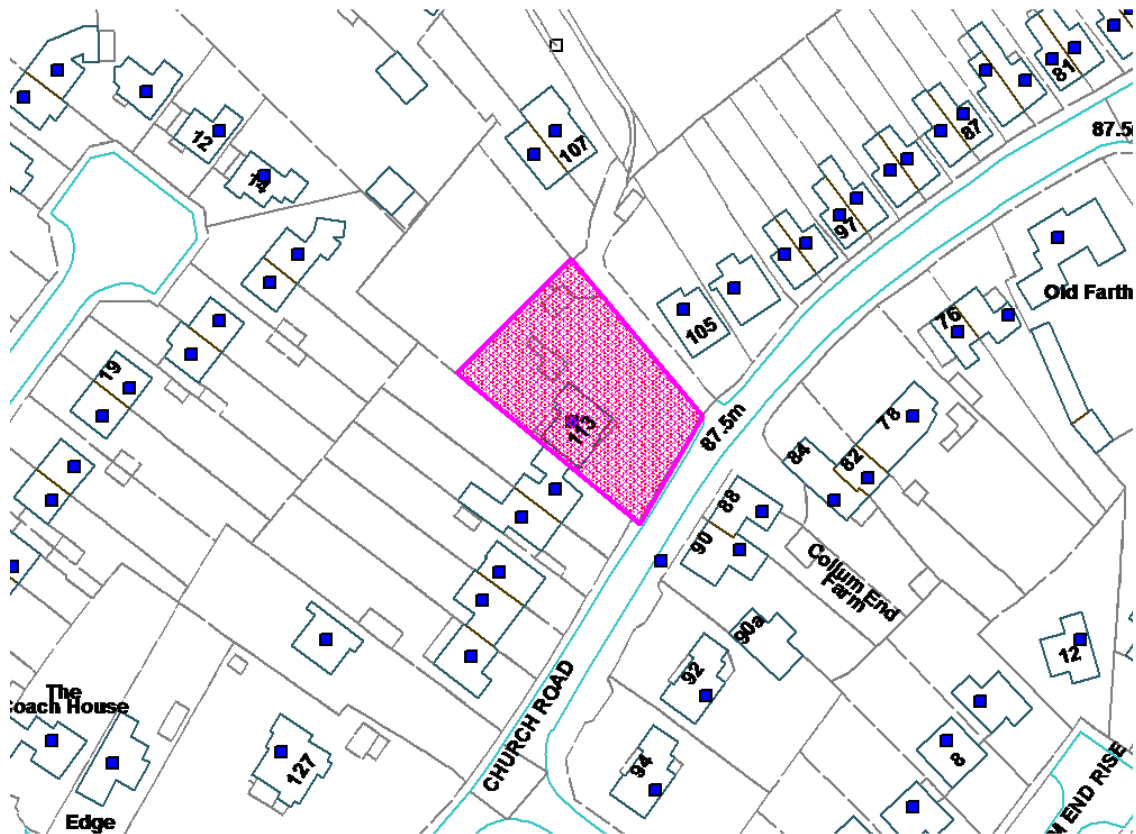


|  |   |   |
|--|---|---|
| <b>APPLICATION NO:</b> 14/02152/FUL        |   | <b>OFFICER:</b> Miss Chloe Smart            |
| <b>DATE REGISTERED:</b> 12th December 2014 |   | <b>DATE OF EXPIRY:</b> 6th February 2015    |
| <b>WARD:</b> Leckhampton                   |   | <b>PARISH:</b> Leckhampton With Warden Hill |
| <b>APPLICANT:</b>                          | Mr Mark Sheldon   |   |
| <b>AGENT:</b>                              | Russell Overs Architects  |   |
| <b>LOCATION:</b>                           | 113 Church Road, Leckhampton, Cheltenham  |   |
| <b>PROPOSAL:</b>                           | Proposed construction of new integral garage with bedroom above and single storey link (Following demolition of existing conservatory and detached single garage) |   |

**RECOMMENDATION:** Permit



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site comprises a detached dwelling which fronts on to Church Road. The dwelling itself has been placed on the Council's Index of Buildings of Local Interest and has been given the following description:

*Cottage ornee, c 1930. Two bay with a central front door and an attic dormer directly above. To the left, a gabled projecting wing with rectangular bay window under a single pitch roof; to the right a simple oriel window. Steep slate roof. Exposed rafter ends to the main eaves and the bay window. Attractive veranda formed by the overhanging eaves supported on cast iron supports of geometric openwork design. Domestic; early 20C. An unusual building type in Cheltenham.*

