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<b>APPLICATION NO.</b>	20/02555/FULLN
<b>APPLICATION TYPE</b>	FULL APPLICATION - NORTH
<b>REGISTERED</b>	23.10.2020
<b>APPLICANT</b>	Mr and Ms Mulberry and Mchugh
<b>SITE</b>	77 Barlows Lane, Andover, SP10 2HB, <b>ANDOVER TOWN (WINTON)</b>
<b>PROPOSAL</b>	Two storey side and rear extension to form enlarged kitchen/family room and utility, modify internal layout to form W.C. and study to ground floor with additional bedroom and bathroom to first floor, enlarge existing off-road parking area, widen the vehicular access and extend dropped kerb.
<b>AMENDMENTS</b>	24.11.2020 – gable end over proposed two storey extension changed to hipped roof and single storey roof light changed to two smaller roof lights. 08.12.2020 – location of roof lights over single storey rear extension amended 24.03.2021 – off road parking area amended 30.03.2021 – red line amended 01.04.2021 – design of roof lights over single storey rear extension amended
<b>CASE OFFICER</b>	Alexandra Jeffery

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.
- 1.2 Due to amendments to the red line the proposal was re-advertised on 30<sup>th</sup> March 2021.

## 2.0 SITE LOCATION AND DESCRIPTION

- 2.1 77 Barlows Lane is a detached two storey house in a residential area of Andover. The house is constructed of red brick with a dark tiled roof and white UPVC windows, the proposed extensions and alterations would be in materials to match existing. The property has been extended previously to include a two storey rear extension. The house is accompanied by a large rear garden and is adjacent to residential properties at 75 and 79 Barlows Lane. The neighbouring properties are similar in their appearance from the street scene in that they are all constructed of red brick with a gable end facing the road. 75 Barlows Lane has not been extended however 79 Barlows Lane has been extended to the side at two storeys as well as to the rear at single storey.

### 3.0 **PROPOSAL**

- 3.1 The application seeks full planning permission for a two storey side and rear extension as well as a single storey rear extension. The current footprint of the dwelling has an 'L' shape. The two storey side and rear extension would effectively infill this 'L' shape to square off the footprint of the property and would also extend the built form further to the side towards number 79 by 1.2 metres. All materials proposed would match those on the existing property; facebrick to match existing, roof tiles to match existing and UPVC openings to match existing.
- 3.2 The two storey extension would protrude 5 metres from the rear wall of the original dwellinghouse and would be used at ground floor level as a utility room and part of the kitchen extension. At first floor level the extension would provide an additional bathroom and bedroom. Three new windows are proposed at first floor in bedroom 2, bedroom 4 and the bathroom.
- 3.3 The single storey rear extension would measure 4.5 metres from the rear wall of the proposed two storey extension and 2.5 metres from the rear wall of the existing two storey extension. It would be used as a kitchen & family room and would feature two roof lanterns and bi-fold doors on the rear elevation.
- 3.4 77 Barlows Lane would increase from a three to four bedroom dwelling therefore parking for three vehicles will be provided by removing a portion of the front lawn and widening the vehicular access at the front of the property.

### 4.0 **HISTORY**

- 4.1 ANB.04653 – Alterations and extension to dwellinghouse. Permission 09.08.1972.
- 4.2 TVN.04002 – Rear extensions. Permission subject to conditions and notes 05.04.1984.
- 4.3 07/00054/FULLN – Erection of new timber garage to replace existing concrete garage. Permission subject to conditions and notes 05.03.2007.

### 5.0 **CONSULTATIONS**

- 5.1 **Ecology** – No objection.
- 5.2 **Highways Development Planning** – No objection. The applicant will be required to apply for a S.184 License to extend the dropped kerb through the Highway Authority.

### 6.0 **REPRESENTATIONS** Expired 22.04.2021

- 6.1 **Andover Town Council** – No objection.
- 6.2 **Letters of objection from 79 Barlows Lane, summarised as follows:**
1. Overlooking and privacy
    - The proposed extension to the rear bedroom would be overlooking our main living room, we would lose this very private space that we currently enjoy.

- We have our main living room at the rear of the house, we have glass windows and roof which mean when viewed from the proposed first storey bedroom, we would lose any privacy we had.
- Photos named private patio 1 & 2, 'view out', image 4 and 'private patio 3' have been provided by the owner 79 Barlows Lane to illustrate their concerns with respect of overlooking.
- Site lines provided in drawing 995/16 are not a true account as they only provide a 2D account and are incorrect when viewing from a first floor window down into another property. The sight lines from bedroom 4 are into our living room and private amenity space.
- Does not matter if the window (the window to bedroom 4) is for a bedroom, it is still an infringement of our right to privacy in our living room and therefore considered a nuisance.
- The Council has an obligation to act consistently with The European Convention on Human Rights Act 1998, Article 1 of the 1<sup>st</sup> Protocol- The Right to the Enjoyment of the Property and Article 8 – Right for Respect for Home, Privacy and Family Life.

