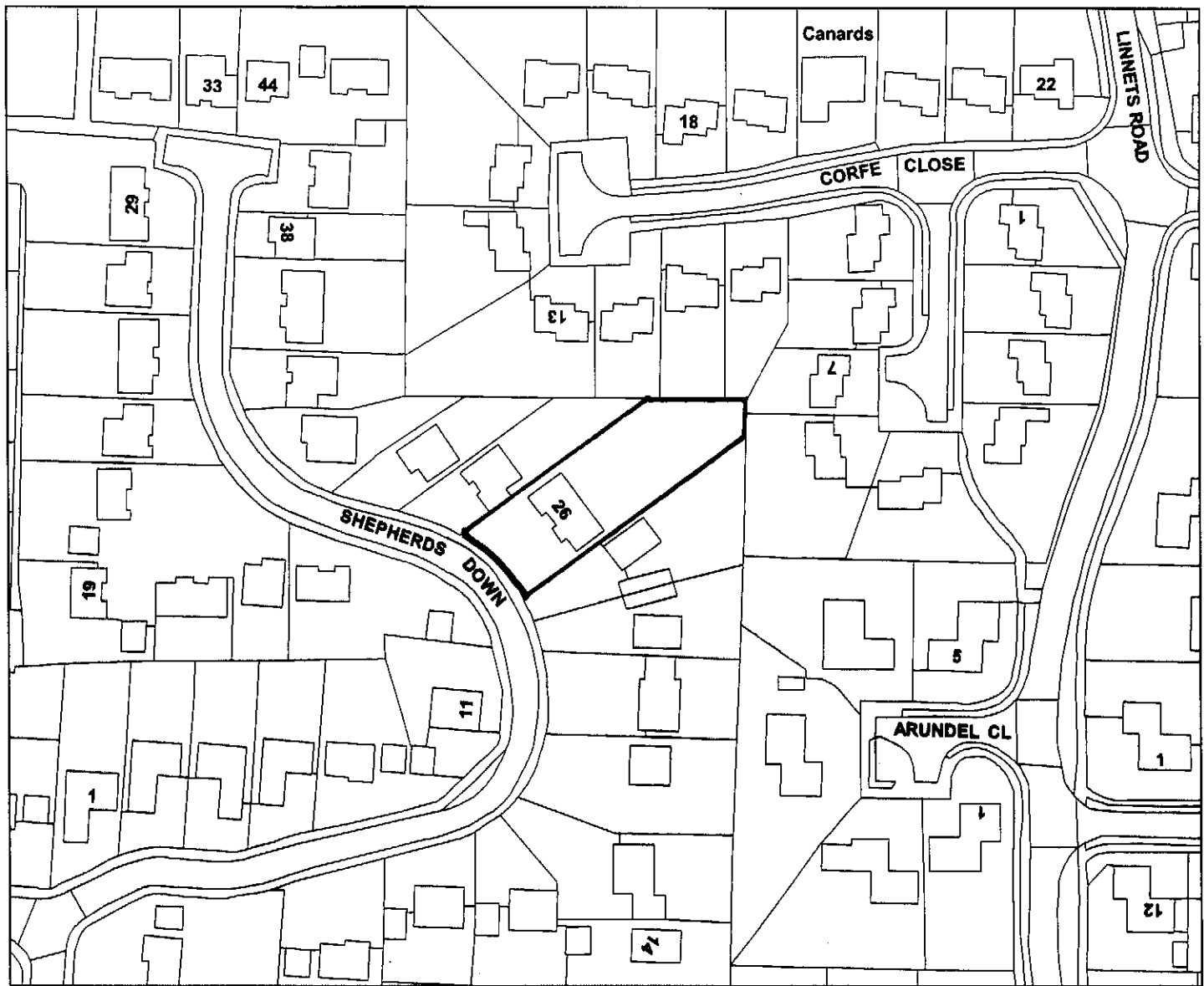


26 Shepherds Down, Alresford

11/01398/FUL



Legend



Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Winchester City Council © 2007.

Organisation	Winchester City Council
Department	Development Services
Comments	
Date	31 August 2011
SLA Number	00018301

Scale:

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Item No: 4 WCC
Case No: 11/01398/FUL / W22281
Proposal Description: Two storey rear extension and study extension to front (Householder)

Address: 26 Shepherds Down Alresford Hampshire SO24 9PP
Parish, or Ward if within Winchester City: New Alresford
Applicants Name: Mr & Mrs Ian Hogg
Case Officer: Mrs Anna Hebard
Date Valid: 21 June 2011
Site Factors: Within the settlement of Alresford
Southern Water Sewer Foul Drainage
Radon Gas Levels

Recommendation: Application Refused

General Comments

This application is reported to Committee as Cllr Cook owns the neighbouring property, No.24, and has objected to the application.

