
APPLICATION NO.	24/00083/VARN
APPLICATION TYPE	VARIATION OF CONDITIONS - NORTH
REGISTERED	15.01.2024
APPLICANT	Mr and Mrs J Dunlop
SITE	Stockbridge House, High Street, Stockbridge, SO20 6EX, STOCKBRIDGE
PROPOSAL	Variation of condition 02 (approved plans) of 21/01171/FULLN (Erection of three tourist accommodation units) to alter the provision of windows, install decking platforms, and changes to internal configuration
AMENDMENTS	
CASE OFFICER	Katie Nethersole

Background paper (Local Government Act 1972 Section 100D)

[Click here to view application](#)

1.0 INTRODUCTION

1.1 The application is referred to SAPC by the local Ward Member because it raises issues of more than local public interest.

2.0 SITE LOCATION AND DESCRIPTION

2.1 Stockbridge House is a Grade II listed local building within the Conservation Area. The site is located to the rear of this building on land that was once used as a garden but is now empty but kept tidy. The site is adjacent to a water carrier to the east.

3.0 PROPOSAL

3.1 This application seeks to vary condition 2 of planning permission 21/01171/FULN. This granted permission for the erection of three tourist accommodation units.

3.2 Condition 2 of 21/01171/FULLN states:

'The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 293(10)002G, 293(10)100B, 293(10)002A, 293(10)004A, 293(10)003E, 293(10)001C

Reason: For the avoidance of doubt and in the interests of proper planning'

3.3 The permission was for three tourist accommodation units in the one building. It is now proposed to give the flexibility for the building to either be used as three separate units of tourist accommodation or as one larger unit. The internal layout has been changed to provide three units consisting of a bedroom, en-suite bathroom and kitchenette facilities and a large communal space providing living/kitchen/dining space.

3.4 The proposal also seeks to amend the design of the building to alter the fenestration details – changing and adding some windows/doors, increase in the number of rooflights, and the installation of timber decking to each of the units to provide outdoor amenity space.

4.0 **HISTORY**

4.1 21/01171/FULLN Erection of three tourist accommodation units. Permission subject to conditions and notes 25.02.2022

4.2 15/02129/FULLN Erection of tourist accommodation at rear. Permission subject to conditions and notes 24.02.2016

5.0 **CONSULTATIONS**

5.1 None carried out

6.0 **REPRESENTATIONS** Expired 16.02.2024

6.1 **Stockbridge Parish Council – Objection**

The Parish Council is not convinced the layout is appropriate for long term holiday accommodation. The layout is such that it can be easily changed and used for living quarters once planning permission is granted. The Parish Council is of the opinion that the specified access route to the holiday accommodation which at present accommodates table and chairs for a local café, is inappropriate for continuous movement of the vehicles of a holiday let and is concerned that the holiday residents will simply leave their vehicles on the High Street. The Parish Council is concerned that the impracticability of the access and flexibility of the layout will mean that the accommodation will soon be used for living accommodation and not for what the planning permission specifies. The Parish Council requests that should Planning be minded to approve then the application then the matter should go to Committee.

6.2 8 letters of objection from the occupiers of:

- Oakhanger, High Street, Stockbridge x 5
- Dance's House, High Street, Stockbridge
- Wild Cherries, High Street, Stockbridge
- King's Head House, Stockbridge – Save Our Stockbridge (SOS)

For the following reasons:

- Confusion over whether the building would be tourist accommodation or residential
- The decking and new windows have an adverse impact on privacy and would result in overlooking and potential noise to the back gardens of Oakhanger, Homeleigh and Tilers Cottage
- Query over which is the correct access, via Stockbridge House or via the unadopted road between Homeleigh and 1-3 High Street – the access via Stockbridge House is blocked by chairs and tables used by the café
- Query whether the decision on this application can be delayed until the enforcement investigation has been resolved
- The application should be retrospective
- The revised layout reduces the quality of the tourist accommodation

- The revised layout would not be practical for tourist use
- The amended plans are more than minor amendments
- Applicants should be made to apply for a change of use from tourist to residential
- Works have already been carried out, and behind 'closed doors'
- Potential increase in light pollution as a result of additional windows

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

COM15 Infrastructure

E1 High Quality Development in the Borough

E2 Landscape Character of the Borough

E5 Biodiversity

E7 Water Management

E8 Pollution

E9 Heritage

LHW1 Public Open Space

LE18 Tourism

T1 Managing Movement

T2 Parking Standard

7.3 Supplementary Planning Documents (SPD)

Stockbridge Conservation Area

Stockbridge Village design Statement

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- The principle of development
- Impact on the setting of the listed building
- Impact on neighbouring residential amenities
- Highway matters
- Impact on protected species
- Other matters

8.2 **The Principle of Development**

The principle of development has already been established through the granting of permission 21/01171/FULLN.

