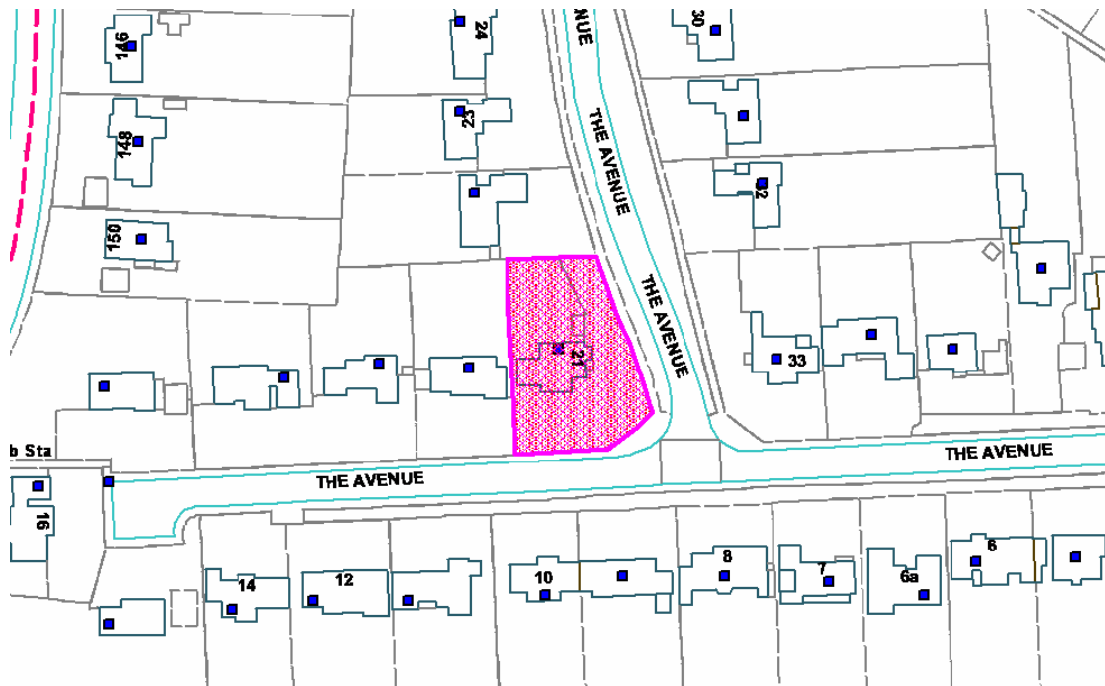


<b>APPLICATION NO:</b> 14/01003/FUL		<b>OFFICER:</b> Mrs Emma Pickernell
<b>DATE REGISTERED:</b> 4th June 2014		<b>DATE OF EXPIRY:</b> 30th July 2014
<b>WARD:</b> Charlton Park		<b>PARISH:</b>
<b>APPLICANT:</b>	Mr And Mrs L Sperring	
<b>AGENT:</b>	PSK Architect	
<b>LOCATION:</b>	21 The Avenue, Cheltenham	
<b>PROPOSAL:</b>	Proposed two-storey side extension, single storey side and rear extensions	

**RECOMMENDATION:** Permit



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is a detached, two storey pitched roof dwelling which is brick and tile hanging under a tiled roof. There is an attached flat roof garage.
- 1.2 The Avenue is laid out in a T shape and the property in question is located on a corner plot at the junction with the spur road.
- 1.3 This application proposes the demolition of the existing garage and the erection of a two storey side extension. The first floor would be set back 2.7m from the existing front gable of the property and 0.3m from the main frontage of the property. It would also project 2.5m from the rear face of the building. This would provide two bedrooms and an en-suite on the upper floor and a garage, study and family room on the ground floor.
- 1.4 The application also includes the remodelling of the existing single storey side extension to move the front door onto the front of the existing property, provide a porch and WC. To the rear it is proposed to extend at single storey across the rear of the property at a depth ranging from 3.4m to 2.5m, this would provide an enlarged kitchen and a utility room.
- 1.5 The plans also indicate that the driveway would be reconfigured and that planting would occur to the side of the property, however these works do not require planning permission provided the hard surfacing is permeable.
- 1.6 The application has been revised since its original submission. The original drawings included a double garage on the eastern side of the property and the two storey extension was further forward on the site with a gabled front elevation.
- 1.7 The application is before committee at the request of Cllr Baker who has requested it to be determined by Planning Committee due to its prominence in the street scene.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### **Constraints:**

Smoke Control Order

### **Relevant Planning History:**

None

## 3. POLICIES AND GUIDANCE

### Adopted Local Plan Policies

CP 4 Safe and sustainable living

CP 7 Design

### Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)

### National Guidance

National Planning Policy Framework

## 4. CONSULTATIONS

### Gloucestershire Centre for Environmental Records

12th June 2014

Report available to view on line.