Site Description

The site is located on the north east of Shepherds Down, which is a residential cul-de-sac built in the 1980s.

The existing dwelling is two storeys, with a single storey attached double garage. The roof of the garage extends around the front of the dwelling, covering the porch area.

The dwelling is constructed of dark brick, and concrete interlocking tiles.

The garden area is enclosed by hedging and contains a mature tree within a raised area contained by a 1m wall.

The dwellings along this part of Shepherds Down are on a bend in the road and they are staggered. As a result, the neighbouring house at No.24 has a front elevation which is almost level with the rear wall of No.26.

Proposal

The rear 2 storey extension would occupy the full width of the property and would have a depth of 4m alongside. This addition would be located approximately 1m from the boundary line with No.24. The extension has a height of 5.1m to the eaves and an overall ridge height of 6.7m.

Part of the existing conifer hedge on the boundary with No.24, adjacent to the proposal, will be removed to allow the extension to be built but the remainder will be retained.

The front single storey infill extension is to enclose the area of 1m x 2.4m between the garage and the porch area, under the existing roof, which wraps around the front of the dwelling from the garage.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

Relevant Planning History

None

Consultations

None required

Representations

New Alresford Town Council:

"Supported". No other comments raised.

Cllr Power:Objection

I wish to object to this application. The houses in this part of Shepherds Down are arranged in a staggered crescent to maximise the light to all aspects of each house.

The proposed 2 storey rear extension will remove all natural light from the northern elevations of No. 24. There are 3 windows and a door to the northern aspect. Of these, two windows will suffer a 75% light reduction, one provides the only natural light to the landing and hall, the other to the downstairs lavatory. The remaining window to the bathroom, and the door to the kitchen, will suffer a smaller, but significant, light reduction. The extension wall will be only 2m away from the wall of No 24.

The upper rear extension will seriously degrade the privacy of the gardens to No. 24. No 26 is already one of the largest in this development; to make it larger would be overdevelopment.

One letter received objecting to the application, for the following reasons:

a. The upstairs landing window in our property provides the only direct source of light into the hallway on the second floor that is the centre of our home. The obstruction by such a large extension, which will be only six feet away from this window, would result in significant loss of light to our house. This open aspect also provides natural light to the downstairs hallway.

b. A second window that would be badly affected by the proposed development is the downstairs lavatory. This room already suffers from a 15-foot conifer boundary originally planted by the previous owners (after they took up residence in 1984). The current owners of No 26 have allowed these conifers to remain at their current height, which has had the consequence of a significant loss of natural light into our downstairs lavatory. The proposed extension wall would be directly opposite this window and make this small room even darker than it is at present and effectively black it out to any daylight. It would require electric lighting when in use even during the daylight hours.

c. The current amount of light to the kitchen is already affected by the 15-foot conifers, which are directly opposite to the door, which has light access through the upper half. The proposed extension will have a marginal affect on what is already a reduced amount of light that seeps through the gaps in the conifer hedge and comes from the sky above the hedging.

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

This building would further darken what is already a kitchen that lacks natural light, but is not a significant issue in planning terms.

Immediately above the kitchen is a window into the upstairs bathroom, which although it would be slightly affected by the shadow from the proposed building, is not considered an issue.

d. Our understanding is that our right to light is protected in this country under common law, adverse protection or by the prescription act 1832. We have been advised that, if a new building significantly reduces the amount of light coming in through a window (or windows), and that the level of light falls below an acceptable level, then this constitutes an obstruction. We have been advised that we have legal protection against such a building, as it would affect our right to light. We suggest that the high percentage loss of light to the upstairs landing /and downstairs lavatory represent a significant loss of light and should not be permitted.

We request that this planning application be refused for the main reason of loss of light being the consequence of the proposed building, which would have a serious effect on our quality of life and the enjoyment of our property in which we have lived since it was built in 1982.

One letter of support received:

I have examined the plans and the proposed work to the front of the property looks well thought out and in keeping with the house and the surrounding environment. I would like to support that part of the proposal. As I am not an immediate neighbour, I cannot comment on the proposal for the works at the rear of the house.