8.3 The site is within the settlement boundary of Stockbridge, in accordance with policy COM2 of the RLP, the principle of development is acceptable whether it is for tourist or residential accommodation.

8.4 Impact on the setting of the Listed Building

The tourist accommodation is located approximately 25 metres away from the frontage building (Stockbridge House) which is grade II listed.

8.5 The alterations to the external appearance of the building are limited to changes to the fenestration with additional windows, additional rooflights and the construction of external timber decking to each unit of tourist accommodation. It is considered that the changes would not have a negative impact on the overall design of the building and therefore there would be no adverse impact on the significance of the listed building, in accordance with policy E9 of the RLP.

8.6 Impact on neighbouring residential amenities

It is important to consider the impact of the changes to the design in respect of the alterations to the fenestration on the amenity of the neighbouring dwellings.

8.7 It is noted that third party correspondence has been received concerning overlooking towards the neighbouring properties Oakhanger, Tilers Cottage and Homeleigh; however, the tourist accommodation is located approximately 50 metres to the north east of these properties and this distance added to the intervening built form and screening would ensure that no overlooking would result from the development. The ability to use the accommodation as either one large unit or three separate units would not increase the impact on residential amenity in terms of overlooking or noise from occupiers of the tourist accommodation. The development therefore accords with Policy LHW4 of the RLP.

8.8 Highway Matters

Concern has been expressed by third parties as to the suitability of the access route, and that during construction this access (via Stockbridge House) has not been utilised. Tables and chairs have been located across the access to the rear of the site to support the food business located in the building fronting the High Street. The whole plot including the building to the front is in one ownership and as such the applicants have control over the access point. A condition requiring the access to be kept clear has been included to ensure that the access is made available at all times once construction is complete and the tourist use is brought into use.

8.9 Three parking spaces are proposed with turning on site. This is in accordance with the parking requirements set out at Annex G to the RLP and the alterations to the accommodation would not increase the number of units. The ability to use the accommodation as one large unit or three separate units would not require any change to the parking requirements. Therefore, the development is in accordance with policies T1 and T2 of the RLP.

8.10 Impact on protected species

The additional windows, including the rooflights, have the potential to impact on bats. A condition is included to ensure that there is no adverse impact on foraging bats by stipulating that the rooflights are glazed with low emission

glazing in accordance with the Bat Conservation Trust and the Institute of Lighting Professionals (Guidance note 08/18 Bats and artificial lighting in the UK) for 'complete darkness'.

8.11 **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.

8.12 As such, the advice from Natural England (January 2024) is that applications for development proposals resulting in a net increase in dwellings or tourist accommodation offering overnight accommodation are required to submit the nitrogen budget for the development to demonstrate no likely significant effect on the European designated sites due to the increase in waste water from the new housing.

8.13 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.

8.14 It is concluded that the development can achieve nutrient neutrality by offsetting the increase in the nitrogen load from this development by off-setting that amount by removing agricultural land from production at Roke Farm, Awbridge and would therefore not result in an adverse effect on the integrity of the Solent designated sites through water quality from nitrate impacts. A S106 to secure the mitigation has been completed on 17th February 2022. The development would therefore satisfy Policies E5 and E8 of the RLP in this regard.

8.15 It is considered that subject to conditions the impact on biodiversity would be acceptable and the development would conserve biodiversity in accordance with Policy E5 of the RLP.

8.16 **Other Matters**

It is noted that third party correspondence has been received concerning the alterations to the building and the concern that it would be used a single unit of residential accommodation as opposed to three tourist accommodation units. From the submitted plans and a site visit carried out by the case officer, the building is to be used as tourist accommodation.

8.17 The revised internal layout shows that the accommodation would be able to be used both as three units of accommodation and one large single unit of tourist accommodation allowing the space to be used flexibility based on demand. Each of the three units have a bedroom, private bathroom and a kitchenette. The communal space includes a large kitchen and dining room that would be available for occupants of the three units.

8.18 In terms of the ability to use the accommodation as one unit, this is not considered to have any adverse impact in respect of the listed building, residential amenity, parking and access or ecology as discussed in the above paragraphs.

