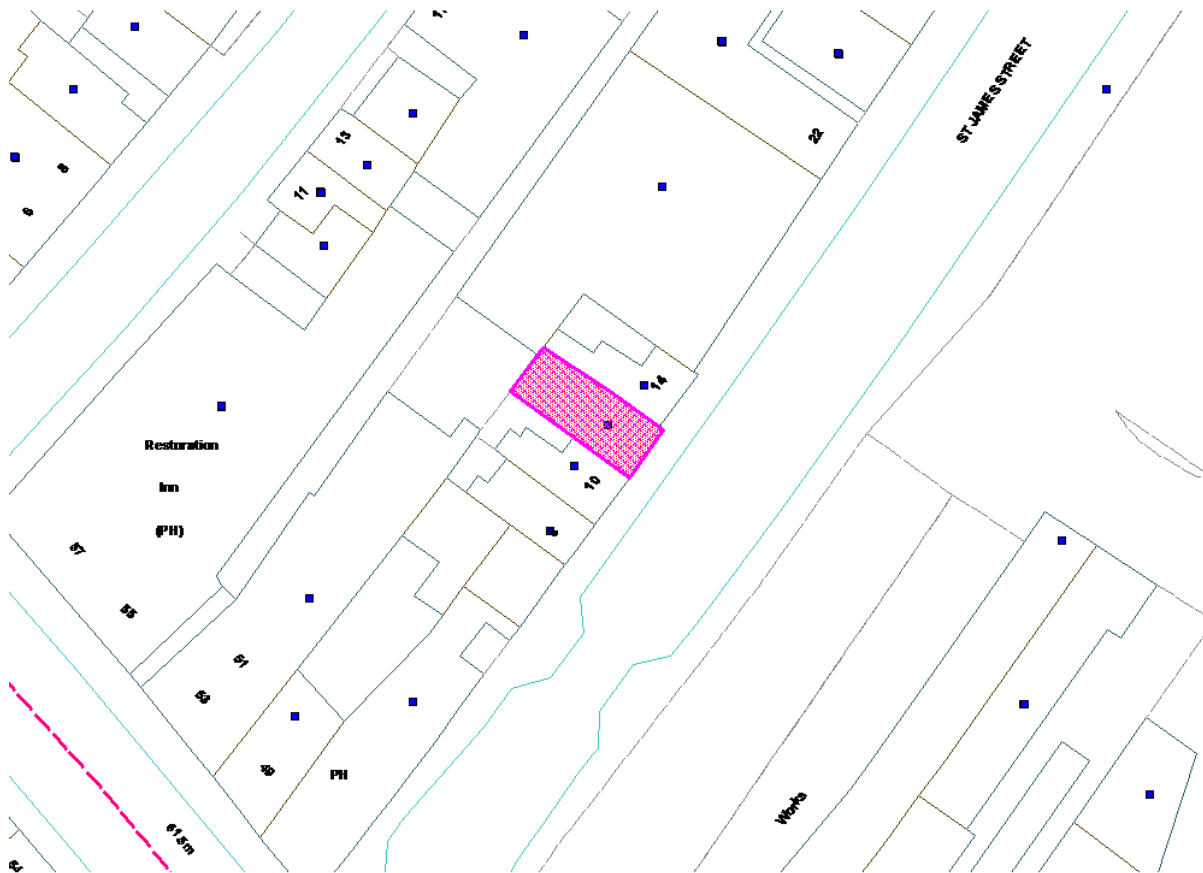


| | |
|---------------------------------------|--|
| APPLICATION NO: 15/00895/FUL | OFFICER: Mr Ben Hawkes |
| DATE REGISTERED: 21st May 2015 | DATE OF EXPIRY: 16th July 2015 |
| WARD: All Saints | PARISH: |
| APPLICANT: | Cheltenham Borough Council |
| AGENT: | Graham Harper Associates Ltd |
| LOCATION: | 12 St James Street, Cheltenham |
| PROPOSAL: | Construction of new single storey extension with flat roof. Creation of small courtyard area and alterations to boundary walls |

