

ITEM 10

APPLICATION NO.	18/01811/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	16.07.2018
APPLICANT	Mr and Mrs Chohan
SITE	9 Partry Close, Chandlers Ford, SO53 4SS, VALLEY PARK
PROPOSAL	Single storey rear extension, following demolition of existing conservatory
AMENDMENTS	None
CASE OFFICER	Mr Nathan Glasgow

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 for the reason of neighbour amenities.

2.0 SITE LOCATION AND DESCRIPTION

2.1 A two storey detached dwelling located in the north-east corner of Partry Close, within Valley Park.

3.0 PROPOSAL

3.1 A single storey pitched roof extension to the rear, following the demolition of the existing conservatory. The existing conservatory measures at 3.00m deep x 3.70m wide, with a ridge height of 3.20m. The proposed extension would 5.00m deep x 6.60m wide; the ridge height reaches 3.30m while the eaves are at 2.30m.

4.0 HISTORY

4.1 **18/01254/CLPS** – Certificate of Lawful Development for a garage conversion, loft conversion, rear dormer and infill of recess – *Certificate issued 11.07.2018.*

4.2 **TVS.08445** – Erection of conservatory to rear of property – *Permission 29.09.2018.*

4.3 **TVS.04431/21** - Erection of 20 houses and garages – *Permission 23.02.1987.*

5.0 CONSULTATIONS

5.1 **Ecology** – No objection.

6.0 **REPRESENTATIONS** Expired 14.08.2018

6.1 **Valley Park Parish Council** – Objection.

6.2 **Nos. 8, 10 and 11 Partry Close – Objections:**

- Overlooking
- Loss of light
- Loss of privacy
- Over-development
- Noise

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

E5: Biodiversity

LHW4: Amenity

T2: Parking Standards

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of development
- Impact on the character of the area
- Biodiversity
- Impact on neighbouring amenity
- Parking provision

8.2 Principle of development

The application site is located within the settlement boundary of Valley Park, as defined by the Inset Maps of the Revised Local Plan. Development is acceptable in principle under Policy COM2 provided that the proposal accords with other relevant policies.

8.3 Impact on the character of the area

The proposed extension would be located at the rear of the property and is single storey in size and would not be visible from any public view points. The pitched roof extension would utilise similar materials to those existing on the property and is considered to be subservient to the host dwelling. The proposal is considered to integrate and complement the character of the area in terms of appearance, scale and materials. The proposal is considered to be in accordance with Policy E1.

8.4 Biodiversity

Due to the age and location of the property, it is considered that there is no reasonable likelihood that bats would be present and/or affected. The proposal is considered to be in accordance with Policy E5.

8.5 Impact on neighbouring amenity

As referred to in paragraph 3.1, the proposed extension would be 10cm higher at the ridge than the existing conservatory. The proposed extension would be wider than the existing, which would bring the side elevations closer to the neighbours on both sides. A side window is proposed to the eastern elevation of the extension, which is 2.00m high at its highest point; however, the existing boundary treatment, which consists of approximately 1.80m high close board fence, is considered to provide sufficient screening and would prevent any overlooking from the side window to below acceptable levels towards No.10.

8.6 The extension also proposes a number of roof lights, with 2 to the west-facing roof slope and 3 to the east-facing roof slope. When stood within the garden of No.8, the property to the north-west, it is considered that there would be no impact whatsoever from the proposed roof lights. The extension does not extend further than the building line of No.8 and the angle between the houses suggests that there would be no direct overlooking from the roof lights (the roof lights are 2.70m high).

8.7 The three roof lights to the west-facing roof slope would not provide any overlooking to the garden area of No.10 due to the height of the roof lights. The proposal was viewed by the Case Officer from the first floor rear window of No.10 in lieu of concerns raised that the roof lights would provide overlooking to these bedroom windows. Although the roof lights would be in clear sight from the bedroom windows, the roof lights would be at a height and angle that it would be extremely difficult to provide direct looking in to the first floor window. This is also true in reverse; it is considered that the size and angle of the roof lights are such that the occupants on No.10 would not be able to look directly in through the roof lights and that privacy and amenity is maintained to both the applicants and the neighbours at No.10.

