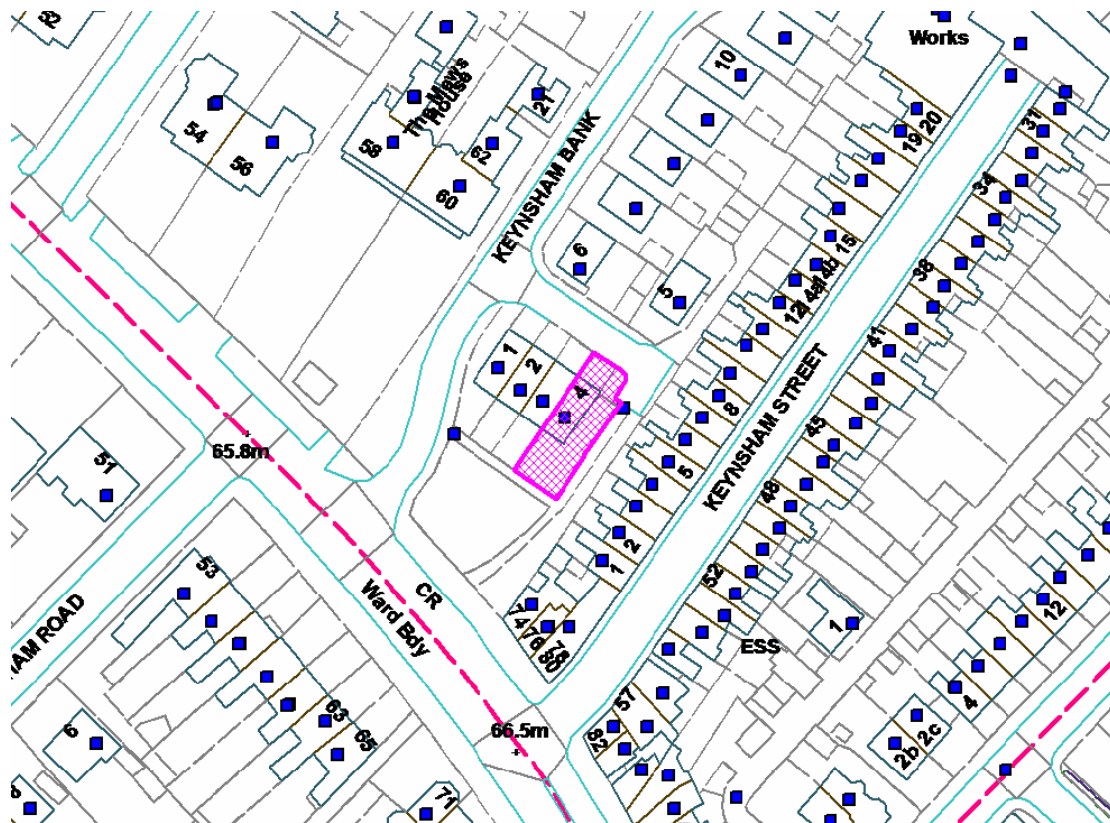


<b>APPLICATION NO:</b> 14/01017/FUL		<b>OFFICER:</b> Miss Michelle Payne
<b>DATE REGISTERED:</b> 7th June 2014		<b>DATE OF EXPIRY:</b> 2nd August 2014
<b>WARD:</b> All Saints		<b>PARISH:</b> None
<b>APPLICANT:</b>	Mr Ralph Staelens	
<b>AGENT:</b>	Drawing Services	
<b>LOCATION:</b>	4 Keynsham Bank, Cheltenham	
<b>PROPOSAL:</b>	Three storey side extension (revised scheme following refusal of previous application ref. 13/01676/FUL)	

**RECOMMENDATION:** Refuse



## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This application relates to a modern end-of-terrace, three storey townhouse within a cul-de-sac accessed from the London Road. The site is located within the Sydenham character area, one of 19 character areas that together form Cheltenham's Central Conservation Area, and the building is positively identified in the Townscape Analysis Map.
- 1.2 The terrace of four dwellings addresses the London Road but is set well back from the highway with only pedestrian access available to the front of the property and vehicular access provided to the rear. No.4 Keynsham Bank sits within a wider plot than its immediate neighbours with an enclosed yard alongside. A public footpath runs parallel to the south-eastern site boundary with residential properties in Keynsham Street beyond.
- 1.3 The property is rendered and has a flat roof with parapet detail; the front elevation incorporates a stringcourse detail.
- 1.4 The application is seeking planning permission for the erection of a three storey side extension to accommodate a garage and utility at ground floor, a dining room at first floor and an additional bedroom at second floor.
- 1.5 The application has been submitted following the withdrawal, and subsequent refusal of two similar schemes in June 2013 and November 2013; the difference between the recently refused scheme and that now proposed is a 500mm reduction in the width and depth of the extension at first and second floor.
- 1.6 The application is before planning committee at the request of Cllr Jordan on behalf of the applicant; Members will visit the site on planning view.