Relevant Planning Policy

Winchester District Local Plan Review
DP3

Planning Considerations

Principle of development

The principle of extending dwellings within the settlement boundary of the town is acceptable, subject to the Local Plan Policy DP3, which states the development should, in terms of its design, scale and layout, respond positively to the character, appearance and variety of the local environment; and should not have an unacceptable adverse impact on adjoining land, uses or property.

Design/layout

The design and layout is considered acceptable as the bulk of the built form is to the rear of the dwelling, not readily visible from the public realm. The single storey extension is a small addition and, provided the materials will match the proposal, is considered to be an acceptable design.

Impact on character of area and neighbouring property

The impact on the character of the area is considered to be modest, as the front extension is small in scale and relates well to the existing character of the house, whilst the 2-storey extension would be sited on the rear elevation and it would not be an unduly

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

prominent or intrusive form of development. However, the impact on neighbours is considered to be unacceptable, for the reasons explained below.

The rear extension proposed extends to a depth of 4m alongside the boundary line with No.24 to the south and it would be sited approximately 1m from this boundary line. The extension has a height of c5.1m to the eaves and an overall ridge height of c6.7m. There are two first floor windows on the side elevation of No.24 which are the only windows serving a landing area within the centre of the house and a bathroom. The extension will reduce significantly the amount of light to both, but particularly to the landing window, given the scale of the extension and its orientation relative to No.24.

It is accepted that these windows do not serve primary rooms. However, the outlook from these windows would primarily be onto a brick elevation located about 2m away. Such a substantially reduced outlook would be unacceptable and would create an oppressive effect. The outlook from this side of No.24 would therefore be detrimentally affected and, although it is accepted that no property has a right to a view, it is considered that the close proximity of the 2 storey extension to No.24 would materially harm this neighbour's amenity.

Furthermore, No.24 also has ground floor bathroom and kitchen windows facing the application site that would also be detrimentally affected by the development in terms of loss of light and outlook. It is acknowledged that, whilst the impact on the ground floor windows alone may not justify a refusal, taking account of the impact of the existing conifer boundary hedge, the cumulative effect of the proposed works on this side of No.24 means that the overall impact of the extension is unacceptable and contrary to Policy DP3.

The front single storey infill extension is modest in scale. It is considered that it would not be harmful to the amenities of either immediate neighbour.

Landscape/Trees

There is a mature tree within the rear garden of No.26. However, it is on a raised area of the garden which has a retaining wall. The roots should not therefore be affected by the extension, which is at a lower ground level.

Highways/Parking

Highways safety and off road parking will not be materially affected by this proposal. The parking available within the site exceeds 4 spaces and is sufficient to cater for the enlarged house.

Recommendation

Application Refused, for the following reason:

Reason

The proposal would have, by reason of its size, design and siting relative to the house immediately to the south, a materially harmful impact on the residential amenities of No.24 Shepherds Down, by reason of loss of light and outlook from windows on the north side of this property and because the development would result in an oppressive effect upon this

WINCHESTER CITY COUNCIL
DEVELOPMENT CONTROL COMMITTEE AGENDA

neighbour. The extension would therefore be contrary to Policy DP3 of the Winchester District Local Plan Review 2006.

Informative

The Local Planning Authority has taken account of the following Development Plan policies and proposals:

Winchester District Local Plan Review 2006: DP3

[REDACTED]

From: M argot Power [REDACTED]
Sent: 16 July 2011 20:15
To: p lanning
Subject: Planning application 11/01398/FUL

I wish to object to this application.

The houses in this part of Shepherds Down are arranged in a staggered crescent to maximise the light to all aspects of each house.

The proposed 2 storey rear extension will remove all natural light from the northern elevations of no. 24. There are 3 windows and a door to the northern aspect. Of these, two windows, which will suffer a 75% light reduction, one provides the only natural light to the landing and hall, the other to the downstairs lavatory. The remaining window to the bathroom, and the door to the kitchen, will suffer a smaller but significant light reduction. The extension wall will be only 2 m. away from the wall of no 24part.

The upper rear extension will seriously degrade the privacy of the gardens to no. 24.

No 26 is already one of the largest in this development, to make it larger would be overdevelopment.

If you do not intend to refuse this application under delegated powers, could you refer it to the planning committee.

Please let me know if I can provide any clarification

Cllr. Margot Power
[REDACTED]

Click [here](#) to report this email as spam.