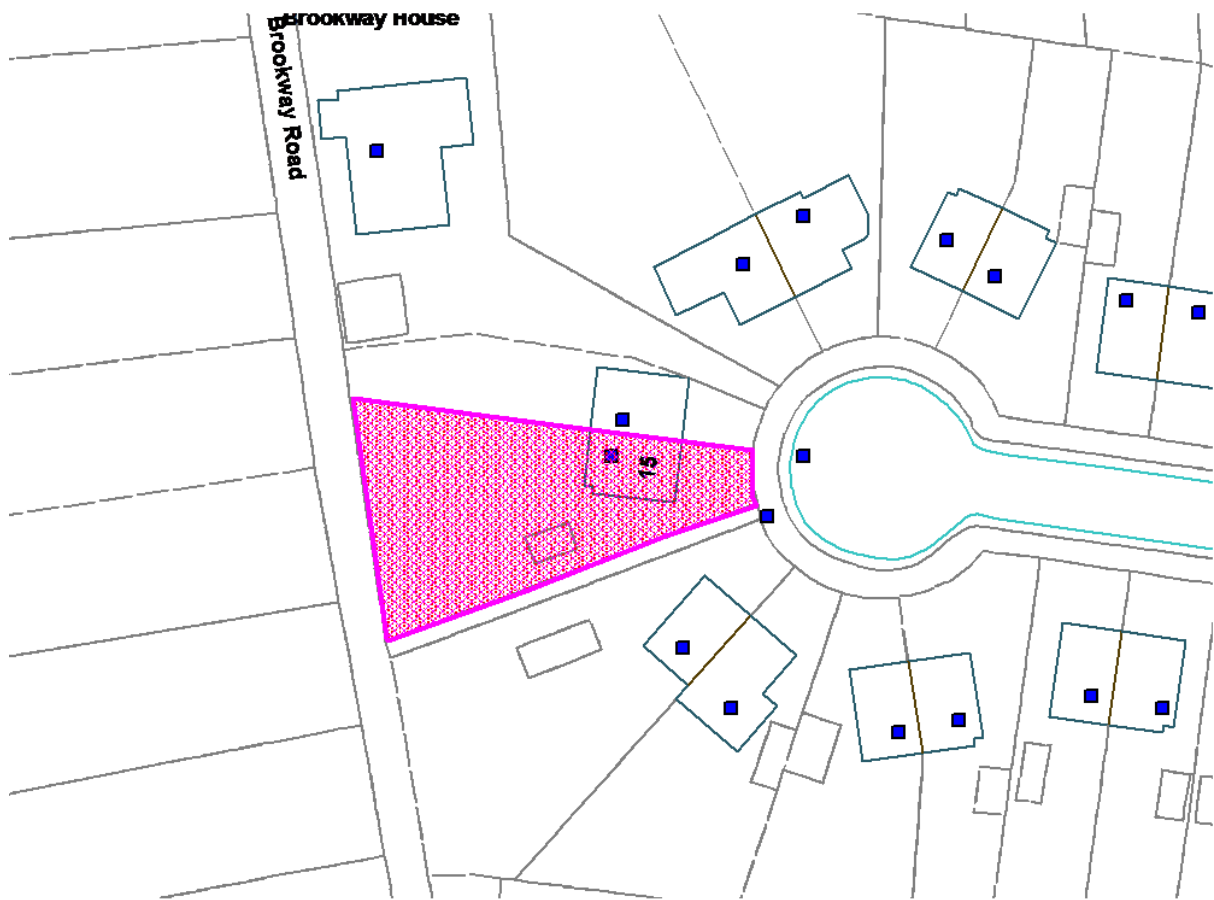


APPLICATION NO: 15/00699/FUL	OFFICER: Mrs Victoria Harris
DATE REGISTERED: 23rd April 2015	DATE OF EXPIRY: 18th June 2015
WARD: Charlton Kings	PARISH: Charlton Kings
APPLICANT:	Mr Chris Foulkes
AGENT:	Agent
LOCATION:	15 Brookway Drive, Charlton Kings, Cheltenham
PROPOSAL:	Single and two storey extensions to side and rear of existing dwelling