## 2. CONSTRAINTS AND PLANNING HISTORY

### Constraints:

Conservation Area

### Planning History:

**CB11175/07**

**PERMIT**

**9th September 1977**

Erection of 8 detached houses and block of 4 townhouses

**13/00746/FUL**

**WITHDRAWN**

**27th June 2013**

Three storey side extension

**13/01676/FUL**

**REFUSE**

**11th November 2013**

Three storey side extension (resubmission following withdrawal of previous application ref. 13/00746/FUL)

## 3. POLICIES AND GUIDANCE

### Adopted Local Plan Policies

CP 1 Sustainable development

CP 3 Sustainable environment

CP 4 Safe and sustainable living

CP 7 Design

GE 6 Trees and development

TP 1 Development and highway safety

Supplementary Planning Guidance/Documents  
Residential alterations and extensions (2008)  
Sydenham character area appraisal and management plan (2008)

National Guidance  
National Planning Policy Framework

## 4. CONSULTATION RESPONSES

None

## 5. PUBLICITY AND REPRESENTATIONS

- 5.1 Letters of notification were sent out to 11 neighbouring properties. In addition, a site notice was posted and an advert published in the Gloucestershire Echo. In response to the publicity, one letter has been received and is attached to this report.

## 6. OFFICER COMMENTS

- 6.1 The main considerations when determining this application are design and impact on neighbouring amenity.

### Design

- 6.2 The proposed extension would be set well back from the principal elevation, with a slightly lower parapet height and would clearly read as a subservient addition which would sit well within its context. The use of external facing materials and fenestration to match existing would ensure that the extension would reflect the character of the original building and locality, and although officers consider that the existing stringcourse detail to the front elevation should be repeated in the extension this could be adequately controlled by way of a condition.
- 6.3 The extension is therefore considered to accord with the aims and objectives of Local Plan Policy CP7 relating to design.

### Impact on neighbouring amenity

- 6.4 The proposed extension would extend almost to the site boundary, with its blank three storey side elevation within 5.5 metres of the rear boundary to no.5 Keynsham Street. Whilst the extension has been reduced in both depth and width by 500mm at first and second floor, since the previous refusal was issued, officers consider that these changes simply do not go far enough to overcome the significant harm that would be caused to neighbouring amenity.
- 6.5 No.5 Keynsham Street has only a very small courtyard to the rear and has a pair of French doors in its rear elevation which, together with a roof light, serve a large kitchen/dining room. Having visited this neighbouring property, it is clear that the three storey height of the proposed extension in such close proximity to their rear boundary would have a significant impact on the amenity of the occupiers of this neighbouring dwelling with regard to both outlook and daylight; the council will normally seek a minimum of 12 metres between clear glazed windows and blank flank walls. Furthermore, whilst the kitchen/dining room is also served by a large roof light, the proposed extension

fails the 25° light test set out in the residential alterations and extensions SPD when used to assess the effect of the height of the extension on the French doors.

- 6.6 The proposal is therefore contrary to the requirements of Local Plan Policy CP4 relating to safe and sustainable living.

#### Other issues

- 6.7 Comments have been forwarded with the application from Gloucestershire Highways in which they raise no objection to the proposed extension or their trees being pruned.

#### Conclusion

- 6.8 With all of the above in mind, the recommendation is to refuse the application for the following reason:

## **7. REFUSAL REASON**

- 1 The proposed extension would extend almost to the site boundary with its blank three storey side elevation within 5.5 metres of the rear boundary to no.5 Keynsham Street. This neighbouring terraced property has only a very small courtyard to the rear and has a pair of French doors in its rear elevation which, together with a roof light, serve a large kitchen/dining room. The height of the extension in such close proximity to the rear boundary of this neighbouring property would have a significant impact on the amenity of the occupiers of the dwelling with regard to both outlook and daylight. Furthermore, whilst the kitchen/dining room is also served by a large roof light, the proposed extension fails the 25° light test set out in the residential alterations and extensions SPD when used to assess the effect of the height of the extension on the French doors.

The proposal is therefore contrary to the requirements of Local Plan Policy CP4 relating to safe and sustainable living, and one of the core planning principles set out in the NPPF which states that planning should "always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings".

## **INFORMATIVE**

- 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 authority cannot provide a solution that will overcome the concerns in respect of neighbouring amenity.

As a consequence, the proposal cannot be considered to be sustainable development and therefore the authority had no option but to refuse planning permission.