
APPLICATION NO.	18/03203/FULLN
APPLICATION TYPE	FULL APPLICATION - NORTH
REGISTERED	10.12.2018
APPLICANT	Aster Group
SITE	Land adjacent to 12 Branksome Close, Chilbolton, Stockbridge, SO20 6AQ, CHILBOLTON
PROPOSAL AMENDMENTS	Construction of detached chalet bungalow and parking
CASE OFFICER	Samantha Owen

Background paper (Local Government Act 1972 Section 100D)

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1.0 INTRODUCTION

1.1 This application was deferred by the Committee at the meeting on the 6th October 2022 to allow officers to present further information on the appeal decision relating to Martins Lodge (Land adj. 13 Branksome Close) which is opposite the application site. The Committee Report and Update Report from the 6th October NACP is attached at Appendix A. The following paragraphs 2.0– 2.5 detail the planning history relating to the erection of a dwelling on land at Martins Lodge and the decision notices and plans for these applications and appeal are included in Appendix B.

2.0 PLANNING HISTORY

2.1 **07/00037/OUTN** – Outline application for the erection of a two storey dwelling with layout and access being considered was refused for the following reason:

The proposed dwelling would have an adverse impact on the amenities of neighbouring properties in respect of privacy and light and would be out of keeping with the character of the area. The proposal is contrary to policies SET 01, DES 02, AME 01 and AME 02 of the Test Valley Borough Local Plan 2006.

The application was appealed and the Appeal was Dismissed. The decision is attached at Appendix B. The Inspector concluded that the two storey design and layout was inappropriate as it would not be in line with other dwellings along Branksome Close and would require significant earthworks to reduce the site level which had not been shown. The proposed dwelling was concluded as appearing out of context with nearby development and have an awkward relationship with number 13 Branksome Close. The dwellings siting on the boundary with 13 Branksome Close would be a dominant structure when viewed from the rear garden of number 13. The proposed dwelling would also give rise to unacceptable overlooking of number 13's rear garden.

2.2 **08/00692/FULLN** – Erection of detached bungalow – REFUSED

The siting of the proposed dwelling set further back in its plot than other dwellings in Branksome Close and the height, scale, bulk and mass of the structure will result in an awkward relationship between the proposed dwelling and neighbouring 13 Branksome Close. The residential amenities of 13 Branksome Close will be reduced to a level below that which may reasonably be expected to enjoy as a result of significant oppressive impact and shadow cast to the rear of the dwelling and rear garden during the afternoon hours. As such the proposed scheme is contrary to policy AME02 of the Test Valley Borough Local Plan 2006.

2.3 **09/02348/FULLN** – Erection of detached bungalow and associated works.

This application was permitted on the 25th March 2010.

2.4 **13/00612/EXTN** – Renewal of Planning permission 09/02348/FULLN – Erection of detached bungalow and associated works – Permit 17.05.2013

2.5 **14/00397/FULLN** – Single storey dwelling with associated works – Permit 13.05.2014

This application is what has been constructed on the site

3.0 **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 03L, 36146 05D, 36146 06C, 36146 07I, 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 not be used other than as a one bedroom dwelling.
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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