light openings to the front and sides. The front roof light would look out over the turning head and would have some oblique views of the front garden area of number 12. The side roof light would serve a stairwell and would afford views when open over the side of number 12 Branksome and oblique views towards the rear of the house. A condition has been attached to the officer recommendation to ensure that this window would be obscure glazed and fixed shut to mitigate any potential overlooking.
- 8.13 With regard to permitted development rights for future occupants of the proposed dwelling, it is considered appropriate to add a condition to any permission restricting extensions and the insertion of any further windows, roof lights or dormer windows to the building, in order to protect the amenity of the occupants of neighbouring dwellings.
- 8.14 The proposed dwelling would be located on land to the side of number 12. A rear garden has been created for number 12 and this is considered acceptable for the occupiers of this dwelling to have some private outside space.
- 8.15 *Barrimont and Greenwood*
The proposed dwelling would, at its closest point be within 1m of the boundary with Barrimont and Greenwood, which lie at a higher level to the south-west of the site. The boundary between the site and these dwellings comprises of a 2 metre high wall, with further vegetation within the neighbouring gardens. The proposed dwelling would be located at a lower level meaning that the ground floor window on the side facing towards Barrimont would not have any views of this property. A roof light is proposed in the roof to serve an en-suite bathroom on the side facing towards Barrimont. Concern has been expressed by the occupiers of this dwelling that they will be overlooked. A condition has been attached to ensure that this window would be obscure glazed and fixed shut to mitigate any potential overlooking. Given the modest size and massing of the proposed dwelling, its lower siting and restricted overlooking opportunities to the south west elevation, the proposed dwelling would not result in significant loss of sunlight, daylight or privacy to the occupiers of the neighbouring properties at Station Road.
- 8.16 *Proposed dwelling*
The proposed dwelling would have a bedroom in the roof space and this would be served by a single roof light to the front elevation. The outlook from this window would be over the street to the front and would allow for natural light into the space. The proposed dwelling would also have adequate private amenity space in the form of an 'L' shaped garden to the rear of the property and behind number 12. The proposed dwelling would accord with Policy LHW4 of the RLP.
- 8.17 It is considered that the proposed dwelling would not give rise to unacceptable impacts on amenity to proposed occupiers and nor would the development result in a harmful impact on the occupiers of the neighbouring properties in terms of amenity and a such the development accords with Policy LHW4 of the RLP.

8.18 **Nutrient Neutrality**

Natural England advises that there are high levels of nitrogen and phosphorus input to the water environment of the Solent region caused by wastewater from existing housing and from agricultural sources and that these nutrients are causing eutrophication at the designated nature conservation sites which includes the Solent Water SPA. This results in dense mats of green algae that are impacting on the Solent's protected habitats and bird species.

8.19 In June 2019 Natural England published guidance which required all new developments providing overnight accommodation to demonstrate nutrient neutrality. This guidance was updated in March 2022. The guidance stated that there is evidence that high levels of nitrates from new housing development that results in waste water entering The Solent is contributing towards eutrophication of internationally legally protected sites in the Solent and resulting in a detrimental impact upon the conservation interest of these sites.

8.20 Advice from Natural England is that the applicants for development proposals resulting in a net increase in dwellings are required to submit a nitrogen budget for the development to demonstrate that there will be no likely significant effect on these internationally designated sites. The requirement to demonstrate no likely significant effect is outlined within Regulation 63 of the Conservation of Habitats and Species Regulations (2017).

8.21 To identify the amount of nitrate loading generated by the proposed development, a nutrient budget calculation has been undertaken in accordance with Natural England's standard methodology and calculator spreadsheet. The calculation identifies that the proposed development will generate 3.16/TN/yr.

8.22 To address this issue, Test Valley Borough Council has implemented a strategic nitrate offsetting mitigation scheme whereby a scale of developer contributions has been agreed that would fund its ongoing delivery of a nitrate offsetting scheme. This strategic scheme comprises the offsetting of agricultural land previously utilised for the purposes of pig farming, located at Roke, Awbridge.

8.23 An appropriate assessment has been carried out and this has been reviewed by Natural England. It is concluded that the development can achieve nutrient neutrality by offsetting the increase in the nitrogen load and this would need to be secured through a S106 agreement. The development would therefore not result in an adverse effect on the integrity of the Solent designated sites through water quality from nitrate impacts and would accord with Policy E5 of the RLP.

9.0 **CONCLUSION**

9.1 It is considered that the proposed dwelling would integrate and complement the character and appearance of the surrounding area, and that there would be no unacceptably harmful impact upon neighbour amenities or highway safety.

Subject to the completion of a section 106 legal agreement, the proposal has also demonstrated nutrient neutrality and that it will not have a likely significant effect on internationally protected sites within The Solent. The proposal is considered to accord with the relevant policies contained within the RLP and the Chilbolton NDP.

10.0 RECOMMENDATION

Delegate to the Head of Planning and Building that subject to the completion of a S106 legal agreement to secure Nutrient Neutrality then PERMISSION subject to:

1. **The development hereby permitted shall be begun within three years from the date of this permission.
Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.**
2. **The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 36146 01B, 36146 02O, 36146 03K, 36146 05C, 36146 06C, 36146 07H, 36146 08D.
Reason: For the avoidance of doubt and in the interests of proper planning.**
3. **No development shall take place above DPC level of the development hereby permitted until samples and details of the materials to be used in the construction of all external surfaces hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.**
4. **No development shall take place above DPC level of the development hereby permitted until full details of hard and soft landscape works have been submitted and approved. Details shall include-where appropriate: means of enclosure; hard surfacing materials;
Soft landscape works shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities.
The landscape works shall be carried out in accordance with implementation programme and in accordance with the management plan.
Reason: To improve the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E2.**

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

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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order), no additional buildings, extensions, windows or dormer windows, other than those shown on the approved plans, shall be constructed within the site.

Reason: In order that the Local Planning Authority can exercise control in the locality in the interest of privacy and local amenities, in accordance with Test Valley Borough Revised Local Plan (2016) Policy LHW4 and E1.

7. The development hereby permitted shall not be occupied until provision for the manoeuvring and parking of cars has been made, in accordance with the approved plans. The areas of land so provided shall thereafter be maintained at all times for solely these purposes.

Reason: In the interest of highway safety and in accordance with Test Valley Borough Revised Local Plan (2016) Policy T1.

8. The development hereby approved shall be designed and built to meet Regulation 36 2 (b) requirement of 110 litres/person/day water efficiency set out in part G2 of Building Regulations 2015.

Reason: In the interests of improving water usage efficiency in accordance with policy E7 of the Test Valley Borough Revised Local Plan 2016.

9. The roof lights in the north-east and south-west elevations of the development hereby permitted shall be fitted with obscured glazing and shall be non-opening, and thereafter retained as such.

Reason: To protect the amenity and privacy of the adjoining occupiers in accordance with Test Valley Borough Revised Local Plan (2016) Policy LWH4.

10. The dwelling hereby permitted shall have no more than one bedroom at any time.

Reason: In order to ensure appropriate on-site parking provision is provided in accordance with policy HD5 of the Chilbolton Neighbourhood Development Plan.

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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