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is a mid-terraced property located on St James Street which is within the Cheltenham Central Conservation Area.
- 1.2 The applicant is seeking planning permission for the erection of a single storey rear extension and alterations to the boundary wall.
- 1.3 The application is for consideration by planning committee as the site is owned by Cheltenham Borough Council.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area
Core Commercial Area
Central Shopping Area
Smoke Control Order

Relevant Planning History:

99/00577/COU 29th July 1999 PER

Change Of Use From Retail To Radio Control Centre For Private Car Hire/Taxis (Issued 12th July 99)

05/01953/FUL 23rd February 2006 PER

Rear extension

77/00712/PF 11th August 1977 PER

Change of use to retail shop

80/01119/PF 6th February 1980 PER

Limited period permission for use as a shop

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

None.

5. PUBLICITY AND REPRESENTATIONS

| | |
|-------------------------|---|
| Number of letters sent | 4 |
| Total comments received | 1 |
| Number of objections | 0 |
| Number of supporting | 0 |
| General comment | 1 |

5.1 4 Letters were sent to neighbouring properties with one letter of objection received.

5.2 The application was also advertised by way of a site notice and an advert published in the Gloucestershire Echo.

5.3 Summary of comments received

Concerns relate to:

- safety and privacy at the time the wall would be removed
- close proximity of the proposal to the neighbouring window/building
- existing utilities that are attached to the existing party wall

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 and the wider conservation area.

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 proposed materials are facing brick with painted wood windows and doors. These are considered acceptable as they match the existing building.

6.6 The principle of the proposed single storey rear extension is considered acceptable. The modern design is not considered to compete with the existing building nor detract from its character and would sit comfortably as an addition to the property.

6.7 The proposed extension and alterations are seen to be an improvement on the existing structure and boundary wall that stands at the rear of the property. The extension and alterations are considered to have a positive impact on its surroundings and the wider conservation area.

6.8 The guidance set out in the Supplementary Planning Document: Residential Alterations and Extensions (Adopted 2008) requires extensions to play a supporting role, to read as a subservient addition and should not detract from the character of the existing dwelling. The proposal accords with this guidance.

6.9 Impact on neighbouring property

6.10 Local Plan Policy CP4 requires development to protect the existing amenity of neighbouring land users and the locality.

- 6.11** Initial concerns were raised whilst on site regarding a potential loss of light to the adjoining property. This is because the existing extension and boundary wall currently impacts on light levels to the rear elevation window of number 10 St James Street. Whilst this is the case, the additional impact of the proposal has been considered and whether this in itself would constitute an unacceptable impact.
- 6.12** The proposed extension and the alteration of the boundary wall will result in an increase in height of approximately 250mm. The height increase will result in a loss of light, however as this is only a minimal increase, it is not considered that the impact will be particularly noticeable and would not have a significant detrimental impact over and above the current situation. The overall impact is therefore not considered to be unacceptable.
- 6.13** The proposal is a single storey addition that would not cause a loss of privacy to any neighbouring land users.
- 6.14** The proposal is in accordance with Local Plan Policy CP4 in terms of protecting the existing amenity of neighbouring land users.
- 6.15 Neighbour concerns**
- 6.16** The neighbour at number 10 St James Street has raised some concerns regarding the application. The concerns relate to their safety and privacy at the time the wall would be removed, the close proximity of the proposal to the neighbouring window/building and the utilities that are attached to the existing party wall.
- 6.17** Although the concerns regarding privacy and safety during the carrying out of the works, along with concerns regarding the utilities of the party wall have been noted, these are considered to be a civil matter that would need to be dealt with between property owners and therefore does not form part of the consideration for this application.
- 6.18** The neighbour concern regarding the party wall and its proximity of the proposal to their window/building has been addressed in paragraph 6.11 above.

7. CONCLUSION AND RECOMMENDATION

- 7.1** For the reasons discussed above it is considered that 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 01, 02A, 03, 04 and 05 received 20th May 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.

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.