8.8 The extension is located to the north of the application site and is single storey in size. The neighbour to the north-west (No.8) would not be impacted by a reduction in the levels of sunlight and daylight due to the extension not reaching beyond the existing build line of No.8. The location of the properties in question is such that there is not likely to be any reduction in daylight and sunlight to the neighbour to the east (No.10). The existing property and No.8 are both two storey detached dwellings, and their existing built form provide shadowing that would encompass any shadowing provided by the extension; there would not be any further shadow cast by the extension. There is a small gap between the two properties where sun could protrude and be screened by the extension; however this is only a 2.4m wide gap and is not considered proportionate to any reduction in levels of daylight and sunlight. The proposal is not considered to reduce the levels of daylight and sunlight to the application site or the neighbouring properties, and neither is it considered would there be a reduction in privacy and amenity levels to the occupants and those of neighbouring properties. The proposal is therefore considered to be in accordance with Policy LHW4.

8.9 Parking provision

The proposal does not include the provision of an additional bedroom and as such there is no requirement for additional off-road parking to be provided. However, the application is supported by a parking plan which suggests that three vehicles can be parked off-road, and is in accordance with the requirements of a 4+ bed property. The proposal is in accordance with Policy T2.

8.10 Other matters:

Objections have been received by both the Parish Council and a number of local residents, and these are discussed below:

8.11 Previous planning decisions creating over-development

The issue of over-development from “a number of previous applications” has been raised. As from within the planning history with Section 4 of this report, there has been only one planning application/permission lodged since the initial planning permission granted the construction of the house. Application reference TVS.08445 granted permission for a rear conservatory, which is to be replaced within this planning permission. There has also recently been a Certificate of Lawful Development application which has been submitted and issued also. This is not a planning application and the Council does not grant planning permission for these types of applications. A Certificate of Lawful Development, in this specific case, will only certify that a proposal is within Permitted Development Rights at the date the application was submitted. Any reference to this certificate would not be relevant within this planning application as the works have not yet been undertaken and do not require planning permission. As such, it is not considered that this proposal could be considered as over-development of the site due to the small nature in development (only 18% of the garden area), and with a minimum of 12m length of garden maintained, the size and scale of the proposal/existing property providing sufficient garden space retained for the host property.

8.12 Loss of light

As referred to within Section 8 of this report, it is not considered that this single storey extension would provide any reduction in the amount of natural daylight and/or sunlight entering adjoining properties and their gardens. Its size and location, in combination with the layout of the existing two storey dwellings, suggests that there would not be any additional shadow cast to neighbouring properties or provide areas where natural daylight would be diminished.

8.13 Development is not “in-keeping”

The character of Partry Close is one of large two storey detached dwellings with good sized gardens (it is noted that due to the layout of the street, gardens vary in size from plot to plot). However, the replacement of an existing conservatory to be replaced with a single storey extension which utilises matching materials is considered to be a positive design towards maintaining the character of the area.

8.14 Overshadowing

A resident (No.11) has concerns of overshadowing. No.11 is two doors down from the application site and the distance from the extension would be just less than 13m. At this distance, and the size and scale of the extension, it is not considered overshadowing would be possible.

8.15 Noise

Concern has been raised regarding an increase in noise, due to the extensions use as a kitchen/dining/lounge area. Noise in these circumstances is a natural by-product of a dwelling and no control can be had as to reducing noise levels.

8.16 Reference to the previous Certificate of Lawful Development

Reference has been made with regards to the approved 18/01254/CLPS and how it impacts upon this application, such as over-looking from the proposed dormer windows. As stated within paragraph 8.11, reference to this application is not material as this is simply a certificate to confirm that what is proposed is permitted development and considered acceptable under government legislation; the development also has not been built, with no guarantee it would be. As such it is only possible to discuss the merits of this planning application, whereby rear dormers can not be considered and therefore would not be described as over-development. It is also noted that concern is raised over the way these applications have been submitted; however the correct way to confirm whether a development is permitted development would be to apply for a Certificate of Lawful Development, as planning permission would not be required. This application is submitted as is, because the development is not permitted development and requires planning permission.

9.0 **CONCLUSION**

9.1 The proposal is considered to be in accordance with the Test Valley Borough Revised Local Plan (2016) policies.

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 plan numbers:**
Existing Plans - 001 Rev A
Proposed Plans - 006 Rev A
Reason: For the avoidance of doubt and in the interests of proper planning.
3. **The external materials to be used in the construction of all external surfaces of the development hereby permitted shall match in type, colour and texture those used in the existing building.**
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.

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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