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application proposes the erection of a two-storey side and rear extension and single storey side and rear extensions.
- 1.2 The scheme has been revised a number of times, trying to address officers concerns relating to design, impact on neighbouring amenity and impact to the public footpath to the side.
- 1.3 The application is brought to Planning Committee at the request of Cllr Reid, on the grounds that the extension is not subservient, will result in overdevelopment and would dominate the adjacent property. Members will visit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Smoke Control Order

Relevant Planning History:

None

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development
CP 3 Sustainable environment
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

Parish Council

19th May 2015

OBJECTION. The Parish Council considers the scale of the proposed extensions to be overbearing on neighbouring properties and not to be subservient to the base property. Another key aspect is the loss of light to number 16, which could be considerable. In terms of amenity there is concern over potential loss of sunlight for number 16 and overlooking from the proposed rear extension. All told the proposed extra build would dominate its surroundings and in addition have the potential to negatively impact on the well-used public footpath which runs between numbers 14 and 15 and into Brookway Road, in the sense of 'closing' in on it (or bearing down) and reducing natural light. On this point we suggest that Highways should survey and then report on the implications for the footpath in terms of public safety. Two members of our Planning Committee carried out a site visit in order to better understand the scale and impact of the proposed development. We recommend that the case officer also visits to gauge the potential effect of the application, especially to number 16.

Parish Council

10th June 2015

Objection. While we welcome the increase in the separation between the extension and the public footpath, the fact that the footprint of the extension has remained almost the same means it is still not subservient to the main structure. The lengthening the extension westwards increases the overbearing nature of the extension in relation to No.16. Any loss of light to No.16 will be exacerbated by this.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	5
Total comments received	6
Number of objections	6
Number of supporting	0
General comment	0

- 5.1** 5 letters were originally sent out to notify neighbouring properties of this application and subsequently the neighbouring properties were notified a further 2 times following revised plans.
- 5.2** In response to this publicity, 6 objection letters has been received; the objections relate to:
- Loss of neighbouring amenity,
 - Out of character,
 - Not subservient,
 - Impact on the public footpath,
 - 2 parking spaces required

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The key considerations in relation to this application are the design of the proposal and impact that it will have on the existing building and character of the locality, and the potential impact on neighbouring amenity.

6.3 The site and its context

6.4 The application site is a semi-detached, hipped roof, brick and rendered property located within Charlton Kings. A number of neighbouring properties have been extended including the adjacent neighbour at 14 Brookway Drive.

6.5 Design

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

6.7 The proposal has been revised 2 times following officers objections. The original scheme was considered excessive in size, would have dominated the property to an unacceptable

level and clearly failed to achieve the desired level of subservience to the parent dwelling. In addition it had an overbearing and oppressive impact on the public footpath. The second scheme moved the extension away from the public footpath but increased the depth of the two storey extension. In the opinion of officers, the extension still failed to achieve the desired level of subservience to the existing dwelling and had an overbearing impact on the neighbour at 16 Brookway Drive. In the revised scheme the width of the two storey extension has been reduced by 700mm, the depth reduced by 600mm and the two storey extension set back from the side boundary by a further 600mm. Also 2 windows in the side elevations have been removed.

- 6.8** Local plan policy CP7 requires development to be of a high standard of architectural design and to complement and respect neighbouring development and the character of the locality. Paragraph 4.18 of the Cheltenham Borough Local Plan advises that 'extensions to existing buildings need to be carefully designed to respect the character and scale of the existing building. The most important consideration is that an extension should not detract from the original'.
- 6.9** Expanding upon local plan policy CP7, this Authority has adopted design guidance relating to householder extensions. It is stated within the introduction to the guide that its purpose is "to ensure that the character of each of the residential areas within the Borough is not eroded through un-neighbourly, poorly-designed extensions and alterations to residential properties". One of the five basic design principles set out within this Supplementary Planning Document 'Residential Alterations and Extensions' is subservience. The document advises that an "extension should not dominate or detract from the original building, but play a 'supporting role'".
- 6.10** The single storey side extension is set back from the front elevation by 700mm, the two storey side extension is set back 2.8m from the front elevation and the rear two storey extension extends 4.8m from the rear elevation. All will have a hipped roof and be finished in render and brick to match existing.
- 6.11** The single storey rear extension extends 2.9m and will have a lean to roof.
- 6.12** The two storey extension is a large addition but it has a good set back from the front elevation, the ridge height is lower than existing and the proposal will not mask the original form of the building. All these elements in combination, results in an extension that respects the character and scale of the existing building, and does not detract from the original.
- 6.13** The proposed extension is slightly smaller but very similar to the adjacent neighbour's extension at 14 Brookway Drive. Officers acknowledge that the proposal is large but following the revisions that have been secured, it does not harm the existing dwelling or the character of the locality and is considered to achieve a suitable level of subservience.
- 6.14** The overall design of the extension is considered to be a suitable form of development in accordance with Local Plan Policy CP7.
- 6.15 Impact on neighbouring property**
- 6.16** Local Plan Policy CP4 requires development to protect the existing amenity of neighbouring land users and the locality.
- 6.17** The attached neighbour at 16 Brookway Drive has concerns that the two storey extension would be overbearing and result in overshadowing and a loss of light to their house, patio and garden.
- 6.18** To assess whether the development would lead to a loss of daylight the 45° daylight test as referred to within Local Plan Policy CP4, has been completed. The proposal passes

