
APPLICATION NO.	23/01208/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	10.05.2023
APPLICANT	Mr and Mrs Holland
SITE	12 Stinchar Drive, Chandlers Ford, Eastleigh, SO53 4QH, VALLEY PARK
PROPOSAL	Demolish detached double garage and conservatory, erect two storey rear extension and attached double garage extension to side
AMENDMENTS	None
CASE OFFICER	Nathan Glasgow

Background paper (Local Government Act 1972 Section 100D)

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1.0 INTRODUCTION

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

2.0 SITE LOCATION AND DESCRIPTION

- 2.1 12 Stinchar Close is a detached dwelling. It is two-storey in height, with a detached garage to the rear and side (north).

3.0 PROPOSAL

- 3.1 Demolish detached double garage and conservatory, erect two storey rear extension and attached double garage extension to side.
- 3.2 As part of the proposals, the existing detached garage to the rear will be demolished, with a new double garage constructed along the flank / side (north) wall of the dwelling. In addition to this, the two storey rear extension would project 3m from the rear of the existing rear elevation.

4.0 HISTORY

- 4.1 **22/02246/FULLS** – Two storey rear, side extensions, single storey rear extension following removal of existing double garage – Withdrawn
- 4.2 **18/01071/FULLS** – Single storey front extension to provide an extended dining area and hallway – Permission subject to conditions
- 4.3 **07/01217/FULLS** – Erection of conservatory to rear of property – Permission subject to conditions

5.0 CONSULTATIONS

- 5.1 None

6.0 REPRESENTATIONS Expired 26.06.2023

6.1 Valley Park Parish Council – Objection;

- There are concerns about potential overdevelopment of the site and effect on neighbours, by shadowing their garden. The proposal would also have a negative impact the street scene.

6.2 Objections were received from three residents, and these are summarised below:

11 Stinchar Drive

- These amended plans remain inconsiderate
- Proposal to increase the property in excess of 33%
- Out of scale or proportion to the sites original plot size
- Continue to dominate and overshadow no.11, and will result in a lack of natural light, lack of privacy and overall negative effects from overbearing nature of the development
- Will effect existing parking arrangements
- Potential to convert the garage into further living accommodation is not inconceivable
- Additional side window will increase lack of privacy
- Matching materials will not be used; design and therefore appearance remain very dubious and unsatisfactory
- No method statement to reduce building noise, restricted working hours, regular removal of waste, dirt and dust, road cleaning, access by and parking of builders' vehicles and machinery to avoid any form of disruption and disturbance

6.3 10 Stinchar Drive (Though the representation states the objection is from 1 Stinchar Drive)

- Development will over-shadow, block out my light and invade my privacy
- 3rd attempt to upscale the existing suitably sized 4-bed house in a small cul-de-sac location
- Does not overcome issues as set out in 22/02246/FULLS
- Loss of privacy from bedroom windows at rear
- Overdevelopment adding another 60 square metres approx. on the plot
- Position, layout and density of the proposed building is overstated for this actual site
- Size / position of the extension will have a detrimental impact on the visual appearance of the surrounding area and sets a negative precedent
- Loss of light
- Relocation of garage results in loss of natural daylight to side window
- Reduction in driveway size and limited parking spaces available is inadequate for the size of the property
- General design and appearance is not in-keeping with existing neighbouring properties
- Lack of a public notice is also reason for concern

6.4 **10 Stinchar Drive**

- Mature plant would be destroyed if the garage was removed
- No provision for what will happen to the gap when the garage has been removed
- The removal of the garage will cause major disruption as this borders onto my property and currently there is mains electric that runs along the side of the garage
- Any building work will require people to be on my side of the property causing major disruption, the dust and dirt which will impact on my well-being.

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

T1: Managing Movement

T2: Parking Standards

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of development
- Impact on character and appearance of the area
- Impact on ecology
- Impact on neighbouring amenity
- Impact on highway safety

8.2 **Principle of development**

The application site is located within the settlement of Valley Park, as defined by the Inset Maps of the Revised Local Plan. Development within areas of settlement is considered to be acceptable in principle under Policy COM2, provided the proposed development accords also with relevant policies within the local plan.

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

Stinchar Drive takes its access from Wicklow Drive. The application site is on the Western side of the road, within a small cul-de-sac. Most of the dwellings on this side are detached and are on larger plots, in contrast, the Eastern side is characterised by smaller semi-detached and terraced properties. The dwellings within this small section of Stinchar Drive consist of two predominant types of dwelling; a two storey front gable with a side projection, and two-storey with cat slide roof above an integral garaging with a dormer window.