- 1.2 This application seeks planning permission for the erection of a new integral garage to the side of the original property, with a single storey link attaching the proposal to the main dwelling. Members will be aware that an application was approved for a single dwelling to the rear of the property in 2013 (planning ref: 11/00735/FUL).
- 1.3 The proposed extension would have a total width of 7.1 metres from the side wall of the property. The single storey link would measure 2.8 metres in width, with a proposed width of 4.3 metres for the garage. This overall depth of the garage would be 7.65 metres.
- 1.4 The application is before the committee as the applicant is a Director of the Council and the Parish Council raises an objection to the proposal.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### Constraints:

Local Listing

### Relevant Planning History:

**01/00897/FUL 30th July 2001 PER**

Extension to dining room and kitchen on ground floor, the addition of a first floor bedroom with en-suite plus family bathroom and the creation of a dormer window to the rear in existing bedroom

**99/50410/OUT 27th January 2000 REF**

Outline planning permission for a single dwelling

**09/01517/FUL 4th December 2009 PER**

New vehicular access, boundary wall and entrance gate

**11/00735/FUL 22nd July 2013 PER**

Erection of a storey dwelling to the rear (Revised drawings to those previously consulted upon)

**12/01803/TIME 9th January 2013 PER**

Application to extend the time limit for implementation of planning permission 09/01517/FUL for new vehicular access, boundary wall and entrance gate

**12/01963/AMEND 20th February 2013 PAMEND**

Non-material amendment to planning approval 12/01803/TIME - Revision to location of dropped kerb and part retention of existing hedging.

### 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

**Tree Officer**

*24th March 2015*

The Tree Section has no objection to this application.

Should this application be granted please use the following condition:

TRE03B Protective Fencing

Tree protective fencing shall be installed in accordance with the specifications set out within BS 5837:2012. The fencing shall be erected, inspected and approved in writing by the Local Planning Authority prior to the commencement of any works on site (including demolition and site clearance) and shall remain in place until the completion of the construction process.

Reason: In the interests of local amenity, in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.

TRE04B No fires within RPA

No fires shall be lit within 5m of the Root Protection Area(s) and materials that will contaminate the soil such as cement or diesel must not be discharged within 10m of the tree stem. Existing ground levels shall remain the same within the Root Protection Area(s) and no building materials or surplus soil shall be stored therein. No trenches for services or drains shall be sited within the crown spread of any trees to be retained.

Reason: In the interests of local amenity in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.

**Parish Council**

*8th January 2015*

The Parish Council OBJECTS to this application on the following grounds:

- Over development of site: Planning permission has previously been granted for the building of one dwelling to the rear (garden) of this property and both will be using the same vehicular access.
- Highway safety: The vehicular access is directly where there is a pinch point and the increased vehicular turning movements likely to be created at this location by the development proposed would be likely to increase highway dangers, to the detriment of highway safety.
- Homelands is a 'Locally Important Building'. Leckhampton is an area of diverse and attractive buildings, including thatched properties settled amongst newer designs.

The addition of another front door, lobby and attached garage will detract from the elegant building and look very 'blue' amongst its surroundings. This is an issue that should be treated with much more care than it has been given in the current plans.

- Parking on Church Road: Church Road is at its narrowest outside Homelands and cars back up at this point to and beyond the Kidnappers Lane junction. There are often one or more vehicles parked outside Homelands and adjoining properties that contribute to this congestion and also block the pavement for pedestrians, notably children walking to Leckhampton Primary School. Neighbours also complain that cars parked outside Homelands impair car access to and from their driveways. The proposed application reduces further the onsite car parking at Homelands making this problem worse. The access drive to the side of the proposed development also serves as a public footpath to Burrows field and adjoining allotments and is heavily used.
- The addition of a kitchen assumes this property is for use as independent living quarters which will no doubt require a parking facility which has not been provided.

### **Gloucestershire Centre For Environmental Records**

*22nd December 2014*

Report available to view on line.

## **5. PUBLICITY AND REPRESENTATIONS**

|                         |          |
|-------------------------|----------|
| Number of letters sent  | <b>6</b> |
| Total comments received | <b>0</b> |
| Number of objections    | <b>0</b> |
| Number of supporting    | <b>0</b> |
| General comment         | <b>0</b> |

- 5.1 Six letters have been sent to neighbouring properties and no responses have been received in relation to the proposal.

