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| APPLICATION NO. | 19/02056/FULLS |
| APPLICATION TYPE | FULL APPLICATION - SOUTH |
| REGISTERED | 22.08.2019 |
| APPLICANT | Mrs K Bhakar |
| SITE | Cheriton House, Roman Road, Chilworth, SO16 7HE, CHILWORTH |
| PROPOSAL | Construction of new triple bay garage with basement and store |
| AMENDMENTS | 03.09.2019 – Tree survey and impact assessment - 3624-TPP Rev B. 03.10.2019 – Tree survey and impact assessment 3624 Rev C (dated 03.10.2015) Giken pile method statement 3624 Basement dig method statement 04.10.2019 – Tree survey and impact assessment 3624 Rev C (dated 03.10.2019) |
| CASE OFFICER | Katie Andrew |

Background paper (Local Government Act 1972 Section 100D)

1.0 INTRODUCTION

1.1 The application is presented to Southern Area Planning Committee at the request of a member.

2.0 SITE LOCATION AND DESCRIPTION

2.1 Cheriton House is a detached two storey dwelling situated immediately to the south of the junction of Roman Road and Hadrian Way. It is located within the Chilworth Residential Area of Special Character as defined by Policy E4 of the Test Valley Local Plan (2016). The application site is accessed off an unmade track to the east of Hadrian Way, and the north, south and west boundaries of the site are heavily vegetated. Many of these trees are subject to tree preservation orders.

2.2 The area comprises a range of detached houses with varying design features, set within larger than average plots. The area has numerous mature trees and is heavily vegetated. These features form an important contribution to character to the area, softening the appearance of the built form of the surrounding housing development, resulting in an appearance and feel of openness and spaciousness.

3.0 PROPOSAL

3.1 Construction of new triple bay garage with basement and store. Measurements of the garage are as follows:

Ridge height from ground level 6.6 metres

Length 10.7 metres

Width 8.3 metres

- 3.2 The proposed garage is located in the south east corner of the curtilage of the application site, immediately adjacent to the boundary with Packwood House. The proposed garage would provide two car spaces and a lift platform, and has a basement. Two dormer windows are proposed on the front elevation (north east) and an external staircase is located on the side (north west) elevation providing access to the first floor. The proposed construction materials are brick, tiles and upvc fenestration, designed to be in keeping with the existing dwelling.
- 3.3 The application seeks to gain approval for an amended garage scheme previously approved under 15/00167/FULLS and subsequently 15/00167/NMA1. The table below sets out the differences in the size of the garage subject to each application.

| Application number | Ridge height | Width | Length | Basement |
|--------------------|--------------|------------|-------------|---|
| 15/00167/FULLS | 6.2 metres | 6.8 metres | 9.3 metres | None proposed |
| 15/00167/NMA1 | 6.2 metres | 6.8 metres | 9.3 metres | Addition of basement 2.6 metres depth from ground level |
| 19/02056/FULLS | 6.6 metres | 8.3 metres | 10.7 metres | Proposed 5.1 metres depth from ground level |

4.0 HISTORY

4.1 **15/00167/FULLS** Demolition of existing property and erection of replacement dwelling with detached garage. **Permission subject to conditions and notes 16.07.2015.**

4.2 **15/00167/NMA1** Construct basement to garage, add two rooflights and glazed ridge with gardeners wc - Amendments to planning permission numbered 15/00167/FULLS. **Approval of non-material amendment, 23.04.2018.**

5.0 CONSULTATIONS

5.1 **Trees** – no objection subject to condition.

5.2 **HCC Ecology** – no objection subject to condition.

6.0 **REPRESENTATIONS** Expired 28.10.2019

6.1 **Chilworth Parish Council** – no comment on this application has been received at the time of writing this report.

6.2 **Greystoke, Heatherlands Road, Chilworth** – objection (summerised)

- Although the proposed construction is situated in the back garden it is noted that a large lift capable of raising vehicles is included, making it likely that commercial use may be made of this facility.
- This would be totally inappropriate for a residential area such as this, and would increase traffic movements on a non-made up road, which in turn would increase the likelihood of vehicles being parked along Roman Road.

- Already endure vehicles being parked alongside Greystoke
- If work on vehicles is envisaged the possibility of gas cylinders for welding being stored inside also arises, which is inappropriate in a residential setting.

