



Notice of a meeting of Planning Committee

**Thursday, 17 January 2019
6.00 pm**

Membership	
Councillors:	Garth Barnes (Chair), Paul Baker (Vice-Chair), Stephen Cooke, Diggory Seacome, Victoria Atherstone, Bernard Fisher, Dilys Barrell, Mike Collins, Wendy Flynn, Alex Hegenbarth, Karl Hobley, Paul McCloskey, Tony Oliver, Simon Wheeler and John Payne

The Council has a substitution process and any substitutions will be announced at the meeting

Agenda

b) **18/02297/FUL 59 Cirencester Road**

(Pages 5 - 12)

Contact Officer: Judith Baker, Planning Committee Co-ordinator,
Email: builtenvironment@cheltenham.gov.uk

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APPLICATION NO: 18/02297/FUL		OFFICER: Mr Joe Seymour
DATE REGISTERED: 13th November 2018		DATE OF EXPIRY: 8th January 2019
DATE VALIDATED: 13th November 2018		DATE OF SITE VISIT: 16th November 2018
WARD: Charlton Kings		PARISH: Charlton Kings
APPLICANT:	Mrs A Freeman	
AGENT:	Paul Rogers	
LOCATION:	59 Cirencester Road, Charlton Kings, Cheltenham	
PROPOSAL:	Replacement dwelling	

Officer Report Update

- 1.1. The applicant's agent has submitted an additional supporting statement which is attached separately.
- 1.2. Condition 5, which requested window details, has been omitted because the applicant's agent has provided additional section drawings for the windows. This satisfies this condition prior to determination and therefore it is no longer required.
- 1.3. Condition 3 removed permitted development rights for extensions, garages, sheds, outbuildings, walls, fences or other built structures of any kind. Following consultation with the applicant's agent it is agreed that removing permitted development rights for further extensions to an enlarged replacement dwelling is justified, but precluding outbuildings and enclosures is onerous. The new condition reads as follows:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and/or re-enacting that order with or without modification), no extensions shall be added to the dwelling hereby permitted without express planning permission.

Reason: Any further extension or alteration requires further consideration to safeguard the amenities of the area, having regard to Policies CP4 and CP7 of the Cheltenham Borough Local Plan (adopted 2006).

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Paul Rogers R.I.B.A.

PLANNING APPLICATION REF 18/02297/FUL

REPLACEMENT HOUSE, 59 CIRENCESTER ROAD, CHELTENHAM GL53 8EX

ADDITIONAL INFORMATION

The proposal is to build a replacement house of a similar size and massing of the existing house, and using materials that reflect those of the buildings on Cirencester Road. The applicants have proposed to build a new house on three floors to make best use of the elevated site and provide the necessary flexible accommodation for their family.

The existing house dates from around 1930 and is of rendered brick walls with tiled roof. The house was most likely built with a first floor and I note that the houses on both sides have similar internal arrangements, with No 61 having the same stair arrangement as No 59.

The house has been extended but has not been notably improved since construction and now requires significant modernisation to improve access, fire separation, thermal and sound insulation as well as replacement of some of the ground floor and under-pinning of the front part of the building.

Replacement of the house will include improved access into the house by way of a ramp from the front of the house, which is required for both the applicant and her carers, and will increase the useable floor area within the attic space. The lower ground floor level will provide bedrooms for two of the children and other rooms ancillary to the house.

The new house will be constructed to exceed the insulation values required to meet current building standards and will have solar PV panels, mechanical ventilation - with heat recovery, and solar heat panels for water heating.

The application has raised several comments, primarily from the owner of No. 57 or parties acting on her behalf, and we take this opportunity to address these concerns.

The principal comments submitted to the authority relate to the shading to number 57 Cirencester Road, and the excavation to the lower ground floor and possible damage caused by this. In designing this replacement house we have been conscious of these issues and have carefully evaluated the possible risks - including detailed design in advance of the submission - to minimise risk and disruption to the neighbours.

SHADING

The proposed house will, however, be higher than the existing building by approximately 480mm and will extend to the rear an additional 4965mm. The house will, however, be located a further 300mm southward away from No. 57. The roof pitch is indicated on the application drawings at 37.6degrees, and the ridge is indicated as 6770mm above the ground floor level, which will be reduced from the existing floor level (estimated to be at approximately the same level as the lawn to the rear of 59).

