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**APPLICATION NO.** 18/02131/FULLS  
**APPLICATION TYPE** FULL APPLICATION - SOUTH  
**REGISTERED** 09.08.2018  
**APPLICANT** Mr and Mrs M Branagan-Harris  
**SITE** 6 Redlands Drive, Upper Timsbury, SO51 0AG,  
**MICHELMERSH AND TIMSBURY**  
**PROPOSAL** Proposed 2 storey side/rear extension, single storey rear extension with balcony above, elevational alterations (revised scheme)  
**AMENDMENTS** None.  
**CASE OFFICER** Mr Graham Melton

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 the Local Ward Member.

**2.0 SITE LOCATION AND DESCRIPTION**

2.1 The application site is a detached, two storey property located at the end of Redlands Drive, in land designated as countryside.

**3.0 PROPOSAL**

3.1 The proposed scheme is identical to the previously submitted application, (reference 18/00868/FULLS, paragraph 4.1), with the exception of the proposed first floor window serving the study area. This window is located in the rear (south-west) elevation of the proposed two storey side (south-east) extension and a comparison in terms of dimensions is set out below:

	<b>Current Proposal</b>	<b>18/00868/FULLS</b>	<b>Difference</b>
Width	1.6m	3.2m	-1.6m
Height	1.2m	2.6m	-1.4m
No. of Panes	3	8	-5

3.2 For reference, the proposed elevations and plan drawing for the previously submitted application is attached as **Appendix A** to this Agenda report.

3.3 As previously submitted, the proposal is for the erection of a two storey extension measuring approximately 5.4m by 5.5m by 6.6m to adjoin the side (south-east) and rear (south-west) elevations of the existing dwelling.

3.4 In addition, the proposed scheme also includes the erection of a single storey extension, measuring approximately 9m by 4m by 2.9m to adjoin the rear (south-east) elevation.

3.5 Furthermore, the roof of the proposed extension outlined in paragraph 3.4 will serve as a first floor balcony, enclosed by a 2.1m high privacy screen at the north-eastern end.

#### 4.0 HISTORY

4.1 **18/00868/FULLS** - Proposed 2 storey side/rear extension, single storey rear extension with balcony above, elevational alterations. *Application refused at Southern Area Planning Committee meeting on for the following reason (decision issued on 29.06.2018):*

*01. The proposal includes a large (wide and tall) feature glazing window to serve a private study at first floor level in a position that would be very close to the common boundary of No.8 Redlands Drive. This would increase the ability of residents in the application property to see into additional areas of the private garden (compared to that which exists at present) serving No.8 Redlands Drive. The proposal results in an unacceptable degree of overlooking from this window and would, as a consequence, give rise to a significant and deleterious effect on the living conditions of the neighbour affecting the quiet enjoyment of their home. It is particularly acknowledged in this case that the area of garden affected by the proposal does not currently experience overlooking from first floor windows from the neighbouring property, and that other areas of garden (including the lower patio) already experience a loss of privacy. Therefore the sensitivity to the effect the current application will have to the loss of privacy is significantly greater. The proposal fails to provide for the privacy of No.8 Redlands Drive with the effect that their living conditions are affected, and therefore the proposal is contrary to Policy LHW4 of the Test Valley Borough Revised Local Plan (2016).*

#### 5.0 CONSULTATIONS

5.1 **Ecology** – No objection.

5.2 **Trees** – No objection.

6.0 **REPRESENTATIONS** Expired 04.09.2018

6.1 **Michelmersh and Timsbury Parish Council** – No objection (summarised):

- The Council notes that the design has been revised and the size of the window to the first floor study room is significantly reduced compared with the previous (refused) scheme.
- The council concluded that although the development would still result in some additional overlooking of the neighbour's garden and resulting loss of privacy, the reduction in window size will limit this effect.

6.2 **8 Redlands Drive** – Objection (summarised):

- Object to the proposal on the grounds that it includes a large window to serve a study at first floor level of the extension in a position that would be very close to our common boundary.
- As a result this would increase the ability of residents in the application property to see into additional areas of our private garden (over those that exist at present).

- The proposal results in an unacceptable degree of overlooking from this window.
- As a consequence, it would give rise to a significant and deleterious effect on our living conditions affecting the quiet enjoyment of our home.
- The proposal fails to provide for our privacy with the effect that our living conditions are affected and it is therefore contrary to Policy LHW4 of the Test Valley Borough Revised Local Plan (2016).