9.0 **CONCLUSION**

9.1 The principle of development has been established under the previous permission. In conclusion, the minor changes to the external appearance of the building would not have any adverse impact on the significance of the heritage assets, neighbouring residential amenity, access and parking or biodiversity. In addition to this the ability to use the tourist accommodation as one large unit or three separate units would also not have any impact on the significance of the listed building, neighbouring residential amenity, access and parking or biodiversity and is therefore recommended for permission subject to conditions.

10.0 **RECOMMENDATION**

PERMISSION subject to:

1. **The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 239(10)002 H, 239(10)100 A, 239(11)102 A, 239(101) A, 239(10)004 A, 239(11)100 A**
Reason: For the avoidance of doubt and in the interests of proper planning.
2. **Development shall proceed in accordance with the approved Construction Environmental Management Plan (CEMP) dated 9th May 2022 by CC Construction Ltd. Development shall proceed in accordance with the approved CEMP.**
Reason: To protect designated sites, habitats and species in accordance with Policy E5 of the Test Valley Borough Revised Local Plan 2016
3. **The works hereby approved shall be undertaken in full accordance with the provisions set out within the Arboricultural Impact Assessment and Method Statement undertaken by EnviroArb Solutions reference EAS-082 dated 16.02.2021. Any changes to the works to be undertaken to the trees shall not be carried out until a revised method statement has been submitted to and approved in writing by 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 2016 policy E2.
4. **Tree protective measures should be installed in accordance with the Arboricultural Impact Assessment and Method Statement undertaken by EnviroArb Solutions reference EAS-082 dated 16.02.2021. Such protection shall be installed prior to any other sit operations and at least three working days' notice to be given to the Local Planning Authority that it has been installed.**

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 2016 policy E2.

- 5. Tree protective measures installed 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 sites huts or other equipment what-so-ever shall take place within the fencing without the prior written agreement of the Local Planning Authority.**

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 2016 policy E2.

- 6. The development shall not be occupied until space has been laid out for the parking and manoeuvring of vehicles to enable them to enter and leave the site in forward gear in accordance with the approved plan and this space shall thereafter be reserved for such purposes at all times.**

Reason: In the interests of highway safety in accordance with Test Valley Borough Revised Local Plan 2016 policy T2.

- 7. The access to the development shall be kept clear and available for use at all times.**

Reason: In the interests of highway safety and to ensure the site has adequate parking in accordance with Test Valley Borough Revised Local Plan 2016 policy T2.

- 8. The approved lighting shown on drawing numbers 239(10)100 A, 239(10)101 A, 239(10)102 A, 239(11)100 A, 239(10)002 G shall be installed prior to first use of the approved building and shall be retained in perpetuity.**

Reason: To prevent disturbance to protected species in accordance with the National Planning Policy Framework and Policy E5 of the Test Valley Borough Revised Local Plan 2016.

- 9. Prior to first use of the development hereby approved the rooflights shall be glazed with low emission glazing in accordance with the Bat Conservation Trust and the Institute of Lighting Professionals (Guidance note 08/18 Bats and artificial lighting in the UK).**

Reason: To prevent disturbance to protected species in accordance with the National Planning Policy Framework and policy E5 of the Test Valley Borough Revised Local Plan 2016.

- 10. The approved landscape works shown on drawing 239(10)002 G and Landscape Scheme – Version C shall be carried out in accordance with the approved implementation programme and in accordance with the agreed management plan prior to occupation.**

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.

- 11. 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.

- 12. No person shall occupy the holiday accommodation hereby permitted for a continuous period of more than 2 months in any calendar year and it shall not be re-occupied by the same person/s within 28 days following the end of that period.**

Reason: This site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity and flooding, would not permit three residential dwellings having regard to Test Valley Borough Revised Local Plan (2016) policies COM2, LHW4 and E7.

- 13. The owners/ operators of the site shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans/log cabins/chalets on the site, and of their main home addresses, and shall make such information available at all reasonable times to the Local Planning Authority.**

Reason: This site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity and flooding, would not permit three residential dwellings having regard to Test Valley Borough Revised Local Plan (2016) policies COM2, LHW4 and E7.

- 14. The building hereby permitted shall not be occupied as a persons' sole or main place or residence.**

Reason: This site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity and flooding, would not permit three residential dwellings having regard to Test Valley Borough Revised Local Plan (2016) policies COM2, LHW4 and E7.

Notes 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.**
 - 2. The applicant's attention is drawn to the Section 106 agreement dated 17 February 2022 which is pertinent to this permission.**
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