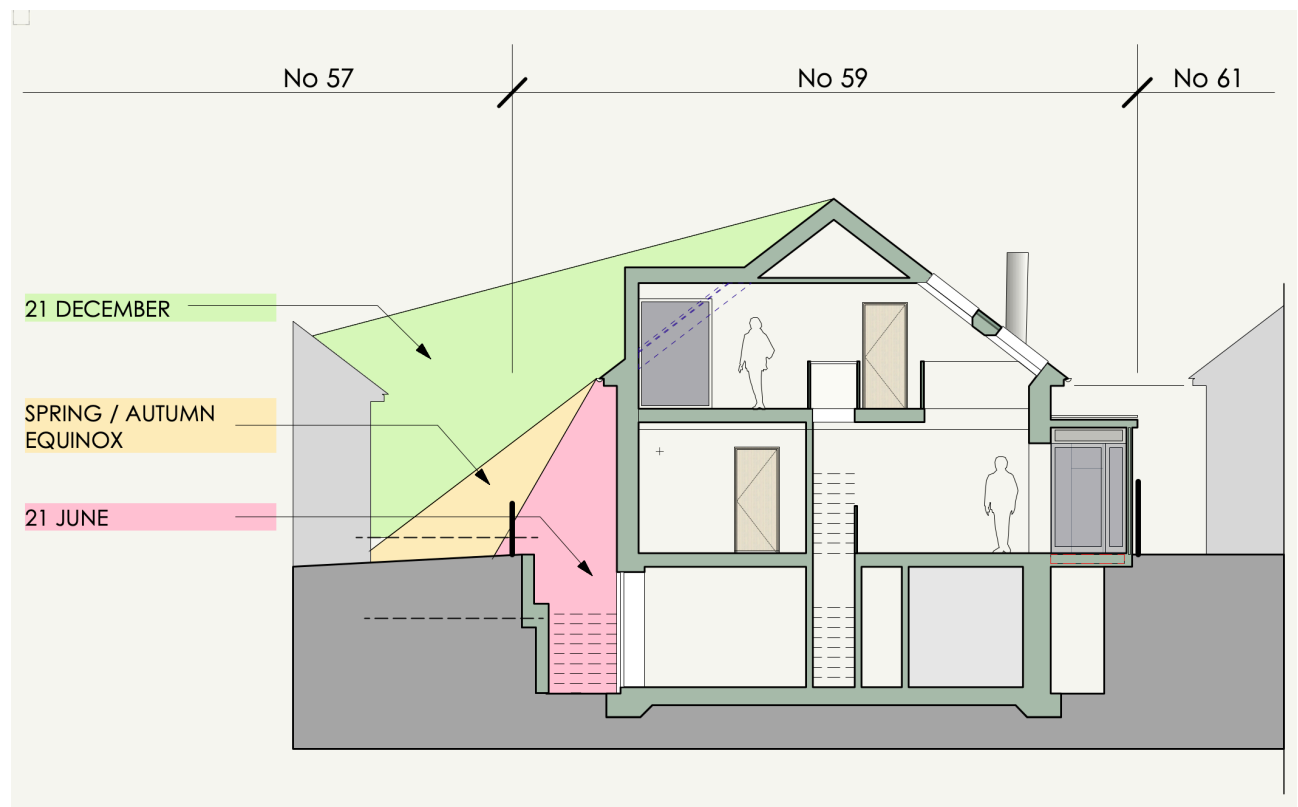
The orientation of the houses is such that the shading to the rear terrace of No. 57 can only occur during a short part of the day and only in the winter months. Below is a diagram of the sun angles for different dates through the year. The angles shown are indicative of the shading caused by the proposed house and are taken from sophisticated online sun tracking tools, and are specifically for Cirencester Road. The areas indicated **do not** take account of the building orientation, and would in effect be less significant than shown.

5 Dec midday 14.72deg

21 June 14.00hr 59.98deg

21 Sept 14.00hr 37.27deg

These dates are for the elevation of the sun at midday on the given dates and



The rear wall of No. 57 faces north of east by 13 degrees, and will be in shadow (**from itself**) from approximately 11.30 GMT (12.30 BST) on 21st September. Thereafter, the terrace of No. 57 would be in the shade of No. 57 itself.

In essence, the shading of the terrace would be minimal during the summer months, when it is most likely to be used, and then only for a very limited part of the day.

Shading to Existing Dormer

The images below are of the dormer to No. 57. There is no record of a planning application having been submitted for this side facing window, which clearly contravenes current planning legislation. We are not at all seeking to suggest that the current occupant had this work done, merely to point out the site as it is found. These photographs were taken on 9th January and demonstrate the existing shading from No. 59 at this time of the year.



From the bedroom of No. 59



From the rear garden of No. 59

The image below, taken from GoogleEarth, shows the extensive vegetation and of the fig tree in the garden of No. 57, filling the space outside No. 57's dining room to the boundary. From the shadow of the buildings, it is likely that this image was taken in the early morning in summer.



Since this image was taken, and subsequent to the submission of this application, the fig tree, directly outside the dining room window and below the dormer of No. 57, has been drastically cut back.

Having lived with the vegetation of a large and sprawling fig tree directly outside the dining room window for as long as the applicants can remember, the claim that the new building at No. 59 would shade this window more than the current building, does not seem credible. It is unlikely that the proposed building will create any more shading of this window than currently exists.

FUTURE DIVISION OF THE HOUSE

The assertion that the property could be divided into three separate dwellings could be applied to any building, subject to safe access being provided to each unit. This building is no different in that respect. However it would require the necessary planning consent and substantial modification to provide the requisite arrangement to meet the needs of separate dwellings, and the applicants themselves are not minded in this direction whatsoever.

EXCAVATION AND PILING

The applicant has engaged a local company, Charlton Pilings & Groundworks, to provide a quote and design assistance to develop the retaining structure required for the excavation of the site. They are specialists in commercial underpinning, groundworks, foundations and piling working in Gloucestershire.

With over 40 years' experience in all aspects of groundworks in Gloucestershire, combined with 15 years' experience in piling, Charlton Pilings offer a comprehensive range of services that can be tailored to suit the needs of its customers.

Undertaking projects of all scales and complexities, the team at Charlton Piling approach large commercial and industrial projects, with the same enthusiasm and dedication as they direct to smaller domestic contracts.

Below is an example of just how close they can get to existing properties using an augured piling retaining wall and this technique will be used for the new house.



Charlton Piling will undertake all necessary soil analysis and trial auguring before any work is commenced. And they will be working closely with a structural engineer throughout the whole process. The augured piling will be designed to support all imposed loads from the adjacent land and structures and the works will be carried out from within the site of the proposed house , and completed prior to the excavation of the soil to foundation level. The auguring works are anticipated to take 5 - 7 weeks to complete, subject to ground conditions.

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