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<b>APPLICATION NO.</b>	19/01483/FULLN
<b>APPLICATION TYPE</b>	FULL APPLICATION - NORTH
<b>REGISTERED</b>	14.06.2019
<b>APPLICANT</b>	Mr Ray Palmer
<b>SITE</b>	Fishing Cottage, Annexe , Church Lane, Upper Clatford, SP11 7HB, <b>UPPER CLATFORD</b>
<b>PROPOSAL</b>	Single storey extension to annexe, to provide home office and additional space in loft space
<b>AMENDMENTS</b>	No dig details – 04.07.2019
<b>CASE OFFICER</b>	Mr Luke Benjamin

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.

## 2.0 SITE LOCATION AND DESCRIPTION

2.1 The site is located within the Upper Clatford Conservation Area and sits to the east of All Saints Church which is Grade II\* listed. The River Anton runs alongside the eastern boundary and is designated as a Site of Importance for Nature Conservation (SINC).

2.2 The application site is divided in two, by Church Lane which separate the host property from the garage/annex building and parking area. The application site serves the host property and provides the property with off-road parking and further residential garden. The building currently consists of two garages and a bedroom (with en-suite) on the ground floor and a bedroom on the first floor within the roof space of the annexe which also has a toilet and sink.

2.3 The site is relatively flat and open onto the road. To the rear of the site are a number of larger trees, which start to form part of a larger wooded area outside of the application site. The site has an overall domestic and residential appearance.

## 3.0 PROPOSAL

3.1 The proposal is for an extension to the northern end of the existing annexe/garage building. The extension would provide a home office and additional loft space which would create a larger bedroom on the first floor in comparison to existing in addition to a new bathroom. The proposal would use materials to match the current building, including timber cladding and thatch.

3.2 The application has been submitted as the applicant wishes to extend the building to provide a new home office and a larger bedroom and en-suite bathroom for guests when they visit.

#### 4.0 **HISTORY**

- 4.1 19/00629/FULLN - Single storey extension to annexe, to provide home office and additional space in loft space – REFUSE – 07.05.2019 – Subject to a planning appeal.

**1. The scale, position and appearance of the proposed extension by virtue of its form and design would harm the appearance of the existing simple linear ancillary building, which is in keeping with the current character of the area and the conservation area. The proposed extension would result in a more visually dominant domestic building which would be inappropriate and incongruous with the rural character of this section of the conservation area. The proposal would be more visually intrusive in the landscape compared to the current building and fails to integrate, respect and complement the character of the area. The proposal would also result in less than substantial harm to the significance of the conservation area and the adjacent listed buildings and no public benefit has been demonstrated as part of the application. As such it is contrary to policy E1, E2, E9 and COM11 of the Test Valley Borough Revised Local Plan 2016.**

**2. The proposed extension and the introduction of a fully glazed gable end would have a detrimental impact on the appearance of the immediate area as a result light spill into a currently dark rural area. It would also result in light pollution that would harm the general amenity of the area and the significance of the conservation area. The proposal would be contrary to policy E2, E8 and E9 of The Test Valley Borough Council Revised Local Plan 2016.**

- 4.2 17/01844/FULLN - Installation of free-standing greenhouse to side – permission subject to condition and notes – 29.08.2017.
- 4.3 16/03131/FULLN - Installation of free-standing greenhouse to side – withdrawn - 09.02.2017.
- 4.4 TVN.06502/2 - Demolition of existing garage and replacement with garage/store building with bedroom/wc/store at first floor on land opposite – permission subject to conditions and notes – 21.03.1996.

#### 5.0 **CONSULTATIONS**

- 5.1 Environment Agency (EA) – No objection.
- 5.2 Landscape – No objection.
- 5.3 Trees – No objection.
- 5.4 Design and Conservation – No objection.

