

APPLICATION NO: 14/01032/FUL	OFFICER: Miss Chloe Smart
DATE REGISTERED: 10th June 2014	DATE OF EXPIRY: 5th August 2014
WARD: Up Hatherley	PARISH: Up Hatherley
APPLICANT:	Phillip Perry
AGENT:	Agent
LOCATION:	281 Hatherley Road, Cheltenham
PROPOSAL:	Erection of two storey side extension

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is a semi-detached property within a residential area in the ward of Up Hatherley.
- 1.2 The applicant seeks planning permission for a two storey side extension to the property to provide additional living accommodation.
- 1.3 The proposed extension would extend 3.2 metres from the side wall of the original property with a depth of 8.05 metres.
- 1.4 The application is before Planning Committee as the Parish Council has raised no objection to the application providing there are no neighbour objections. Four letters of objection have been received.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

N/A

Relevant Planning History:

09/00452/FUL 8th August 2011 DISPOS

Two storey side extension and single storey rear extension

12/01572/FUL 16th January 2013 WDN

Erection of attached two bedroom dwelling

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

18th June 2014

Report available to view on line.

Parish Council

11th June 2014

No objection providing the neighbours are happy and it meets the usual legal requirements.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	7
Total comments received	4
Number of objections	4
Number of supporting	0
General comment	0

5.1 Seven letters have been sent to neighbouring properties, with four households objecting to the application.

5.2 Summary of comments:

- Visual impact
- Overbearing
- Overshadowing/Loss of light
- Drainage
- Damage to tree roots
- Loss of privacy

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The main considerations in relation to this application are the design and the impact of the proposal on neighbouring amenity.

6.3 Design

6.4 Local Plan Policy CP7 requires development to be of a high standard of architectural design and to complement and respect neighbouring development.

6.5 The Supplementary Planning Document: Residential Alterations and Extensions seeks to avoid a terracing effect with properties by enclosing important space between buildings. The application property benefits from a generous plot size, with considerable space between no. 281 and the neighbouring bungalow at no.279 Hatherley Road. As such, the principle of extending to the side of the property is acceptable.

6.6 The applicant has made changes to the proposal from the original submission which incorporated a wider, lower two storey side extension. Officers considered this would be too wide and would read as an overly large and poorly proportioned single storey extension and therefore advised that a more conventional two storey side extension be explored.

6.7 The applicant has amended the scheme accordingly, and the proposal now incorporates a very slight set back of the extension from the front elevation of the original property. In this instance, a set back of at least one metre is not required as the property benefits from a brick pier, which breaks up the mass of the extension from the original property, thereby ensuring that the extension plays a supporting role to the parent dwelling.

6.8 The proposed materials for the development are concrete tiles and brick to match the original dwelling. The existing upvc cladding to the original property is to be replaced with timber cladding and this is also proposed for the extension.

- 6.9** The occupiers of no. 283 Hatherley Road have raised an objection to the proposal on the basis that it would not be in keeping with the rest of the houses on Hatherley Road and affect no. 283 when viewed from the front.
- 6.10** There is a mix of property styles within the Hatherley Road area, with a number of properties having been extended to the side. The aforementioned Supplementary Planning Document provides specific guidance when extending to the side of semi-detached properties. The proposal meets all the design requirements set out within this document, particularly in terms of achieving subservience and respecting the space between properties.
- 6.11** The surrounding properties incorporate a range of materials with semi-detached properties on nearby Wards Road incorporating a mix of tile hanging, stone pebble dash and upvc cladding.
- 6.12** Given the original dwelling incorporates horizontal cladding, the proposed replacement, albeit with a different material would have the same horizontal lines where the boarding goes. As such, the proposed replacement of upvc cladding with timber cladding is considered acceptable.
- 6.13** For the reasons identified above, the proposal is considered a subservient addition to the original dwelling and reflects the character of the original house. As such, the extension accords with Local Plan Policy CP7 and the Supplementary Planning Document: Residential Alterations and Extensions.
- 6.14 Impact on neighbouring property**
- 6.15** Local Plan Policy CP4 requires development to protect the existing amenity of neighbouring land users and the locality.
- 6.16** A number of objections have been raised in relation to the application from the occupiers of nearby properties. The main concerns raised in these objections relate to visual amenity, loss of privacy and overshadowing/loss of light.
- 6.17** The occupier of no. 11 Kingscote Close raised a visual amenity concern due to the proximity of the extension from the boundary of this property. The rear wall of the proposed extension would be sited 9.5 metres from the rear boundary with no.11 with a further 15.5 metres from the rear wall of the neighbouring property itself.
- 6.18** Whilst the extension would be visible from this property, in light of the considerable distance from the boundary it would not have any negative impact on visual amenity and certainly could not be construed as an overbearing form of development.
- 6.19** Further objections have been received in relation to an overshadowing effect of the extension and a loss of light. Paragraph 6.5 of this report highlights the generous plot size of the application site, with significant space to the side of the property. The eastern site boundary is on an angle with the distance of the proposal to the boundary increasing further into the site.
- 6.20** The occupier of no. 279 Hatherley Road has a side elevation window which serves the kitchen of this property. A site visit has been carried out to this property to establish the impact of the proposed extension.
- 6.21** No. 279 is set some five metres forward of the front elevation of the application site and not directly adjacent. The kitchen window would be approximately 7.5 metres from the side wall of the proposed extension and two metres back from the front elevation of the extension. There would be some impact on the neighbouring property given the application property would be closer to the neighbouring bungalow but having assessed

