
APPLICATION NO.	22/00379/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	14.02.2022
APPLICANT	Mr Nathan Challis
SITE	44 Testlands Avenue, Nursling, Southampton, SO16 0XG, NURSLING AND ROWNHAMS
PROPOSAL	Single storey rear extension, raise roof with loft conversion and dormers, gable end to sides
AMENDMENTS	
CASE OFFICER	Miss Ash James

Background paper (Local Government Act 1972 Section 100D)

[Click here to view application](#)

1.0 INTRODUCTION

- 1.1 The application is presented to Southern Area Planning Committee at the request of a Member, for the reason “it raises issues of more than local public interest”

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 The application site is a detached property, located within Testlands Avenue, in the Parish of Nursling and Rownhams.

3.0 PROPOSAL

- 3.1 Single storey rear extension, raise roof from 4.7m to 6m, with loft conversion and dormers to the front and rear elevations and changes to the side roof form from a hipped roof to a gable end roof.

4.0 HISTORY

- 4.1 21/03309/FULLS - Single storey rear extension, raise roof with loft conversion and dormers – Refused 22.12.2021
- The proposed dormer windows on the side roof slopes are considered to be of a poor design and dominant within the existing street scene and would fail to integrate, respect and complement the character and appearance of the area by virtue of its size, scale, and location, as such would not comply with policy E1 of the Test Valley Borough Revised Local Plan (2016).
 - The proposed dormer windows would result in a significant increase in overlooking of properties to the side, to the detriment of the amenity of the occupiers. The proposal therefore would not provide for the privacy of the occupants of neighbouring properties contrary to the Policy LHW4 of the Test Valley Borough Revised Local Plan 2016.

- Inadequate survey and mitigation information has been submitted in order for the Local Planning Authority to conclude that the proposed development would not have an adverse impact on protected species. The proposed development is therefore considered contrary to Policy E5 and Policy COM2 of the Test Valley Borough Revised Local Plan (2016)

4.2 17/02225/FULLS - Raise the roof at the front of the property by 500mm, erection of dormer to the rear and roof light to side elevation – Withdrawn 09.10.2017

4.3 17/02224/CLPS - Certificate for proposed lawful development for the erection of single storey rear extension – Issue Certificate 25.09.2017

5.0 **CONSULTATIONS**

5.1 **Ecology:** No Objection

6.0 **REPRESENTATIONS** Expired 07.03.2022

6.1 **Nursling Parish Council:** Objection

6.2 **Longdown Management Limited:** Objection

- Privacy concerns for 1 Horns Hill Close
- Out of character
- 44 Testlands Avenue is subject to restrictive covenants, and requires certificate of approval from Barker-Mill Estate prior to any alterations

6.3 **1 Hornshill Close:** Objection

- Proposed windows would overlook 1 Horns Hill Close

6.4 **42 Testlands Avenue:** Objection

- Extension will extend beyond end of property impeding daylight to no. 42
- Proposed dormer windows would overlook no. 42
- Overdevelopment, turning bungalow to house

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)

Policy SD1 – Presumption in Favour of Sustainable Development

Policy COM2 – Settlement Hierarchy

Policy E1- High Quality Development in the Borough

Policy E5 - Biodiversity

Policy LHW4 – Amenity

Policy T2 – Parking Standards

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of development
- Impact on the character and appearance of the area
- Impact on amenity of neighbouring properties
- Impact on ecology
- Impact on parking provision

8.2 **Principle of development**

The sites 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 the relevant policies below.

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

Raise roof and convert loft

The character and appearance of the area is defined by detached bungalows, largely of a similar design, appearance and material palette, though there is a slight variation in the design with some properties having converted their lofts using both roof lights and dormer windows. One such example is the immediate neighbouring property, 46 Testlands Avenue, which has a maximum ridge height of 6.5m, and recently raised other parts of the ridge to 5.3m.

8.4 The proposal includes altering the existing roof to provide additional accommodation within the loft space. The height of the roof will increase from a ridge height of 4.7m (5.13m when measured from the rear) to 6m, an increase of 1.3m (0.87m when measured from the rear). The proposal would also result in a change from a hipped roof to gable end roof. The front elevation will see the addition of a flat roof dormer, and the rear roof slope will incorporate a larger flat roof dormer, with Juliet balcony. The provision of flat dormers on front elevations is a common feature within the street scene, other examples within the street scene include 52, 48, 34 and 23 Testlands Avenue.

8.5 The alterations to the roof and construction of dormer windows will undoubtedly result in a change to the visual appearance of the existing property, however, as front dormers are an existing feature within the street, it is considered that this additional will not result in harm to the character and appearance of the area as it will reflect features that are already visible within the public domain. The proposed development is considered to be high quality and would result in a neutral impact on the character and appearance of the area, the proposal is therefore in compliance with Policy E1 of TVBRLP.

8.6 Single storey rear extension

The development is located in a position such that limited public views would be possible. Any glimpsed views of the rear extension would be seen in the context of the existing dwelling and in this respect the proposal would not adversely affect the character and appearance of the area, in compliance with Policies COM2 and E1 of the TVBRLP.

