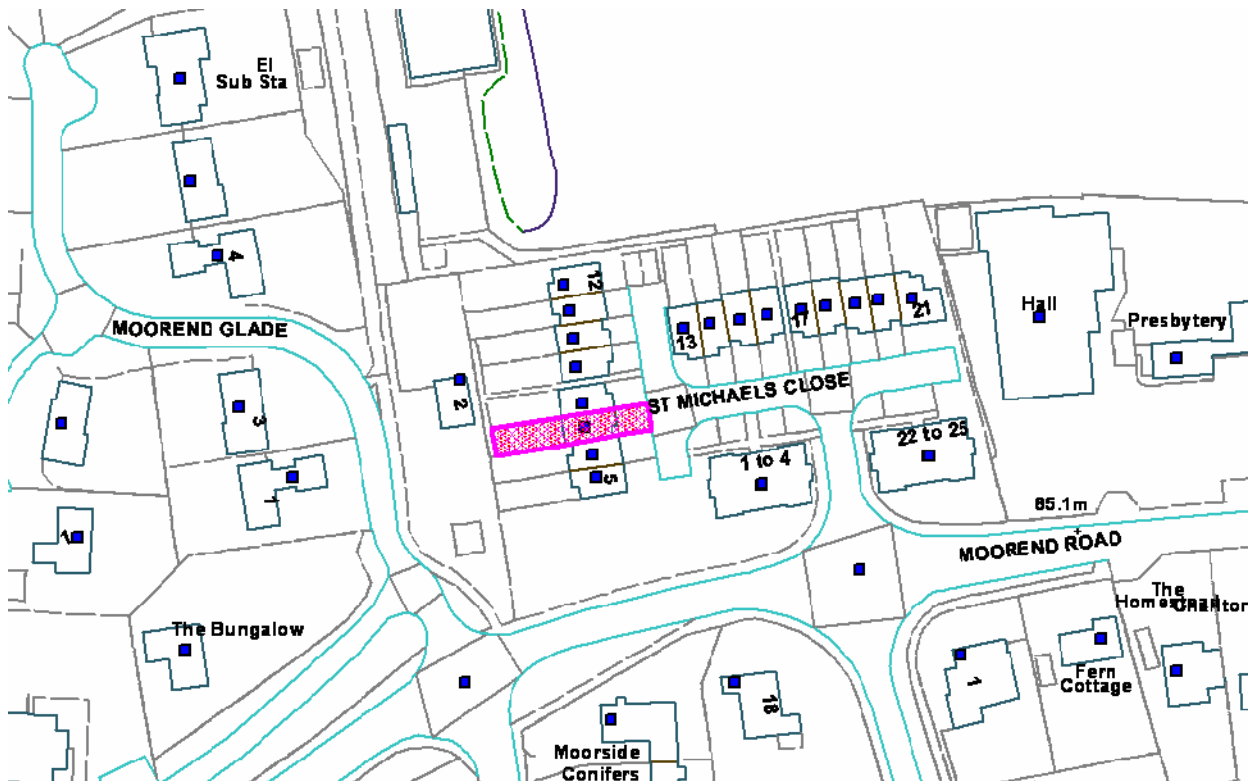


<b>APPLICATION NO:</b> 14/01281/FUL		<b>OFFICER:</b> Miss Chloe Smart	
<b>DATE REGISTERED:</b> 17th July 2014		<b>DATE OF EXPIRY:</b> 11th September 2014	
<b>WARD:</b> Charlton Park		<b>PARISH:</b> Charlton Kings	
<b>APPLICANT:</b>	Ms L Hooker		
<b>AGENT:</b>	DJ Planning		
<b>LOCATION:</b>	7 St Michaels Close, Charlton Kings, Cheltenham		
<b>PROPOSAL:</b>	Proposed single storey rear extension and conversion of garage to living accommodation		

**RECOMMENDATION:** Permit



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is a three storey, modern terraced dwelling within a residential area in the Charlton Park ward.
- 1.2 The applicant seeks planning permission for the conversion of the existing garage, including the insertion of a window, and the erection of a single storey rear extension.
- 1.3 The proposed rear extension would extend 3.6 metres from the rear wall of the original dwelling, with an eaves height of 2.7 metres and a parapet height of 2.75 metres.
- 1.4 The application is before committee due to an objection from the Parish Council.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### Constraints:

Landfill Sites boundary  
Smoke Control Order

### Relevant Planning History:

**02/01969/OUT 26th November 2003 PER**

Redevelopment of site for residential purposes (outline), following demolition of existing buildings

**03/01919/CONDIT 26th January 2004 PER**

Removal of condition 20 (The development hereby granted permission shall not exceed two storeys in height) imposed on outline planning permission 02/01969/OUT granted 26 November 2003

**04/00594/REM 1st June 2004 REF**

Proposed construction of 31 dwellings (Reserved matters application following the grant of outline planning permission on 26.11.03 under reference 02/01969/OUT)

**04/01508/REM 22nd October 2004 APREM**

Construction of 25 dwellings (reserved matters application following the grant of outline planning permission on 26.11.03 under reference 02/01969/OUT) - revised scheme

## 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

### Contaminated Land Officer

22nd July 2014

No comment

### Parish Council

12th August 2014

#### OBJECTION

(a) We are concerned with the size of the extension. A structure of 3m would be more in line with the other approved development.