## 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 COM11: Existing Dwellings and Ancillary Domestic Buildings in the Countryside

Policy E1: High Quality Development in the Borough

Policy E2: Protect, Conserve and Enhance the Landscape Character of the Borough

Policy E5: Biodiversity

Policy LHW4: Amenity

Policy T1: Managing Movement

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 the amenity of neighbouring property
- Ecology
- Highways
- Other Matters

### 8.2 **Principle of development**

The site is located on land designated as countryside in the Test Valley Borough Local Plan 2016. Policy COM2 seeks to restrict inappropriate development in the countryside unless it is essential (criterion b) or appropriate in accordance with other policies (criterion a).

### 8.3 As the proposal development consists of an extension to a existing dwelling then the proposal falls to be considered against the criteria contained in Policy COM11, one of the policies listed in (criterion a) of Policy COM2 of the TVBRLP. Policy COM11 states as follows:

*In the countryside proposals for the extension of existing dwellings or the creation and extension of ancillary domestic buildings will be permitted provided that:*

- a) *It is not used for any other purpose than the incidental enjoyment of the existing dwelling or as a residential annexe to the dwelling;*
- b) *the size and design of the proposal would not be more visually intrusive in the landscape; and*
- c) *the design of the proposal is in keeping with the existing dwelling.*

8.4 The proposed development would solely serve to increase the living area of the existing dwelling and therefore it is considered that the proposal would serve an incidental purpose, in accordance with criteria (a) of Policy COM11. In relation to criteria (b) and (c), the visual impact of the proposal on the character of the area is considered below.

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

Policy E1 of the TVBRLP aims to ensure the delivery of high quality development and states as follows:

*Development will be permitted if it is of a high quality in terms of design and local distinctiveness. To achieve this development:*

- a) *should integrate, respect and complement the character of the area in which the development is located in terms of layout, appearance, scale, materials and building styles.*

8.6 The application site serves as one of three residential properties, located at the end of a cul-de-sac and set in a spacious plot. From the public vantage point of Redlands Drive, the significant intervening distance between the application site and 8 Redlands Drive to the south-east, measuring approximately 9m, enables views of the woodland area beyond.

8.7 By virtue of its siting and layout adjoining the side (south-east) elevation, the proposed two storey extension will be visible from the public highway and serve to reduce the visual separation with 8 Redlands Drive that currently exists.

8.8 However, the proposal will be set back from the front (north-east) elevation of the existing property by approximately 8.5m and consequently, the intervening distance to the public highway will be approximately 18m. In addition, the use of a hipped roof will lessen the appearance of the massing and in conjunction with the retention of approximately 5m separation distance to 8 Redlands Drive, will ensure that views of the woodland area beyond are still possible.

8.9 The wider street scene of Redlands Drive consists of closer relationships between neighbouring properties, as evidenced by the distance between 8, 10 and 12 Redlands Drive. On the opposite of the road, there is little visual separation between the residential properties arising from the positioning of the garage outbuildings in close proximity. Consequently, it is considered that the visual separation between the application site and 8 Redlands Drive, as outlined in paragraph 8.6 is unique to the existing street scene and not reflective of the wider character.

- 8.10 As such, it is considered that the layout and scale of the proposed extension will respect the existing wider, settlement pattern of Redlands Drive. With regard to the style and appearance, the proposed extension utilises matching external brickwork and half hipped roof to adjoin the existing gable end elevation of the host property.
- 8.11 It is acknowledged that the existing residential properties within Redlands Drive are characterised by the presence of gable ends present on flank elevations. However, there are also a number of hipped roof forms within the existing street scene, predominantly on integral garages or outbuildings. These examples include 2 and 12 Redlands Drive as well as the car barn of the application site itself.
- 8.12 Therefore, it is considered that the use of a half hipped roof form will result in a similar style to those existing buildings highlighted and serve to complement the existing character of the area.
- 8.13 With regard to the single storey rear (south-west) extension, this represents a modest increase on the footprint of the existing property and will be obscured from the vantage point of Redlands Drive by the host building itself. Consequently, it is considered the proposal will integrate with the existing property and not give rise to any visual detriment to the settlement character of the area. Consequently, the application is in accordance with Policy E1 of the TVBRLP.
- 8.14 Trees  
As a result of the significant intervening distance, the proposed development would not result in any adverse impact on the adjoining woodland to the north-west and south-west of the application site. Subsequently, the proposal complies with criteria of Policy E2 of the TVBRLP.
- 8.15 **Impact on the amenity of neighbouring property**  
Privacy  
The proposed two storey side (south-east) extension includes a first floor window in the rear (south-west) extension located approximately 3.2m away from the shared boundary with 8 Redlands Drive. As a result of this positioning, it is necessary to consider the impact of the proposed window on the privacy of the adjoining dwelling.
- 8.16 After undertaking a site visit to the neighbouring property, it is apparent that the residential garden consists broadly of three distinct areas. Progressing away from the rear elevation of the neighbouring dwelling, there is a patio immediately adjacent to the property, a substantial area laid to lawn and lastly, a second patio located at the end of the plot. Due to a steep decline in ground level, this rear patio is positioned substantially below the other sections of the residential garden.

