

<b>APPLICATION NO:</b> 14/00938/FUL	<b>OFFICER:</b> Mrs Lucy White
<b>DATE REGISTERED:</b> 28th May 2014	<b>DATE OF EXPIRY:</b> 23rd July 2014
<b>WARD:</b> Warden Hill	<b>PARISH:</b> Leckhampton With Warden Hill
<b>APPLICANT:</b>	Mr Steven Williams
<b>AGENT:</b>	
<b>LOCATION:</b>	126 Warden Hill Road, Cheltenham
<b>PROPOSAL:</b>	Two storey side and single storey rear extension

**RECOMMENDATION:** Permit



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This application is before Committee at the request of Councillor Anne Regan.
- 1.2 Planning permission was granted earlier this year for a very similar extension to this property (ref 14/00061/FUL) to which the occupiers of the neighbouring dwelling objected in term of loss of light and outlook from their kitchen window. This objection was withdrawn upon the receipt of amended drawings which introduced a flat roof to the single storey element and a reduction in the depth of the proposed two storey element. The current application reintroduces the pitched roof to the single storey element which was originally shown on the previous scheme. In light of this switch back to a pitched roof, Councillor Regan would now like the matter determined by the Planning Committee.
- 1.3 The applicant proposes the erection of a two storey side extension and a single storey side and rear extension. A new French drain within the rear garden is also proposed to provide adequate drainage of surface water at the rear of the property.
- 1.4 The application site consists of a two storey, semi-detached dwelling with double bay front elevation, a tiled hipped roof and red brick facing walls. There is a small lean-to single storey extension to the rear and a detached flat roofed garage in the garden accessed via a driveway which runs along the side of the house.
- 1.5 This part of Warden Hill Road is characterised by semi-detached houses the majority of which are identical on the south side of the road and have a number of distinctive architectural features, namely the double bay windows with rendered panel and arch detail over the front door.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### Constraints:

None

### Relevant Planning History:

**03/01980/FUL 16th February 2004 REF**

Construction of single storey rear extension (incorporating existing garage)

**14/00061/FUL 14th March 2014 PER**

Erection of two storey side and single storey rear extensions

## 3. POLICIES AND GUIDANCE

### Adopted Local Plan Policies

CP 1 Sustainable development  
CP 4 Safe and sustainable living  
CP 7 Design  
UI 2 Development and flooding

### Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)  
Sustainable developments (2003)

### National Guidance

National Planning Policy Framework

## 4. CONSULTATIONS

### Parish Council

25th June 2014

The Council objects to this application on the grounds that the total footprint of this application is far too large in respect to residents at no 124 Warden Hill Road, as the proposed development poses a severe threat to their privacy, loss of light and risk of flooding. In addition the proposed side wall on the plan will form the boundary for no 124, this is not acceptable and certainly not conducive to the double width drive condition Mr & Mrs ... have currently, this proposal is far to imposing to the residents next door. Other factors to consider include the inconvenience of any build regarding scaffolding etc which would have to be erected on the drive of 124.

The Council requests that the planning officer Lucy White to visit Mr & Mrs ... as soon as possible to discuss their concerns.

## 5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	5
Total comments received	2
Number of objections	2
Number of supporting	0
General comment	0

5.1 A total of 5 local residents were notified of the proposals and this has prompted 2 letters of objection, one from each of the neighbouring properties, No 128 and 124 Warden Hill Road. The concerns raised can be summarised as follows (and include issues raised with the previous application):-

- Loss of daylight and sunlight to neighbour's ground floor kitchen window, first floor landing and bathroom windows and patio. One of the occupiers of No 124 has poor eyesight and there are thus safety issues to consider.
- Potential for noise associated with the construction of the extension and access onto the neighbouring property for scaffolding is not acceptable to the occupiers of this property.
- Overbearing appearance of the two storey side extension from the neighbour's kitchen window; the alterations to the roof will impact upon the appearance, shape and character of the semi-detached pair
- View of proposed straight roof from the garden of No 128 will be obtrusive and unattractive
- Velux windows in single storey extension unnecessary given size of patio windows proposed and will be seen to and from bedroom window of No 128
- Roof pitch of single storey extension too steep and above height of neighbour's conservatory
- The proposed extension would be erected over a manhole cover for a shared drain.
- A previous application for an extension to No 126 was refused (single storey rear extension)

- Flat roof previously proposed would have less impact on both neighbouring properties
- No 124 Warden Hill Road flooded in 2000 and 2007 and subsequently the conservatory has been rebuilt at a higher level. The proposed narrower gap between the two houses will result in excess surface water during heavy periods of rainfall escaping between the houses to the road with potentially more being channelled onto the neighbouring property No 124. Potential for excess surface water to also enter No 128 as a result of the extension.
- All objections to the previous permitted scheme still stand and should be referred to

## **6. OFFICER COMMENTS**

### **6.1 Determining Issues**

**6.2** The key issue is the extent to which the re-introduction of a lean-to roof to the proposed single storey extension would cause harm to the amenities of the occupiers of the two neighbouring properties (particularly those at No 124 Warden Hill Road) in terms of loss of light, outlook and privacy.