- 6.0 **REPRESENTATIONS** Expired 12.07.2019

## 6.1 **Upper Clatford Parish Council – Objection**

Comments:

- Rural light spill into a predominantly dark rural landscape.
- Detrimental to the Landscape Character of this part of the Conservation Area which is enhanced by the setting of the church, views of which would be adversely affected by the extension.
- Disproportionate size of the extension with inappropriate window design for an ancillary rural building.

## 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

COM11: Existing Dwellings and Ancillary Domestic Buildings in the Countryside

E1: High Quality Development in the Borough

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

E5: Biodiversity

E7: Water Management

E9: Heritage

LHW4: Amenity

### 7.3 Supplementary Planning Documents (SPD)

Goodworth Clatford and Upper Clatford Conservation Area Appraisal

## 8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of development
- Impact on the Character of the Area including Heritage Assets and Trees
- Amenity
- Ecology
- Archaeology
- Flood Risk

### **Principle of development**

8.2 The annexe at Fishing Cottage is located in the countryside as defined in the RLP. RLP policy COM2 sets out that development outside the boundaries of settlements will only be permitted if it is appropriate in the countryside in line with the relevant policies or is essential for the proposal to be located in the countryside.

- 8.3 RLP policy COM11 is one of the relevant policies, and sets out that in the countryside proposals for extensions of existing dwellings or the creation and extensions of ancillary domestic buildings will be permitted provided:
- a) it is not used for any other purpose other than the incidental enjoyment of the existing dwelling or as a residential annexe to the dwelling;
  - b) The size and design of the proposal would not be more visually intrusive in the landscape; and
  - c) The design of the proposal is in keeping with the existing dwelling.

- 8.4 The proposal is for an extension to the annexe at Fishing Cottage, which is an ancillary domestic building, to provide a home office and additional space in the loft for a larger bedroom and a new bathroom. No additional bedrooms are proposed. As such, it is considered that the proposal would continue to be used for the incidental enjoyment of the existing dwelling and therefore complies with RLP policy COM 11 criterion (a). Criteria (b) and (c) are considered below.

**Impact on the Character of the Area including Heritage Assets and Trees**

- 8.5 Local Planning Authorities are required to have special regard to the desirability of preserving listed buildings or its setting or any features of special architectural or historic interest which it possesses as set out in section 66 (l) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the desirability of preserving or enhancing the character or appearance of the Conservation Area set out in section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 8.6 Policy E9 of the Revised Local Plan states that “*works affecting a heritage asset will be permitted provided that:*
- a) *It would make a positive contribution to sustaining or enhancing the significance of the heritage asset taking account of its character, appearance and setting; and*
  - b) *The significance of the heritage asset has informed the proposal through an assessment proportionate to its importance.*

*Development which will lead to less than substantial harm to the significance of a designated heritage asset will be considered against the public benefit of the proposal, including securing a viable use.”*

- 8.7 The existing thatched building under consideration is a subsidiary annexe to the Fishing Cottage and is set within its own garden/residential setting on the adjacent side of Church Lane.
- 8.8 The proposed development would continue the linear form of the annexe building with a small protruding element to the rear. The building provides garaging and ancillary accommodation for Fishing Cottage. It is considered that the current building has been traditionally constructed, with weatherboarding and thatch. It shares its character with a traditional small barn or stable building which you would expect to see in this location and associated with the adjacent cottage. The existing building is visible from a number of public vantage points, including from Church Lane, Norman Court Lane and the churchyard.