- 8.4 The application site is of the former style. The proposed scheme would not alter this appearance when viewed from Stinchar Drive; the only alteration would be the garage being brought forward, but this would have a minimal impact on the area due to it remaining set back behind the front elevation of the application site and the neighbouring property to the north, no.10. The rear extension is unlikely to be visible from Stinchar Drive, but any view would be partial glimpsed views. However, being visible is not in itself harmful.
- 8.5 A path exists to the rear of the dwelling, which runs parallel to Stinchar Drive. It is not a public footpath but does appear to be well used by dog walkers and other members of the public. The Case Officer viewed the property from this path (February 2023) when there was little leaf cover – the property was visible from this location.
- 8.6 The proposed scheme would replicate the existing rear elevation and public views of the dwelling from this path would not be altered to the detriment of the area. In addition, the garage would have a lesser impact from this path due to its location being move forward and in line with the dwelling. It is considered that the proposed dwelling would not have a negative impact upon the character and appearance of the area, as visually the extensions are well designed and relate well to the existing property and there would be little change from what currently exists. The scheme is considered to accord with Policy E1 of the Revised Local Plan.
- 8.7 **Impact on ecology**
The application site is located within an urban area of relatively modern dwellings. Whilst visiting the application site, it was apparent that the dwelling was in a good condition with no gaps in the roof tiles, with the soffit and fascia all being in good condition. The application is supported by a biodiversity checklist, which is considered to represent the property and surrounding area (other than in relation to the wooded area to the rear). However, due to the condition of the dwelling, it is considered that there is not likely to be any impact upon protected species. Informative notes have however been included to remind the applicant / builders of their duty should any bats or birds nests be found during construction. The scheme is considered to accord with Policy E5 of the Revised Local Plan.
- 8.8 **Impact on neighbouring amenity**
The application site has two neighbouring properties, one to each side (10 to the north, 14 to the south); the application site and two neighbours are essentially side-to-side on a similar axis. The application site's garage is however set back from the rear elevation, which also acts as the boundary between the property and no.10.
- 8.9 10 Stinchar Drive
This garage is proposed to be demolished and replaced with a new double garage, attached to the side elevation of the dwelling. This new location brings it away from the rear garden of no.10, and alongside the flank elevation of the building. Its relocation will result in a sense of “opening up the rear garden” while providing greater day light into no.10's garden, particularly along its southern boundary.

- 8.10 The occupants of no.10 have objected to the application on various grounds of amenity issues, including a loss of light and a loss of privacy. The proposed garage is not considered to result in a loss of light, as its relocation will increase light into the garden areas of no.10, and no windows are proposed to the garage.
- 8.11 The rear extension would project approx. 3m from the existing rear elevation, at two storey. However, the separation between the proposed extension and the boundary is more than 5m. At this distance, and the extension only projecting 3m, it is not considered that the development would result in a significant loss of light / overshadowing more than what already exists, particularly when considering the existing garage, with a pitched roof, currently sits back from the dwellings along the boundary of the properties.
- 8.12 There are no additional side windows on the north elevation of the property. Windows would be located at first floor level on the rear elevation, which would serve bedrooms and a bathroom. However, the rear elevation would extend further than the rear elevation of no.10, meaning that overlooking from a rear window to the garden would be oblique, and predominantly towards the rear of the garden / boundaries, which upon the Case Officer's site visit, a roofed pergola was sited in the south-western corner of no.10. The proposed extension is therefore not considered to result in overlooking to the amenity of no.10 that reaches unacceptable levels.
- 8.13 14 Stinchar Drive
No.14 is located directly south of the application site, and therefore there is not considered to be any resulting loss of light / overshadowing to this property. A similar relationship will exist with regards to the rear elevations of the properties too; the extension would project further than that of no.14, again limiting any potential overlooking to the rear garden, with any views from bedroom windows being oblique and towards the rear boundaries.
- 8.14 The proposal does include a small first floor window to the side elevation. This would serve a dressing room, and is of a size akin to an en-suite bathroom. However, its location on the side elevation would place it opposite the side elevation of no.14, reducing any ability of overlooking to the rear garden of no.14. This window is not considered to result in a loss of privacy to the occupants of no.14. The scheme is considered to accord with Policy LHW4 of the Revised Local Plan.
- 8.15 **Impact on highway safety**
The extensions to the dwelling would provide four bedrooms. Annexe G of the local plan requires a minimum of three off-road parking spaces for four-bed dwellings. The application is supported by a block plan indicating a space in the double garage (for parking purposes, this garage is considered to provide a single parking space due to the internal measurements) and two spaces to the front of the garage, meeting the minimum requirement.