## 5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	6
Total comments received	7
Number of objections	7
Number of supporting	0
General comment	0

5.1 The application was publicised by way of letters to neighbouring properties. Re-consultation letters were sent upon the receipt of revised plans. 7 objections have been received. The main issues raised can be summarised as follows:

- Object to the design of the extensions
- Overdevelopment of the site
- Object to the two storey extension in terms of neighbour amenity including overbearing impact, invasion of privacy, reduction in sunlight
- Concerns about the loss of the separation between the houses through the two storey element coming closer to the boundary
- Concerns about the impact on the character of The Avenue
- Concerns were raised about the proposed garage, however this element has been omitted from the plans.

## 6. OFFICER COMMENTS

### 6.1 Determining Issues

The key issues in determining this application are considered to be (i) design and appearance, (ii) impact on neighbouring properties.

### 6.2 The site and its context

As mentioned above the site is on a corner plot within The Avenue. The Avenue is characterised by large detached dwellings in good sized plots. The two corner properties at this junction are set back from the road, as are the properties continuing down the spur road which gives the area a spacious character.

### 6.3 Design and layout

The proposal involves a two storey side extension. This has been redesigned since the application was originally submitted in order to increase the subservience of the extension and to simplify the design. This element of the proposals is now considered to be in line with advice contained in the Residential Alterations and Extensions SPD.

Concerns have been raised by neighbours that this element of the proposal will result in the loss of a sense of space between the buildings. Officers agree with the neighbours that the spaces between buildings are important to the character of the area, however the neighbouring property has a flat roof, single storey garage adjacent to the boundary and as such views are still afforded between the properties at a first floor level. Whilst it is accepted that this will result in an erosion of the space, it is not to an unacceptable degree which would be sufficiently harmful to warrant the refusal of the application.

The single storey elements of the proposal are now considered to be relatively modest, following the removal of a garage on the east side of the dwelling. Concerns have been expressed in relation to the side elevation which has a double pitched roof design, tying in to the lean to extension at the rear and the pitched roof over the porch at the front. Whilst the design of this element is somewhat idiosyncratic, it is not considered that it will result in a harmful visual impact, as it projects only 1.4m from the main side elevation and replaces an existing flat roof side extension which adds nothing to the side elevation. Members will be aware that the NPPF states that planning decisions should not attempt to impose architectural styles or particular tastes.

The proposed facing materials are a combination of brick and render with roof tiles to match the existing. There are rendered houses in the vicinity and as such this would not be out of character, however a condition is attached requesting further details of the proposed materials, via annotated elevations, to ensure the blend of materials is appropriate.

For these reasons the visual impact and design is considered to be acceptable and as such the proposal is in accordance with policy CP7 of the Adopted Local Plan, the SPD and the NPPF.

#### **6.4 Impact on neighbouring property**

The site has two immediate neighbours; 22 The Avenue to the rear and 20 The Avenue to the side.

22 The Avenue is 20m away and is off-set from the application property. There are no windows to habitable rooms on the first floor of the side elevation and as such no window-to-window overlooking would occur and neither would any adverse loss of light.

20 The Avenue is directly adjacent to the application site. The two storey element of the proposal would project beyond the rear of this property and as such it is important to ensure that it has an acceptable relationship. The proposed extension complies with the 45 degree light tests which are explained within the Residential Alterations and Extensions SPD. As such there would be no significant loss of light to the rear windows of this property. The portion of the neighbouring property closest to the boundary contains a garage and utility room.

Concerns have been expressed that the proposal would result in a loss of sun light to the neighbouring garden and would have an overbearing impact when viewed from the garden. Whilst the extension will certainly be visible from within the garden, it is not considered to be of sufficient size and length to represent an unacceptably overbearing structure. Whilst there may be some loss of direct sun light to certain parts of the garden at certain times of the day, this is not considered to be sufficiently harmful to warrant the refusal of the application, especially given that the proposal complies with the tests set out in the SPD.

As such the proposal is considered to have an acceptable impact upon neighbour amenity and is therefore in accordance with policy CP4 of the Local Plan, advice contained in the SPD and the NPPF.

## 6.5 Other considerations

Concerns have been raised regarding the proposed planting shown on the plan to the eastern boundary of the site however planting does not constitute development and as such is outside of the control of the Local Planning Authority.

Concerns have also been raised in relation to the alterations to the driveway and the formation of a new access. Provided the hard surface is permeable, or drains to a permeable area planning permission would not be required for these works as they constitute 'permitted development'. As such it is not appropriate to seek to remove these aspects of the proposal. The size of the driveway has, however been reduced since the original submission, following the removal of the new garage from the scheme.

## 7. CONCLUSION AND RECOMMENDATION

- 7.1 When tested against the key considerations i.e. visual impact and neighbour amenity, the proposal is considered to be acceptable in both regards. The proposal is therefore recommended for approval

## 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 1445/4A, 1445/5A, 1445/6A received 14/7/14 and 1003.02A received 4/8/14.  
Reason: To ensure the development is carried out in strict accordance with the approved drawings.
- 3 Prior to the commencement of development, annotated elevations with a detailed specification of all external materials and finishes (including all windows and external doors) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented strictly in accordance with the details so approved and maintained as such thereafter.  
Reason: To ensure a satisfactory form of development in accordance with Local Plan Policy CP7 relating to 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, the authority sought amendments to overcome the concerns which were raised to the initial plans.

Following these negotiations, the application now constitutes sustainable development and has therefore been approved in a timely manner.