### **6.3 Design and layout**

**6.4** Planning permission has already been granted for a two storey side extension and single storey side and a rear extension to this property earlier this year (ref 14/00061/FUL). Therefore the principle of development of this scale, layout and footprint is considered acceptable.

**6.5** However, the previous scheme granted planning permission in March 2014 was amended during the course of negotiations with the applicant. Initially the two storey extension ran the full length of the side elevation with a full width single storey rear extension. The two storey side extension also incorporated a hip to gable roof extension. This first scheme was considered unacceptable for a number of reasons; the height and proximity to the boundary, the lack of a set back from the front elevation and the loss of light to the kitchen window on the side elevation of the neighbouring property, No 124 Warden Hill Road. A light test was also carried out and the proposed development failed the test.

**6.6** Following discussions with the applicant two further revisions were made which showed an increased 1.5 metre set back of the two storey element from the front elevation and alternatively a 1 metre set back from the rear elevation but with the extension flush with the front elevation. The hip to gable extension was also omitted in favour of a simpler hipped roof extension. Whilst both revised schemes passed the light test (albeit marginally), Officers still had concerns about the loss of outlook from the neighbour's kitchen window and the overbearing appearance of the two storey side extension together with the single storey rear extension.

**6.7** In light of the above concerns the applicant amended the scheme a third time and the approved scheme has a two storey extension set back 1 metre from the front elevation and 1 metre from the rear elevation of the existing building. The single storey extension also incorporates a flat roof with raised rooflights. As such, the proposed development was considered acceptable in scale, height and layout in relation to the neighbouring property and is subservient in both scale and appearance to the parent dwelling. The proposal thus adhered to the criteria of Policies CP4 and CP7 of the Local Plan.

- 6.8** The applicant now wishes to re-instate the lean-to roof with rooflights over the single storey element at the side and rear of the property.
- 6.9** After careful consideration of the concerns of the occupiers of No 124 Warden Hill Road, Officers consider that any additional harm caused by the slight increase in height of the single storey extension (300mm) would be minimal and, in comparison with what has already been approved, not sufficient to warrant refusal of this planning application.
- 6.10** Similarly, the lean-to roof of the single storey rear extension will not harm the amenities of the occupiers of No 128 Warden Hill Road. This property also has a single storey extension, smaller than that proposed at No 126, but again the slight increase in height and forward projection of the proposed single storey extension should not result in any significant loss of light or outlook to the rear of No 128.
- 6.11** It is disappointing that the applicant has chosen to alter the design back to what was originally proposed, particularly given the neighbour's willingness to withdraw their previous objection in light of the amended drawings. However, Members should be mindful of the very small increase in height of the single storey extension and that planning permission has already been granted for an extension of identical mass, layout and footprint at this property.
- 6.12 Other Considerations**
- 6.13** The Parish Council has objected and raised a number of issues relating to flooding, footprint and proximity to the boundary and the resulting harm to the amenities of the occupiers of No 124 Warden Hill Road. These matters were considered in relation to the previous scheme and are therefore largely irrelevant in the determination of the current proposal. Planning permission has already been granted for two and single storey extensions of identical footprint.
- 6.14** With regard to the potential for flooding, the applicant proposes a new and extended French drain at the rear of the property to mitigate against any increase in surface rain water from the rear garden draining down and through the proposed narrower gap between Nos 126 and 124 Warden Hill Road. As part of the previous application, the applicant also submitted a Water Engineer's report in respect of the proposed French drain and drainage in general from the site following completion of the proposed extension.
- 6.15** The Water Engineer concluded that that there should be no significant increase in the amount of rainwater that will enter the surface water drainage system in the proposed scenario compared to the existing situation and that the extended French drain will improve the efficiency of the drain in removing water to the surface water system compared to the current situation. There have also been recent improvements to the Flood Alleviation scheme within the locality.

## **7. CONCLUSION AND RECOMMENDATION**

- 7.1** In light of all the above and on balance, it is recommended that planning permission be granted subject to the following conditions.

## **8. CONDITIONS / INFORMATIVES**

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
Reason: To accord with the provisions 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 be carried out in accordance with drawing numbers Williams.Planning received 27th May 2014.  
Reason: To ensure the development is carried out in strict accordance with the approved drawings.
- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.  
Reason: To ensure a satisfactory form of development in accordance with Local Plan Policy CP7 relating to design.
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and/or re-enacting that order with or without modification), no additional openings shall be formed in the development without planning permission.  
Reason: Any further openings require detailed consideration to safeguard the amenities of the locality in accordance with Local Plan Policies CP4 and CP7 relating to safe and sustainable living and design.

## **INFORMATIVES**

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.