## 2. Loss of light

- We only have one window on this side (side elevation facing 77 Barlows Lane) of the house at the top of our landing, however this does mean that we enjoy early morning sun from sunrise to mid-day (photos 1, 3 and 4).
- Window not only floods our upper hallway but also means that we get natural light into the front of the house upstairs (photos 'internal light 1, 2 and 3').
- Proposed works are so close and of a height that would prevent any natural sunlight from entering through this window.
- The roof design also means that with a high gable end this further has an impact, a hipped roof would be far more appropriate.

3. An objection was also received from 79 Barlows Lane on 17<sup>th</sup> November 2020 but as this objection concerns permitted development rights, it is not considered relevant to this application.

## 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 – 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
- Residential amenity
- Impact on the character of the area
- Ecology
- Parking provision

### **Principle of development**

8.2 77 Barlows Lane is within the settlement boundary of Andover as defined within the Revised Local Plan maps. The proposal would be acceptable in principle, with regard to policy COM2, subject to being appropriate to the other policies of the Test Valley Borough Revised Local Plan (TVBRLP).

### **Impact on the character of the area**

8.3 Policy E1 of the TVBRLP states that development will be permitted if it integrates, respects and complements the character of the area in which the development is located in terms of layout, appearance, scale, materials and buildings styles.

8.4 The single storey element of the proposal would not be visible from the public realm and the proposed materials which would match the host property would ensure a satisfactory integration between the two. The two storey side and rear extension would be visible in glimpsed views from the public realm but would be set back 6.8 metres from the principal elevation and the use of matching materials (red brick for the walls, clay tiles for the roof and white UPVC windows) would ensure that the proposal integrates with the host dwelling and would also be in keeping with the matching materials which unite a number of properties on this side of Barlows Lane. The proposal would extend 1.2m from the existing side wall and has been designed with a hipped roof. Giving consideration to the nature and extent of the extensions that have taken place within the vicinity of the application site it is considered that the scale of the proposal would be subsidiary in its appearance and would integrate, respect and complement satisfactorily with the character of the area in accordance with Policy E1 of the TVBRLP.

8.5 Policy E2 of the TVBRLP permits development should it;

- a) Not have detrimental impact on the appearance of the immediate area and the landscape character of the area within which it is located;
- b) It is designed and located to ensure that the health and future retention of important landscape features is not likely to be prejudiced;
- c) The existing and proposed landscaping and landscape features enables it to positively integrate into the landscape character of the area.

8.6 The proposal would result in the loss of some of the mown area of grass at the front of the property and two shrubs on the front boundary of the application site to accommodate an additional off-road parking space. Although the loss of some of the lawn and shrubs to accommodate the additional off road parking space is regrettable, this parking arrangement it is not uncharacteristic of the area. It is considered that a sufficient area of landscaping would remain to

ensure that the proposal would not have a detrimental impact on the landscape character of the area. A new cherry tree is also proposed to be planted on the mown area of grass to be retained and a condition has been imposed to ensure that it successfully establishes on site. Accordingly, it is considered that the proposal would not have a detrimental impact on the landscape character of the area and that the additional tree planting would ensure that the proposal positively integrates with the landscape character of the area. The proposal is in accordance with Policy E2 of the TVBRLP.

### **The impact on ecology**

- 8.7 The Ecologist considers there to be no reasonable likelihood that bats would be present within the roof of the property and as such raises no concerns over this proposal in respect of bats or other ecological matters. As such the proposal complies with Policy E5 of the RLP.

### **The impact on amenity**

- 8.8 Policy LHW4 states that development will be permitted provided that it provides for the privacy and amenity of its occupants and those of neighbouring properties and it does not reduce the levels of daylight and sunlight reaching new and existing properties or private open space to below acceptable levels.
- 8.9 79 Barlows Lane  
Concerns regarding loss of privacy, overlooking and loss of daylight have been raised by the occupier at 79 Barlows Lane who considers that they would experience an unreasonable loss of privacy from the proposed two storey side and rear extension created by the addition of bedroom no. four.
- 8.10 *Privacy and Overlooking*  
The proposed two storey rear and side extension would result in 77 Barlows Lane being closer to the boundary between the application site and 79 Barlows Lane and in line with the rear elevation of 79 Barlows Lane. The proposed rear elevation would have a window which would serve the proposed bedroom no. 4. The outlook from this bedroom window would be primarily across the rear garden of the application property and although some views across the habitable room and rear garden of 79 Barlows Lane would be possible these would be glimpsed, angular views and would only be obtained from limited parts of the bedroom when standing closest to the window. The frequency of use of the bedroom is likely to be limited in comparison with primary habitable rooms such as kitchens and living rooms therefore overlooking opportunities are further reduced compared to primary living areas. As such, it is considered that the proposal would provide for the privacy of 79 Barlows Lane.
- 8.11 A single storey rear extension is proposed at the application site which would include two roof lanterns to serve the proposed kitchen and family room. Views from the bedroom window on the rear elevation of 79 Barlows Lane into the kitchen and family room would be possible however this view would be angled and also views would be limited due to the size of the roof lanterns proposed and the distance of separation between the bedroom window and the single storey rear extension. In addition, considering the lesser frequency