6.3 **Kenwood, 3 Hadrian Way, Chilworth** – objection.

- Request to register objection to this application, comments to follow.
- Comment reasons: character of area, design, noise, over development, overlooking, previous planning decisions, scale and bulk and results in loss of light, supplementary planning documents, trees.

6.4 **Packwood House, Roman Road, Chilworth** – objection (summarised)

- The garage appears to have increased by 25% in the footprint of the garage, 0.5 metres in height and addition of a 150m² basement.
- Overbearing of Packwood House private amenity area and 1st floor bedrooms.
- Overlooking into Packwood House private amenity area.
- Overdevelopment of the site.
- Out of character with the area.
- Increased traffic movements adjacent Packwood House private amenity area.
- Loss of amenity.
- Scale and bulk.
- What is the next application going to be for – is this the latest in a series of applications to increase the size of the property further.
- Can the roof be re-configured and dormers orientated south-west to overlook the rear garden of Chertion House to minimise the impact on Packwood House.
- The case officer should refer to TVBC planning documents Residential Areas of Special Character Appraisals – Chilworth June 2017, Residential Areas of Special Character Supplementary planning document January 2019 and the Chilworth Village Design Statement.
- Request that this application goes to Committee.

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)(TVBRLP)

COM2: Settlement hierarchy

E1: Impact on character and appearance of the area

E2: Protect, conserve and enhance the landscape character of the Borough

E4: Residential areas of special character

E5: Biodiversity

LHW4: Amenity

T2: Parking standards

- 7.3 Supplementary Planning Documents (SPD)
Chilworth Village Design Statement
Residential Areas of Special Character (RASC) Appraisals – Chilworth (June 2017)
Residential Areas of Special Character SPD (January 2019)

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of development
- Impact on character and appearance of the area
- Trees
- Impact on the residential areas of special character (RASC)
- Impact on biodiversity
- Impact on amenity
- Parking standards
- Previous planning history
- Other matters

8.2 **Principle of development**

The site lies within the settlement boundary as defined on the Inset Maps of the TVBRLP. In accordance with Policy COM2 of the TVBRLP development is permitted provided the proposal is appropriate to other policies of the Revised Local Plan. The proposal is assessed against relevant policies below.

8.3 **Impact on character and appearance of the area**

Roman Road adjoins the site to the north east and Hadrian Way is located immediately to the east of the application site, views of the dwelling are possible from these vantage points. Glimpsed views of the garage would be possible from Roman Road down the access track.

8.4 The special character of the area is defined by detached houses within spacious plots and mature trees to the boundaries. The Chilworth Village Design Statement sets out that the verdant character of the area helps to preserve a sense of rural identity. The arboricultural information submitted shows that the scheme can be built without detriment to the green features currently present on the site, and that new trees will be planted along the western boundary. The trees along the front boundary of the site are to be protected by way of tree protective fencing during the development, again retaining the character of the area. These factors ensure that the open, spacious appearance of the area is maintained, and the proposal respects the verdant character of the area.

8.5 Garaging is commonly found within the area and as such the proposal would not look out of place within the setting of the application site. The garage would be seen in context with the existing dwelling, and the materials proposed would match those on the existing dwelling. This is in accordance with the Chilworth Village Design Statement, whereby materials used in the construction of ancillary buildings should relate to neighbouring buildings.

8.6 Given the large plot size and the existing dwelling which is modest in scale, the size of the proposed garage is considered appropriate and would not detract from the dominance of the main dwelling. Two dormer windows are proposed on the front (north east) elevation and the Chilworth Village Design Statement and RASC Appraisals (Chilworth) set out that dormer windows may be set in gabled roofs. As such the dormer windows would not appear out of character for the area.

8.7 Consequently, for the reasons set out above, the proposal is not considered to cause an adverse impact on the character and appearance of the area, in accordance with Policy E1.