- 8.9 The extension would retain the linear form of the annexe and its character as a subsidiary building to the main dwelling. The building is already being used as an annexe and is surrounded by a residential garden with a driveway, which helps provide the site with a domestic character. The extension would use materials to match the existing and as such the rural character of the annexe would be maintained. The larger additional glazed windows would be a new addition to the annexe, but it is considered that they would respect the domestic setting in which they are sited. It is also recognised within the conservation area appraisal that this building is a modern structure and it is considered that the proposal would not alter this. From a landscape perspective, it is considered that the proposals put forward are sensitive and reflect the character and setting; there is sufficient space to extend without having a detrimental impact upon the immediate and wider landscape.
- 8.10 Concerns have been raised by the Parish Council concerning views of the Church. It is noted from the site visit that very limited views of the church are available in conjunction with the annexe building. From the east, limited views of the church are possible, although you can only appreciate the new element of the church rather than the historic building. The current building and the intervening vegetation already screen the church and the proposal would obscure important views of the church.
- 8.11 In summary, it is considered that the extension is modest in scale and respects the overall character of the area and as such would not result in harm to the character and appearance of the Conservation Area nor the setting of the listed church. As such, it is considered that the size and design of the proposal would not be more visually intrusive in the landscape compared to the current building and the design is in keeping with the existing annexe. The proposal has overcome the previous reasons for refusal and complies with policies COM11, E1, E2 and E9 of the RLP.
- 8.12 *Light spill*  
The glazed element of the extension has been amended in comparison to the previously submitted scheme (19/00629/FULLN). The proposal has removed the upper section of glazing and only retained the door element. Due to this revision, the proposal would minimise the potential for further light spill in comparison to the previous scheme. The glazed doors are sited away from the road and are situated alongside other openings within the building. As such the proposal would have limited additional impact with regards to light spill. It is therefore considered that any further light spill from the development would not result in harm to the dark and rural landscape. As such, the revisions made to the proposal have overcome the previous reason for refusal in relation to light spill.

### 8.13 *Trees*

The proposal would be sited within 4m of a 20m tall tree. The proposal is to be built with a no dig solution to ensure that tree roots would be protected and minimal piles will be required. It is however recommend that a tree protection condition is attached to the permission to ensure that the trees are safeguarded during the construction process. The current tree information provided is lacking an arboricultural method statement and as such it is recommended that these details are secured via condition. The tree is located within the Conservation Area and is therefore protected by the provision of section 211 of the Town and Country Planning Act 1990. As such any works to the tree would be controlled by notification to the Council and it is considered that the development would therefore not put undue pressure on the tree to be removed. With the addition of the recommended conditions, the proposal would comply with policy E2 of the RLP in relation to trees.

8.14 In summary it is considered that the proposal would accord with policies E1, E2, E9 and COM11 of the RLP.

### **Amenity**

8.15 The nearest neighbouring property is Fishing Cottage, the main house to the ancillary annexe. Therefore it is considered that there would be no amenity impacts on the neighbours and the proposal would comply with policy LHW4 of the RLP.

### **Ecology**

8.16 The County Ecologist was consulted as part of application reference 19/00629/FULLN and due to the similarity with this proposal it is considered that their comments remain applicable. The site lies in a rural location 1.5km south of Andover. The River Anton lies adjacent to the east of the site and comprises of a gravel driveway and building. The building was assessed to have negligible potential for roosting bats. The river has been assessed as part of the application and it is considered that the proposal would not impact the ecology of the river. As such the proposal would not result in harm to protected ecology. It is recommend that if permission were to be granted, a condition should be attached to ensure that the measures set out in an ecological appraisal are carried out to protect the River Anton and nesting birds. The proposal complies with policy E5 of the RLP.

### **Archaeology**

8.17 HCC Archaeology were consulted as part of application reference 19/00629/FULLN and due to the similarity with this proposal it is considered that their comments remain relevant. Fishing Cottage lies outside the Area of High Archaeological Potential (AHAP), although the building is located within Upper Clatford's historic core. However, the small scale nature of the proposed extension to the cottage means that there would be little or no prospect of interpretable archaeological features being exposed. As such, the proposal would not result in any archaeological concern and the proposal would comply with policy E9 of the RLP in relation to archaeology.