of use associated with a bedroom it is considered that the addition of the roof lanterns would still provide for the privacy of the host property.

8.12 *Sunlight, daylight and shadow*

The proposed development would result in the two storey rear and side extension extending 1.2m closer towards the side elevation of 79 Barlows Lane, which has a landing window at first floor level with unobscured glazing. The outlook and amount of sunlight and daylight reaching the landing window at 79 Barlows Lane is already compromised by the application dwelling. A shadow diagram has been undertaken which shows that there would be some additional shadow affecting the landing window at 79 Barlows Lane in the morning between 8-9am as a result of the proposal. All other windows and areas of inside and outside amenity space at 79 Barlows Lane would be unaffected by the proposal in terms of daylight, sunlight and shadow. The proposal would not result in the levels of daylight, sunlight or shadow falling below acceptable levels and as such the proposal is considered acceptable with regards to Policy LHW4 of the TVBRLP.

8.13 75 Barlows Lane

*Privacy and overlooking*

The proposal would not have any impact on the levels of privacy experienced by the occupiers of the neighbouring property to the northeast, 75 Barlows Lane.

8.14 *Sunlight, daylight and shadow*

There are no windows at 75 and 73 Barlows Lane that would be affected by loss of daylight and sunlight as a result of the proposal because the additional two storey built form is to be located on the south-western elevation of the host property. New built form closest to these properties would be single storey in nature and due to the intervening boundary treatment and orientation of these properties relative to the host it is considered that levels of daylight and sunlight reaching these properties will not be reduced to below acceptable levels. As existing, 77 Barlows Lane already casts a shadow across 75 and 73 Barlows Lane in the afternoon. The shadow diagrams show that there would be a minimal increase in this shadow in the afternoon but this would not result in the levels of daylight and sunlight falling below acceptable levels.

8.15 The proposed development would not result in any significant harm to the occupants of adjoining and nearby properties in respect of light, outlook or privacy. As such the scheme would comply with Policy LHW4 of the TVBRLP.

**Parking provision**

8.16 In accordance with Policy T2 and Annex G of the TVBRLP three off road car parking spaces have been provided within the curtilage of 77 Barlows Lane, as shown on the submitted plan 995/15 J. Highways Development Planning raises no objection to the proposed parking layout and comments that it mirrors the existing parking layout for similar properties nearby. No concerns have also been raised from Highways Development Planning in respect of the widening of the existing access and extending the dropped kerb. The proposal is considered acceptable in highway safety terms with regards to Policy T1 of the TVBRLP.

## 9.0 CONCLUSION

9.1 The proposal would integrate, respect and complement the character of the area and as such is in accordance with Policies COM2 and E1 of the TVBRLP. It is considered that sufficient soft landscaping would remain and that the additional tree planting would ensure that the proposal would not have a detrimental impact on the landscape character of the area, in accordance with Policy E2 of the TVBRLP. The development would provide for the privacy and amenity of its occupants and those of neighbouring properties in accordance with Policy LHW4 of the TVBRLP. The development would not impact on protected species in accordance with Policy E5. Car parking provision is in accordance with Policy T2 and Annex G of the TVBRLP and the proposed alterations to the access arrangements are considered acceptable in highway safety terms and is in accordance with Policy T1 of the TVBRLP.

## 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 unless in complete accordance with the details shown on the submitted plans 995/15 J – received 01.04.2021**  
**Reason: For the avoidance of doubt and in the interests of proper planning.**
- 3. The replacement cherry tree shown on the approved plan 995/15 J shall be planted before first occupation of the development hereby approved and thereafter shall be maintained for a period of at least 5 years. If the tree is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective within this period, it shall be replaced before the end of the current or first available planting season following the failure, removal or damage of the cherry tree.**  
**Reason: To enable the development to respect, complement and positively integrate into the character of the area in accordance with Test Valley Borough Revised Local Plan (2016) Policies E1 and E2.**

### **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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