the proposal fully, this would not be unacceptable. The detailed light test reveals there would be no unacceptable reduction in light to no. 279 as a result of the extension.

6.22 The final concern raised in relation to amenity relates to a loss of privacy to the neighbouring properties. The occupiers of no. 9 and 11 Kingscote Close and no. 279 Hatherley Road have raised concerns regarding privacy.

6.23 The proposal initially incorporated rooflights within the rear elevation. The applicant has amended the internal layout of the room to incorporate an en-suite facing onto the rear garden, which would have obscure glazed windows. The occupier of no. 9 Kingscote Close has raised an objection to these amended drawings despite the obscure glazing, as the window could still be opened.

6.24 Officers feel it would be unreasonable to attach a condition requiring the window to be non-opening as well as obscure glazed. The window would be 9.5 metres from the boundary and would serve a bathroom. Furthermore, the existing first floor rear elevation windows are also 9.5 metres from the boundary, so this would be no worse than the effect of existing windows to the property.

6.25 Overall, despite the objections from the occupiers of neighbouring properties, officers are satisfied there would be no unacceptable impact on neighbouring amenity. There would be no increased element of overlooking or loss of privacy, and the proposal would not result in an unacceptable loss of light to neighbouring properties.

6.26 The proposal therefore meets the criteria set out in Local Plan Policy CP4 in terms of protecting the amenity of adjoining land users.

6.27 Drainage/Sewage

6.28 A number of comments have been received raising a concern as a public sewer runs beneath the application site.

6.29 This is not a planning consideration. The applicant would require separate approval from Severn Trent prior to commencing any building works and if there are issues then these would need to be overcome first. Therefore, whilst these concerns have been noted, they would not warrant the refusal of planning permission.

6.30 Trees

6.31 A comment has been received in relation to the tree to the rear of the application site between no. 281 Hatherley Road and no.11 Kingscote Close. The tree is not protected and is some distance from the proposed works and therefore the Tree Officer would not normally be consulted on this application.

6.32 Notwithstanding this, the works have been discussed with the Tree Officer who considers the proposal would not have any detrimental impact on this tree. Whilst the Tree Officer has not raised any concerns, an informative has been attached to the recommendation to ensure the applicant is mindful of the tree during construction works.

6.33 Ecology

6.34 Notification has been received from Gloucestershire Centre for Environmental Records regarding species of conservation importance recorded within a 250m search area of the application site. Due to the small scale nature of the proposal, it is not considered that there would be any negative impact on the ecology of the area.

7. CONCLUSION AND RECOMMENDATION

- 7.1 For the reasons discussed above, whilst there have been a number of objections to the application, the proposal is in accordance with policy CP7 in terms of achieving an acceptable standard of design and would not have an unacceptable impact on neighbouring amenity.
- 7.2 As such, the recommendation is to permit this application subject to the conditions set out below.

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 03A and 02B received 18th July 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) the rear elevation window hereby approved shall be glazed with obscure glass and shall be maintained as such thereafter.
Reason: To safeguard the amenities of the adjoining properties in accordance with Local Plan Policy CP4 relating to safe and sustainable living.

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.

- 2 The applicant should be mindful of nearby trees during the construction of the extension.