this test which suggests that the neighbouring property would not lose daylight to the windows to an unacceptable degree.

- 6.19** With regards to potential overshadowing and the perceived overbearing impact caused by the extension, it is worth noting that whilst the two storey extension will project 4.9m beyond the rear elevation, it is set in from the shared side boundary by 3.9m.
- 6.20** The amount of sunlight received by a specific property is dependent on the season, aspect, and time of day, and it is therefore very difficult to substantiate. The application site is south of the adjoining neighbour and will undoubtedly cause an element of overshadowing. The test is whether this impact is to an unacceptable degree and given that the garden and windows will not be cast in shadow all day, officers do not consider it to be unacceptable. The neighbouring garden benefits from a westerly aspect, and is also 19.5m long. From mid-afternoon, the proposed extension will have little impact on the neighbouring property and morning light is already compromised by the existing pair of houses. With this in mind, it is sunlight in the middle of the day that could be affected, but of course this is when the sun is at its highest point, limiting any shadows that are cast. It is the view of your officers that it would be very difficult to justify the withholding of planning permission based on a limited loss of sunlight. The relationship between buildings that would result from the proposed extension is common place within a built up environment and is considered to be acceptable.
- 6.21** In relation to the potential overbearing impact, a similar conclusion has been arrived at by officers. Given the distance between the two storey extension and the depth of the garden, the proposal will not be overly overbearing when viewed from the adjoining site and is considered to be compliant with the provisions of local plan policy CP4
- 6.22** One window is proposed in the south side elevation. If members were to permit this application a condition is recommended that will ensure the window was glazed with obscure glass and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level. Also, it is recommended that the permitted development rights for further windows within the extension are removed to further safeguard the amenity of neighbouring properties.
- 6.23** The development as proposed is not considered to cause harm to neighbouring amenity and is in accordance with Local Plan Policy CP4.
- 6.24 Access and highway issues**
- 6.25** Local Plan Policy TP1 requires development to not endanger highway safety, directly or indirectly.
- 6.26** A neighbour is concerned that only one off street parking space is provided on site and two should be provided given that the site will go from a three to a four bed dwelling. Two spaces would be preferable but sufficient off street and on street parking is available to ensure highway safety is not endangered.
- 6.27 Other considerations**
- 6.28** The extension has been moved away from the public footpath with its closer point 1m away. The extension will no longer harm public amenity.

7. CONCLUSION AND RECOMMENDATION

- 7.1 The extension is large but does not harm the existing dwelling or the character of the locality in accordance with the guidance within the council's adopted SPD: Residential Alterations and Extensions (Adopted 2008).
- 7.2 The proposal would not cause unacceptable harm to neighbouring amenity and the design is in keeping with the parent building. Overall the development is considered to be in accordance with Local Plan Policies CP4 and CP7.
- 7.3 The recommendation is to permit this application subject to conditions.

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 144.2005C, 144.210C, 144.220C, 144.230C received 10/07/15.
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 with or without modification), no additional openings shall be formed in the development without planning permission.
Reason: Any further openings require detailed consideration to safeguard the amenities of the locality in accordance with Local Plan Policies CP4 and CP7 relating to safe and sustainable living and design.
- 5 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 ensuite window to the south side elevation shall be glazed with obscure glass and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level. The window 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.