- 8.16 Concern has been made by residents that the garage may, in the future, be converted to additional living accommodation. This is not a material consideration to the application, as the only matters for consideration are those that are subject to the application that has been submitted. Notwithstanding this however, a condition is recommended to ensure that the garage is retained for the purposes of parking a vehicle.
- 8.17 **Other matters**
As outlined in Section 6 above, a number of objections were received within the statutory public notification period. Some of those matters have been addressed within the body of the report, and the remaining matters are assessed below.
- 8.18 Amended plans remain inconsiderate
It is assumed this refers to amendments in comparison to the previously withdrawn scheme 22/02246/FULLS. However, this new submission has been assessed against the relevant policies of the local plan such as impacts in relation to design, amenity and highway safety. As set out above the proposal is considered to accord with the local plan.
- 8.19 Proposal to increase the property in excess of 33%
There is no planning policy which dictates a maximum percentage or volume increase for a dwelling within the settlement. The proposal is however assessed against the local plan, with key considerations such as the design, amenity and highway safety considered in detail and it has been concluded that there is no conflict.
- 8.20 Out of scale or proportion to the sites original plot size
As assessed above, the scheme is not considered to be of a size and scale that is at odds with the character of the area. The garage is of a similar size to what exists, and the extensions are 3m in depth and located solely to the rear. There remains ample space for outdoor amenity purposes and parking provision. Furthermore, the proposal would not result in adverse harm to the residential amenities of adjoining properties.
- 8.21 Matching materials
The application form states that matching materials will be used. It is not a requirement that all materials that currently exist on the property have to be utilised. A condition is recommended to ensure that materials match (but no requirement to mimic in its entirety).
- 8.22 Building noise, working hours, dirt and dust etc.
There is no requirement for this information to be provided with the application. These are matters that are a subsequent consequence of any construction work, whether planning permission is required or not.
- 8.23 The scheme does not overcome issues as set out in 22/02246/FULLS
Although this previous scheme is not a material consideration, due to it being withdrawn and no decision being made upon it, it is worth considering the difference between the schemes due to the comments received.

- 8.24 The previous scheme sought a two storey side and rear extension, with the projecting side gable having a ridge line similar to the host dwelling. This scheme also incorporated a two storey rear extension as well as a ground floor rear extension. A first floor, flat roof projection was also included. The Case Officer raised various concerns with this scheme, in relation to design and amenity levels, which led to the scheme being withdrawn.
- 8.25 The size and scale of this proposed extension has been reduced, and its impacts upon the street scene have also been reduced – there are no real changes to the scheme when viewed from Stinchar Drive. In addition, the loss of the bulk and mass to this scheme has reduced the impacts upon neighbouring properties.
- 8.26 Overdevelopment adding another 60 square metres
As assessed above in paragraph 8.19, there is no planning policy which limits extensions to properties in a percentage, or by other measuring tool. The scheme is assessed on its merits, and there is considered to be no significant adverse harm to the character of the area, neighbouring properties or highway safety.
- 8.27 Size / position of the extension will have a detrimental impact on the visual appearance of the surrounding area and sets a negative precedent
The views of the property will not be altered from within Stinchar Drive; views of the rear will be altered, but only minimally. It is not considered to amount to a detrimental impact upon the character of the area. Potential precedence is not a material consideration as each application must be considered on its own merits.
- 8.28 Relocation of garage results in loss of natural daylight to side window
It is not known if this concern relates to a ground floor or first floor window. Upon visiting the site, it was not apparent that the southern (side) elevation of no.10 contained any windows. A first floor window is visible however, and this is obscured, presumably serving a bathroom. The submitted scheme does not seek to extend the property at two storey to the side, unlike the withdrawn scheme; what is proposed is to bring the garage forward. It is not considered that the relocation of the garage would have a negative impact upon daylight to this first floor window.
- 8.29 Lack of public notice on display
The Case Officer was provided with proof of the site notice being displayed on June 5th, with the statutory public notification period running for 21 days from this date, expiring June 26th. As a matter of fact, the notice was displayed in accordance with relevant legislation and guidance.
- 8.30 Mature plant destroyed following removal of garage
The loss or potential loss is unfortunate but the loss would not have a detrimental impact on the character and appearance of the area.
- 8.31 No provision for what will happen to the gap when the garage has been removed

This is a civil matter between the relevant parties, although the applicant has confirmed a new fence would be installed along the boundary.

8.32 Building work will require people to be on my side of the property

Planning permission does not override private property rights. It will be a civil matter between the relevant parties to decide if access is provided over third party land.

9.0 **CONCLUSION**

9.1 The application has been considered against the relevant policies of the Test Valley Borough Revised Local Plan (2016). It has been assessed that the proposed development would not result in harm to the character of the area, or reduce amenity to unacceptable levels, or result in harm to highway safety. Therefore, the scheme is considered to accord with the Revised Local Plan and is therefore acceptable.

10.0 **RECOMMENDATION**

10.1 **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:**
 - **Location Plan**
 - **Block Plan**
 - **Proposed Plans - HOLL/01/23****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.
4. **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order), the garage hereby approved shall at all times be available for the parking of vehicles.**
Reason: In order to maintain the approved on-site parking provision and to reduce highway congestion in accordance with Test Valley Borough Revised Local Plan (2016) Policies T1 and T2.

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.**
 - 3. Birds' nests, when occupied or being built, receive legal protection under the Wildlife and Countryside Act 1981 (as amended). It is highly advisable to undertake clearance of potential bird nesting habitat (such as hedges, scrub, trees, suitable outbuildings etc.) outside 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 affected area must be carried out before clearance starts. If occupied nests are present then work must stop in that area, a suitable (approximately 5m) stand-off maintained, and clearance can only recommence once the nest becomes unoccupied of its own accord.**
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