8.8 **Trees**

The trees and hedging within Chilworth are important landscaping features; they provide a defining characteristic of the area and soften the appearance of the built form. The Chilworth Village Design Statement indicates that existing and new trees should be incorporated within development proposals, in order to contribute to the appearance of the project. In this instance, the application is supported by arboricultural information including tree survey and method statements (Mark Hinsley Arboricultural Consultants Ltd). These demonstrate how the development will proceed without detriment to the existing trees on site and along the boundaries, many of which are protected by Tree Preservation Orders. In addition, three replacement trees are to be planted along the west boundary fronting onto Hadrian Way. The Tree Officer consulted has raised no objection subject to the arboricultural information and piling method statements being adhered to; these protective measures are secured by condition. For these reasons it is considered that the proposal conserves the existing verdant character of the area in compliance with Policy E2.

8.9 **Impact on the residential areas of special character (RASC)**

The application site is within the Chilworth RASC and as such Policy E4 is pertinent in assessing the application. The Policy sets out as follows:-

'Development within residential areas of special character in Andover, Chilworth and Romsey identified on maps 1, 2 and 3 will be permitted provided that:

- a) the resulting sizes of both the proposed and remainder of the original plot, when sub-divided, are not significantly smaller than those in the immediate vicinity; and*
- b) the development's size, scale, layout, type, siting and detailed design are compatible with the character of that Residential Area of Special Character.'*

8.10 The development does not involve sub-division of the plot and so criterion a) is not relevant in this instance. It is secured by condition that the garage is only used for purposes ancillary to the main house. The development is not considered to conflict with criterion b). As discussed in paragraphs above, the size and scale of the development is not considered to constitute over development of the site, and the design is considered to be in keeping with the

existing dwelling. The development is sited and designed such that the works can be completed without detriment to the natural green features on the site. For these reasons, it is considered that the development is compatible with the character of the RASC, in accordance with Policy E4.

8.11 Impact on biodiversity

The County Ecologist has reviewed the scheme and no objection has been raised, the proposal is not considered to give rise to any adverse impacts on existing habitat or on-site ecology. Policy E5 states that opportunities should be taken to enhance biodiversity where possible achieving a net gain in biodiversity is consistent with the NPPF and the Natural Environment and Rural Communities Act 2006. The Ecologist consulted on this scheme has suggested measures that would serve to enhance the biodiversity of the site, which could include enhancing existing habitats within the site and benefiting species known to be in decline but present locally. Such measures could include the installation of sparrow nest boxes and creating gaps in the fence for hedgehogs. The proposal is in accordance with Policy E5.

8.12 Impact on amenity of neighbouring property

Whilst glimpsed views of the garage will be possible from Roman Road, the impact on immediate neighbours is largely limited to the occupiers of Packwood House and, to a lesser extent, Kenwood. Other properties in the vicinity are unlikely to suffer from adverse amenity impacts due to the separation distances away from the proposed garage. The south west boundary adjoining Kenwood is heavily screened by mature vegetation, and the arboricultural information submitted demonstrates that the development can be done without detriment to the existing trees; it is secured by condition that the tree protective measures are adhered to. By virtue of this extensive screening, amenity impacts to the occupiers of Kenwood are considered to be minimal.

8.13 The proposed garage is located in close proximity to the eastern boundary of the site, adjoining Packwood House, and this boundary does not benefit from the same level of screening as that on the southern boundary. Whilst an existing boundary fence and a summer house within the garden of Packwood House would partly obscure views of the garage from Packwood House, the majority of the structure would remain visible. The rear garden of Packwood House is substantial in size and the separation distance between the proposed garage and this neighbouring dwelling itself is approximately 9.5 metres, measured between the closest points. The impact of the increased size of the proposed garage is not considered to be significant or harmful in terms of any overbearing impact.

8.14 Concern has been raised from the occupiers of Packwood House in terms of overlooking. It is noted that the positioning of the two dormer windows has altered from the previous permission in that they are now positioned higher up within the roof slope. However, the size of the windows remains the same as what was previously approved and the primary outlook from the proposed dormer windows is going to be across the rear garden of the application site and Cheriton House itself, with only oblique views across to Packwood House.

In addition, the rear garden of Packwood House is already somewhat overlooked in the existing situation, whereby the first floor windows of Cheriton House provide oblique views into the rear garden of Packwood House. The levels of overlooking are not considered to be materially different to what was previously approved under 15/00167/FULLS. Furthermore, it is reasonable to assume that the garage would not be used for principal accommodation, as this already exists in the dwelling itself.