## **6. OFFICER COMMENTS**

### **6.1 Determining Issues**

- 6.2 The main considerations relating 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 emphasises the importance of subservient extensions to existing dwellings. The proposed extension incorporates a single storey link which would provide a separation between the proposed garage and the original property. Initially, the applicant submitted a scheme which incorporated a single storey link with a width of 4.1 metres, a garage width of 4.7 metres and an eaves height of 3.8 metres.

- 6.6** Officers considered that the initial proposal did not achieve the necessary subservience to the original dwelling. The reason for this was that the height of the eaves which measured one metre above the eaves of the existing dwelling, together with the wider extension and link dominated the original dwelling. In addition to this, the overall width of the extension, which at that point totalled 8.9 metres, eroded too much of the space to the side of the property, which officers considered to be an important gap between this unique property (for Cheltenham) and the adjacent dwelling.
- 6.7** Following this feedback, the applicant has amended the scheme. The alterations include reducing the width of the single storey link and also the width of the garage extension. The eaves height of the proposed gable extension has also been reduced to 3.35 metres.
- 6.8** The overall changes made to the scheme are considered to be a significant improvement. The reduction in both the width of the single storey link and the garage extension has reduced the overall width of the proposal, ensuring a sense of space is retained to the side of this property. In addition, the reduction in the eaves height of the garage extension ensures the gable does not overly dominate the original property. The gable is also set back 3.1 metres from the front elevation which ensures the extension will sit back comfortably from the original dwelling. As such, it is not considered that the extension will result in any overdevelopment of the site as suggested by the Parish Council. Whilst a dwelling has been approved to the rear, the property still benefits from a generous sized plot and the proportions of the extensions in relation to the original dwelling are now acceptable.
- 6.9** In terms of the materials proposed, the applicant proposes materials similar to the original property. The Parish Council raised a concern that the property could look 'too blue' in relation to its surroundings. Officers consider the choice of blue render is entirely appropriate given the original property incorporates a blue finish. In terms of the comments that the additions will detract from the elegant building, these comments were made prior to the amended design. A re-consultation exercise has taken place, however no further comments have been received. Officers consider the amendments to the scheme ensure the proposal will read as a subservient addition to the original dwelling, which will not dominate or detract from the locally indexed building.
- 6.10** For the reasons identified above, the proposal is now considered an appropriate addition to the original dwelling that responds to 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.
- 6.11 Impact on neighbouring property**
- 6.12** Local Plan Policy CP4 requires development to protect the existing amenity of neighbouring land users and the locality.
- 6.13** There will be no impact on neighbouring amenity as a result of the proposed extensions. There will be no loss of light, increase in overlooking or loss of privacy to neighbouring properties.
- 6.14** Overall, the proposal therefore meets the criteria set out in Local Plan Policy CP4 in terms of protecting the amenity of adjoining land users.
- 6.15 Trees**
- 6.16** The trees section has been consulted in relation to the impact of the proposal on surrounding trees. No objection has been raised, however a series of conditions to ensure adequate protection. These have been attached to the recommendation.
- 6.17 Ecology**

**6.18** 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.

#### **6.19 Other considerations**

**6.20** Within the comments from the Parish Council, further concerns are raised in relation to parking on Church Road and increased vehicular movements resulting from the proposal as a result of the independent use.

**6.21** The application seeks permission for the extension of an existing dwelling and will therefore not extend the parking demands over and above the current situation. The application site benefits from adequate 'off road' parking to meet the needs of the dwelling.

**6.22** In terms of the independent use of extension and any increased demand as a result of this, the applicant has applied for permission for an extension to an existing dwelling and not for any independent unit of accommodation.

## **7. CONCLUSION AND RECOMMENDATION**

**7.1** For the reasons discussed above, the proposal is in accordance with policy CP7 in terms of achieving a high standard of design and will complement the character of the locally indexed building.

**7.2** Furthermore, the extensions would not have any unacceptable impact on neighbouring amenity and trees within the site.

**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 12140-20, 12140-52 and 12140-51 received 5th March 2015.  
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 Tree protective fencing shall be installed in accordance with the specifications set out within BS 5837:2012. The fencing shall be erected, inspected and approved in writing by the Local Planning Authority prior to the commencement of any works on site

(including demolition and site clearance) and shall remain in place until the completion of the construction process.

Reason: In the interests of local amenity, in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.

- 5 No fires shall be lit within 5m of the Root Protection Area(s) and materials that will contaminate the soil such as cement or diesel must not be discharged within 10m of the tree stem. Existing ground levels shall remain the same within the Root Protection Area(s) and no building materials or surplus soil shall be stored therein. No trenches for services or drains shall be sited within the crown spread of any trees to be retained.

Reason: In the interests of local amenity in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.

## **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 design of the scheme.

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