8.7 **Impact on amenity of neighbouring property**

Raise roof and convert loft

As set out in paragraph 8.4, the total height of the roof will increase as will the form of its roof. Due to the application site's orientation and design it is considered that the increase in the ridge height of the property would not result in a significant loss of light to the neighbouring properties. Four roof lights are proposed within the new roof space either side of the ridge to the front of the property, these are to serve a bathroom and dressing room and would overlook the front gardens and driveways of adjoining properties. Taking this into consideration it is considered that these roof lights would offer restricted overlooking opportunities to neighbouring properties, however, to ensure that no adverse harm occurs to adjoining dwellings it is proposed that these are fitted with obscure glazing and this will be controlled by condition. It is considered unlikely that the proposed changes to the roof, including the loft conversion, would give rise to an adverse impact on the living conditions of neighbouring properties in relation to privacy. The proposal is considered to be in accordance with Policy LHW4 of the TVBRLP.

8.8 Front

Whilst the majority of the bungalows within Testlands Avenue do not have accommodation in their roofs, there are several examples of alterations and conversions of the loft space within the street scene. The proposed additional windows to the front elevation at first floor level will look onto the road, as such it is considered unlikely that these windows would give rise to an adverse impact on the living conditions of neighbouring properties in relation to privacy and is therefore in accordance with Policy LHW4 of the TVBRLP.

8.9 Rear

The proposed dormer window to the rear would also include the provision of a Juliet balcony, whilst concerns in relation to these are noted, they are not considered to result in harm to the amenities of the neighbour properties. The neighbouring dwelling to the rear (1 Hornshill Close) is approximately 20.4m away, though the additional windows to the rear are capable of providing additional overlooking opportunities, due to the orientation of the dwellings and the significant separation distance, this relationship is unlikely to result in excessive levels of overlooking over and above mutual overlooking which is common in an urban environment such as this.

8.10 With regards to the neighbouring properties to each side, it is considered that a Juliet balcony provides no more overlooking opportunities than if a standard window were to be inserted in the same location. The Juliet balconies are inward opening and do not give rise to an opportunity to step out onto any platform. Taking into consideration the location of the rear fenestration it is considered that the proposal would not give rise to any adverse impact on the living conditions of neighbouring properties in relation to privacy. In accordance with Policy LHW4 of the TVBRLP.

8.11 Single storey rear extension

By virtue of the size (bulk and mass) and design of the proposal, its juxtaposition relative to neighbouring properties, and the nature of the intervening boundary treatment the rear extension would not give rise to an adverse impact on the living conditions of neighbouring properties by virtue of loss of daylight, sun light, or privacy. The proposal is in accordance with Policy LHW4 of the TVBRLP.

8.12 **Impact on ecology**

The proposal is not considered to give rise to any adverse impacts on existing habitat or on-site ecology, a condition has been included to ensure development proceeds in accordance with the measures set out in Section 5 'Interpretation and Evaluation' of the 44 Testlands Avenue, Nursling, Preliminary Roost Assessment (Arbtech, March 2022). Subject to the imposition of this condition the proposal would be in accordance with Policy E5 of the TVBRLP.

8.13 **Impact on parking provision**

There is sufficient parking on site to serve a dwelling of this size, in accordance with the parking standards as set out in Annex G and Policy T2 of the TVBRLP.

8.14 **Other Matters**

Third party comments were received relating to existing restrictive covenants, and the need to obtain a certificate of approval from the Barker-Mill Estate. This is a civil matter and not a material consideration in the determination of this planning application.

8.15 A previous application sought planning permission for dormer windows on either side of the existing roof slope and was subsequently refused by the Council. The reasons are set out in paragraph 4.1 above. The proposal currently under consideration has addressed these concerns, by reconfiguring the dormers to the front and rear elevations, thereby removing the overlooking towards the neighbouring properties either side of the application site. The revisions to the design are now considered to complement the character and appearance of the area and overcome the previous reasons for refusal.

9.0 **CONCLUSION**

9.1 The proposal is considered acceptable and in accordance with the policies 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 except in complete accordance with the details shown on the submitted plans, numbers 005C, 006C, Block Plan 14.02.2022 and Site Location Plan 14.02.2022**
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 be as specified on the application form and the approved plans.**
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. Development shall proceed in accordance with the measures set out in Section 5 'Interpretation and Evaluation' of the 44 Testlands Avenue, Nursling, Preliminary Roost Assessment (Arbtech, March 2022). Thereafter enhancement features shall be permanently maintained and retained in accordance with the approved details, with photographic evidence provided to the Local Planning Authority within 6 months of occupation.**
Reason: To ensure the favourable conservation status of bats in accordance with Policy E5 of the Test Valley Revised Local Plan DPD.
- 5. Prior to the first use of the extension, the roof lights in the East and West elevation of the development hereby permitted shall be fitted with obscured glazing and thereafter retained as such, unless otherwise agreed in writing by the Local Planning Authority.**
Reason: To protect the amenity and privacy of the adjoining occupiers in accordance with Test Valley Borough Revised Local Plan (2016) Policy LHW4.

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. Bats and their roosts receive strict legal protection under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017. All work must stop immediately if bats, or evidence of bat presence (e.g. droppings, bat carcasses or insect remains), are encountered at any point during this development. Should this occur, further advice should be sought from Natural England and/or a professional ecologist.**
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