### **Flood Risk**

- 8.18 The site is located within Flood Zone's 2 and 3. The proposal falls within the minor extension category of the EA's standing advice. The standing advice for minor extensions sets out that the floor levels of the proposal should be no lower than the existing floor levels. The applicant has confirmed that the floor level of the existing residential accommodation is 300mm above the surrounding flood level and that the proposed floor levels of the extension would match that of the existing annexe. It is considered that the proposal complies with the EA's standing advice for minor extensions. The proposal therefore complies with policy E7 of the RLP.

### **Other**

- 8.19 The host property is separated from the land on which the garage/annex stands by the public highway, Church Lane. Both sites are within the same ownership and occupation. The garage site has been used for purposes ancillary to the residential use and provides the host property with off road parking, garaging and accommodation. It is therefore considered that the garage/annex building is currently functionally subservient to, and dependent upon Fishing Cottage. The proposal to extend the existing garage/annex building would not alter the current situation and the building would remain ancillary to the main house. It is therefore considered that it would be unreasonable to condition the use of the building, especially as it is already in ancillary use. If the building were to be used as a separate dwelling, this would materially alter the nature of the development and require planning permission.

### **9.0 CONCLUSION**

- 9.1 The proposal would accord with the relevant policies of the RLP.

### **10.0 RECOMMENDATION**

#### **PERMISSION subject to:**

1. **The development hereby permitted shall be begun within three years from the date of this permission.**  
**Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.**
2. **The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:**  
**Block plan - 102 Rev A**  
**Elevations - 102 Rev A**  
**Floor plans & Section - 101 Rev A**  
**No dig foundation detail - As Proposed - 005**  
**Reason: For the avoidance of doubt and in the interests of proper planning.**
3. **Development shall proceed in accordance with the Recommendations Section of the Vesper Ecology Ecological Appraisal (February 2019) – Ecological Appraisal of Fishing Cottage, Upper Clatford, Andover**  
**Reason: To ensure the favourable conservation status of protected species in accordance with Policy E5 of the Test Valley Revised Local Plan DPD.**

- 4. No development shall take place until an arboricultural method statement has been submitted to and approved in writing by the Local Planning Authority. Specifically the method statement shall include:**
- 1. Provide a schedule of trees to be retained within 15m of the proposed building, including revised driveways, parking areas, boundary or retaining walls and other associated structures, the schedule to include the required root protection areas as set out in British Standard 5837:2012.**
  - 2. Provide a specification for tree protective barriers and or ground protection, either in accordance with the above standard or as otherwise agreed in writing with the Local Planning Authority.**
  - 3. Confirm timing of erection and dismantling of such tree protective barriers and or ground protection, which must in any case be installed prior to commencement of any demolition or ground works, and be retained and maintained for the full duration of works until onset of final landscape work or as otherwise agreed in writing with the Local Planning Authority.**
  - 4. Provide a plan at 1:200 or better, detailing the location of such tree protective barriers and or ground protection, including annotation that such tree protection shall remain in this position for the full duration of works or unless by prior written agreement with the Local Planning Authority.**
  - 5. Require a sign to be hung on such tree protective barriers, repeated as necessary, which clearly states 'Tree Root Protection Zone, do not enter, do not move this fence', or such other similar wording as may be agreed in writing with the Local Planning Authority.**
  - 6. Demonstrate by plan and section drawings that all proposed structures can be built without the construction process impacting upon the retained trees or required tree protection zones.**
  - 7. Demonstrate that all site works, mixing areas, storage compounds, site buildings and associated contractor parking areas remain wholly outside any tree protection zones and at a suitable separation to prevent damage to retained trees.**
  - 8. Provide a schedule of all tree felling and tree surgery works proposed, including confirmation of phasing of such work. All work shall be undertaken in accordance with the approved details.**

**Reason: To prevent the loss during development of trees and natural features and to ensure, so far as is practical, that development progresses in accordance with current Arboriculture best practice, in accordance with Policy E2 of the Test Valley Borough Revised Local Plan 2016.**

**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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