(b) The removal of the garage door would be to the detriment of the current cohesive and carefully planned street scene

16th September 2014

#### OBJECTION.

The revised plans have not changed the fact that the extension projects more than 3 metres from the rear, in excess of other approved developments in the vicinity, and we remain concerned with the consequent impact on neighbouring properties in terms of loss of amenity (due to its proximity) and daylight. We still have reservations about change to the garage window which our view will be to the detriment of the current cohesive design of the properties in the close.

## 5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	3
Total comments received	6
Number of objections	6
Number of supporting	0
General comment	0

5.1 Three letters have been sent to neighbouring properties and six letters have been received raising an objection to the proposal.

### 5.2 Summary of Comments Received

- Alteration to garage will substantially alter the appearance of entire block/symmetry of area
- Height of extension – obscure view
- Loss of light to adjoining occupiers
- The extension will dominate and be overbearing
- Precedent for similar development along the row to the rear of properties – could result in a courtyard.
- Consent of St Michaels (Cheltenham) Management Company Ltd must be sought before any such work, in which all residents are shareholders
- Permitted development rights removed and restrictive covenants exist
- Distance between the property and 2 Moorend Glade

All comments received by residents have been noted and where these are material planning considerations, they will be discussed in the following section of this report.

## **6. OFFICER COMMENTS**

### **6.1 Determining Issues**

- 6.1.1** The main considerations in relation to this application are the design of the proposal and the impact it will have on neighbouring amenity.

### **6.2 Design**

- 6.2.1** Local Plan Policy CP7 requires development to be of a high standard of architectural design and to complement and respect neighbouring development.
- 6.2.2** The Supplementary Planning Document: Residential Alterations and Extensions emphasises the importance of subservient extensions to existing dwellings, stating that extensions should play a supporting role to the parent dwelling rather than dominating it. As a single storey extension, the addition is clearly distinguishable from the original dwelling and therefore represents a subservient addition.
- 6.2.3** The flat roof responds to the character of the existing property given the presence of a flat roof projecting garage at the front with a balcony above. Furthermore, the materials proposed are to match the original dwelling thereby ensuring a complementary addition.
- 6.2.4** In terms of the proposed conversion of the garage and external works, a number of concerns have been raised by local residents as to the impact this would have on the appearance of the area and the symmetry of the properties. The proposal originally sought a bespoke mock garage door opening which officers considered was a contrived addition and that a more suitable option in design terms would be to replicate the windows on the existing property. The applicant has done this and officers consider the proposed window will now sit comfortably within the street scene and will not be a harmful addition.
- 6.2.5** For the reasons identified above, the proposals are considered appropriate additions to the original dwelling that will reflect the character of the original house. As such, the extensions accord with Local Plan Policy CP7 and the Supplementary Planning Document: Residential Alterations and Extensions.

### **6.3 Impact on neighbouring property**

- 6.3.1** Local Plan Policy CP4 requires development to protect the existing amenity of neighbouring land users and the locality.
- 6.3.2** There have been six letters of objection, with three properties raising a concern on amenity grounds. Following the submission of the application and concerns expressed by neighbours, a site visit was carried out to the site, no. 6 and no. 8 (the immediately adjoining neighbours). Following this site visit and in accordance with local plan policy, a light test was carried out to establish the degree of impact in terms of potential loss of light. The proposal passed the light test in terms of the impact on the kitchen window of no. 8, however there was a marginal fail to the patio doors of no. 6.
- 6.3.3** As a result, officers considered the extension should be reduced slightly in height to reduce the impact. The applicant has reduced the height by 250 mm and the proposal now passes the light test. Notwithstanding this, members will note on planning view that the two neighbouring properties also benefit from an additional window (in the case of no.6) and an additional patio door (no.8), providing further light to the affected rooms.
- 6.3.4** Following the submission of the amended drawings, the neighbours have been re-consulted and objections remain to the proposal.

- 6.3.5** The occupier of the property to the rear (2 Moorend Glade) has also made a comment as part of the re-consultation process, raising a concern regarding the distance between the rear of the site and this property, stating that no. 7 St Michaels was designed to be a distance of 16 metres from this property. Given the property at no. 7 is a three storey building, this sort of distance would be expected to prevent overlooking from the third storey of the building. The proposed extension is single storey and will therefore not cause any overlooking issues, so this distance is not relevant in this case.
- 6.3.6** Whilst there is a concern from objectors that the single storey rear extension will have an overbearing impact and cause a loss of light, officers are comfortable there will be no unacceptable adverse impact on the amenity of neighbouring occupiers. The proposal passes the light test and, as a single storey extension that is not overly deep, could not be construed as having an unacceptably overbearing impact on neighbouring properties.
- 6.3.7** As such, the proposal meets the criteria set out in Local Plan Policy CP4 in terms of protecting the amenity of adjoining land users.

#### **6.4 Loss of parking**

- 6.4.1** The loss of the garage parking space is not a concern in terms of parking. The property benefits from two designated parking spaces to the front of the property.

#### **6.5 Other issues**

- 6.5.1** A number of comments have been received relating to restrictive covenants which may exist on the property, including from the management company. This is not a planning consideration and is a separate legal issue and therefore does not form part of the consideration of this application.

## **7. CONCLUSION AND RECOMMENDATION**

- 7.1** For the reasons discussed above, the proposals are in accordance with policy CP7 in terms of achieving an acceptable standard of design and will respect the character of the area.
- 7.2** Whilst the representations have been noted, there would be no unacceptable impact on neighbouring amenity.
- 7.3** 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 01667 01 A received 4th September 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.

## **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 requested amendments to the height of the rear extension to address amenity concerns and the design of the window proposed at the front of the property.

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