8.15 **Parking standards**

The application may give rise to additional demand for parking if the first floor accommodation of the proposed garage is to be residential. However, there is sufficient space to accommodate a number of cars within the site, both on the existing gravel driveway and within the proposed garage. Therefore the development would create additional pressure to park on the road. The application is in accordance with Policy T2.

8.16 **Previous planning history**

It is noted that permission was granted previously under 15/00167/FULLS for the erection of a detached garage and amendments to this scheme to construct a basement and add rooflights were approved under 15/00167/NMA1. It is noted that the proposed garage subject to this application is of a greater height and massing than that approved under 15/00167/FULLS, the ridge height has increased by 0.4 metres, and the length of the garage has increased by 1.2 metres. This modest increase in size does not in itself does not justify a refusal of the application. The previous Officer reports for the two planning applications aforementioned consider matters including the RASC, design and siting, impact on character of the area, amenity of neighbours and trees and on balance this scheme is not considered to give rise to any additional harmful impacts over and above the previous schemes.

8.17 **Other matters**

Concern has been raised from the occupants of Greystoke that the application includes a large lift capable of raising vehicles, whereas the purpose of the lift is to lower vehicles into the basement. There is concern that commercial use may be made of this facility and to overcome this it is secured by condition that the development shall only be used for purposes incidental to the enjoyment of the dwellinghouse, and will not be used for any business, commercial or industrial purposes. In this way the Local Planning Authority can exercise control over the use of the garage and prevent adverse impacts on neighbouring amenity and pollution.

8.18 In relation to concern regarding increase of traffic movements and parking along Roman Road. The level of traffic associated with a single dwelling is not considered to represent a harmful impact. The use of conditions to restrict the use and activities that can take place in the garage will help mitigate any impacts of the scheme.

8.19 Concern has been raised by the occupiers of Greystoke that if work on vehicles is envisaged, there is a possibility that gas cylinders for welding may be stored within the garage. Whilst this may be a possibility, the storage of gas cylinders or LPG cylinders is not uncommon within residential settings. As such, it is considered that a gas cylinder would not be inappropriate within this setting.

8.20 The occupiers of Packwood House have made comment in relation to future development, which can not be a material consideration to this application. Any future planning applications would be assessed against the Test Valley Local Plan at the time of submission, and each application is assessed individually on its own merits.

9.0 **CONCLUSION**

9.1 The proposal is in accordance with the relevant policies of the TVBRLP (2016) and is therefore acceptable.

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, numbers**
Proposed site plan 1885 02-02-001
Proposed floor plans 1885 02-03-001
Proposed garage elevations 1885 02-05-001
Tree protection plan 3624-TPP C
Reason: For the avoidance of doubt and in the interests of proper planning.
3. **The external materials to be used in the construction of external surfaces of the development hereby permitted shall be in complete accordance with the details specified on the submitted application form.**
Reason: To ensure a satisfactory visual relationship of the new development with the existing in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.
4. **The building subject to this permission shall only be used for purposes incidental to the enjoyment of the dwellinghouse known as Cheriton House, Roman Road.**
Reason: In the interests of the amenity of the area and to avoid the establishment of a separate unit of accommodation, in accordance with Test Valley Borough Revised Local Plan (2016) Policies COM2 and COM11.
5. **The development hereby approved shall be undertaken in full accordance with the submitted arboricultural information:-**

Tree survey and protection plan (3624-TPP C)

Giken generic method statement

Basement construction method statement

Works shall be carried out in accordance with these details unless agreed otherwise in writing with 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 policies E2.

- 6. Tree protective measures installed (in accordance with the tree protection condition above) 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, material storage, or placement of site huts or other equipment what so ever shall take place within the fencing.**

Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with the Test Valley Local Plan Policy E2.

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. It is advisable to carry out the clearance of any woody vegetation outside of the bird nesting season, which is generally seen as extending from March to the end of August, although may extend longer depending on local conditions. If there is absolutely no alternative to doing the work in during this period then a thorough, careful and quiet examination of the vegetation and vegetation within 5m of the works must be carried out before work starts. If occupied nests are present then work must stop, and building work recommence once the nest becomes unoccupied of its own accord.**
 - 3. The various mature trees on the site are protected by Tree Preservation Order TVBC507. Damage to the trees is an offence under the Town and Country Planning Act 1990. Failure to comply with the tree protection conditions above is likely to result in damage to the trees which may lead to prosecution.**
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