- 8.17 It is acknowledged that the previous application (reference 18/00868/FULLS, paragraph 4.1) was refused due to a potential adverse overlooking on the residential garden area of 8 Redlands Drive, arising from a proposed window in an similar location. However, the previously proposed window consisted of a multi-pane, floor to ceiling type of fenestration that was approximately 1.6m wider. As a result, the angle of view available was significantly greater and included oblique angles of the patio area immediately adjacent to the rear elevation of the neighbouring property in addition to opening up views of the area laid to lawn.
- 8.18 By comparison, it is considered that the window subject of the current proposal as a result of the reduced scale and design, will significantly reduce an opportunity to view the neighbouring patio area immediately adjacent the rear elevation of the adjoining property. In addition, the steep decline in ground level towards the rear patio and the change in window size, ensures that the current level of privacy enjoyed by this section of the neighbouring garden will not be altered by the proposed scheme.
- 8.19 By virtue of its location, the proposed window will enable oblique views of the intermediate area laid to lawn not currently available from the existing dwelling. However, given the reductions undertaken to the width of the proposed window, any available views will be limited to the very end of this section of the neighbouring residential garden.
- 8.20 Therefore, and considering that the area immediately to the rear of the rear wall and therefore the most 'private' of the adjacent property will not be adversely affected, it is considered that the proposal will not significantly or detrimentally affect the existing level of privacy between the two residential properties as to justify a reason for refusal. Consequently, it is considered that the proposal subject of this application does not give rise to the material harm identified with the previously refused scheme.
- 8.21 With regard to the proposed balcony, it is considered that the privacy screen at the north-western end and the built form of the existing gable end projection at south-eastern end, will ensure that there will be no opportunity for any adverse overlooking of either 4 and 8 Redlands Drive respectively. In addition, the existing boundary fence enclosing the residential garden of the property will serve to provide sufficient screening from the proposed ground floor fenestration. As a result, it is considered the proposed scheme will protect the privacy of neighbouring properties.
- 8.22 Provision of daylight or sunlight  
Due to the orientation of the proposed development adjoining the rear (south-west) and side (south-east) elevations of the existing dwelling, any shadow created by the proposed development will fall on the application site itself. Subsequently, it is considered the proposal will not materially alter the existing provision of daylight or sunlight for any neighbouring property and as such, the application is in accordance with Policy LHW4 of the TVBRP.

## 8.23 Highways

### Access

The proposed scheme would not result in any alterations to the existing vehicular access and as such, it is considered that the proposal will not give rise to any adverse highway safety impacts in accordance with Policy T1 of the TVBRLP.

## 8.24 Parking

The proposed scheme would not serve to reduce the current on site car parking provision, sufficient to provide a minimum of 3 car spaces. Consequently, the application is in with the parking standards set out in Annex G and Policy T2 of the TVBRLP.

## 8.25 Other Matters

The application site is located in an area whereby the installation of integral gas-proof membranes are required as part of the remedial measures previously agreed. Therefore, an informative note has been added to advise the applicant to consider the incorporation of this requirement as part of the Building Control process.

## 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:**  
**Composite Plan (01 Rev F)**  
**Reason: For the avoidance of doubt and in the interests of proper planning.**
3. **The materials to be used in the development hereby permitted shall be in accordance with the materials specified on the approved plans and application form.**  
**Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities in accordance with Policy E1 of the Test Valley Borough Revised Local Plan (2016).**
4. **Prior to the first use of the balcony hereby approved, the privacy screen on the side (north-west) elevation as shown on the submitted Composite Plan drawing (01 Rev F), 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 Policy LHW4 of the Test Valley Borough Revised Local Plan (2016).**

**Notes to applicant:**

- 1. In reaching this decision Test Valley Borough Council (TVBC) has had regard to paragraphs 186 and 187 of 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. The above property is located in an area of land which required all properties to be constructed with an integral gas-proof membrane in order to prevent the potential infiltration of ground-gas into the new dwellings. As a precaution, you are advised to make your building contractor aware so that they can ensure a suitably designed gas membrane can be installed during the construction of the development hereby permitted.**
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