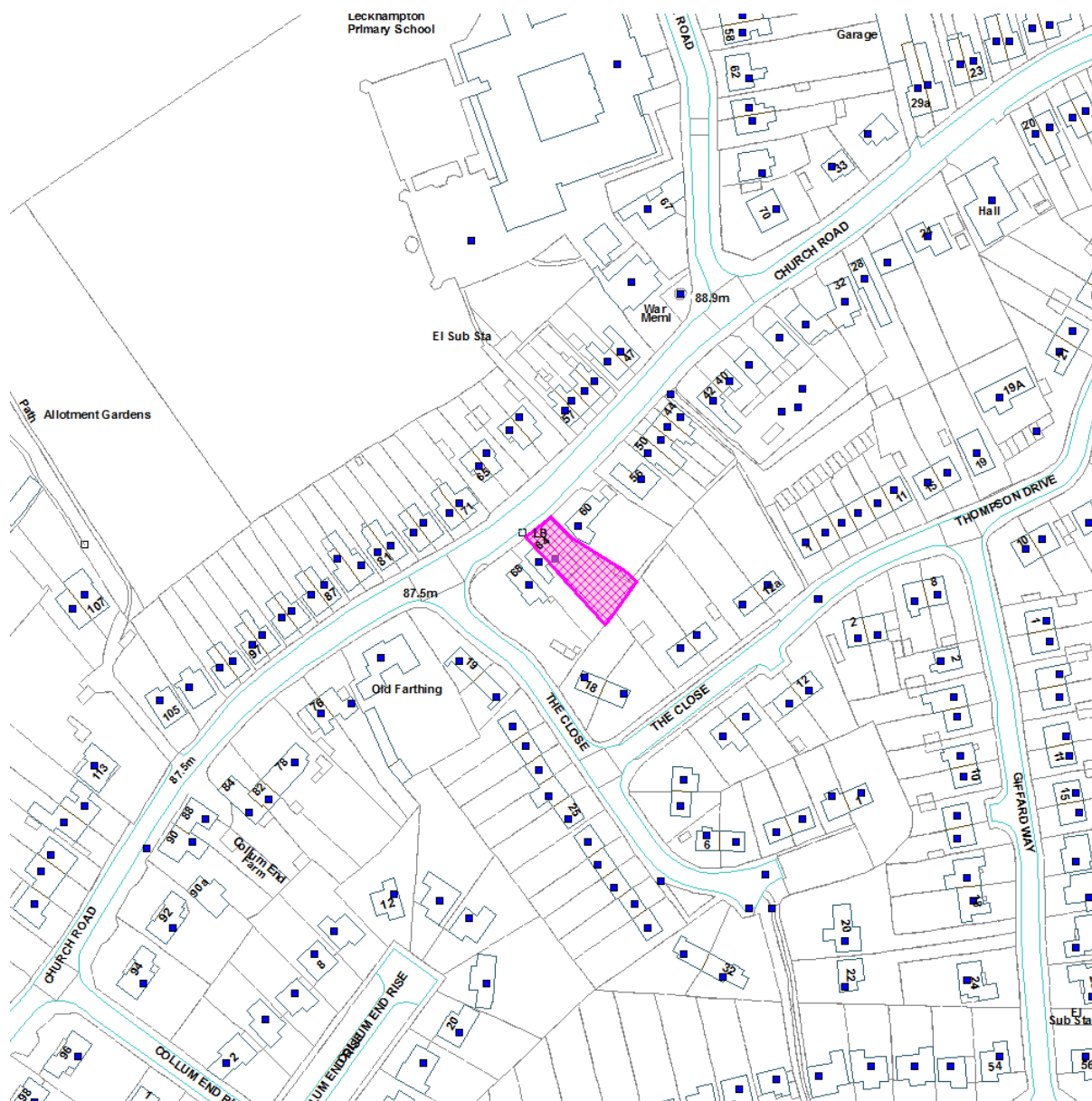


APPLICATION NO: 16/01402/FUL		OFFICER: Mr Gary Dickens
DATE REGISTERED: 4th August 2016		DATE OF EXPIRY: 29th September 2016
WARD: Leckhampton		PARISH: Leckhampton With Warden Hill
APPLICANT:	Mr Rhodri Sutton	
AGENT:	Brodie Manning Limited	
LOCATION:	64 Church Road, Leckhampton, Cheltenham	
PROPOSAL:	First floor side/rear extension over existing ground floor with small two storey element	

RECOMMENDATION: Refuse



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application relates to 64 Church Road in Leckhampton. The site is a two storey semi-detached cottage and is located on a residential road of varying property styles. The original cottage has been previously extended to an extent which almost doubles the size of the original footprint.
- 1.2 The application proposes a first floor side and rear extension over an existing ground floor extension, together with a small two storey side extension.
- 1.3 The application is before the planning committee at the request of Cllr Chris Nelson on behalf of the applicant. Members will visit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints: None

Relevant Planning History:

16/01110/PREAPP 8th July 2016 CLO

Erection of a first floor addition to side and rear over existing

06/01117/FUL 24th October 2006 REF

First floor rear extension over existing flat roofed single storey rear extension

07/01157/FUL 30th October 2007 REF

Erection of a two storey rear extension

07/01766/FUL 18th March 2008 REF

Erection of a two storey rear extension

09/01604/FUL 12th January 2010 PER

Proposed garage to replace existing garage

09/01604/FUL 3_COMP

Proposed garage to replace existing garage

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development

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

19th August 2016

Report available to view on line.

Parish Council

To follow.

5. PUBLICITY AND REPRESENTATIONS

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

- 5.1** Seven letters were sent to neighbouring properties and no responses were received.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2** The main issues in considering this application are the design of the proposal and the impact it will have upon the character of the original dwelling, the impact upon the character of the area, and the impact on neighbouring amenity.

6.3 The site and its context

- 6.4** At present, 64 Church Road has a two storey rear extension which extends by approximately 3m and is the full width of the dwelling. From this, a single storey rear extension projects by 4.7m and extends beyond the side elevation by 1.7m. A small single storey lean to is also located to the side of the property.

- 6.5** The applicant has previously submitted three planning applications for similar schemes to the council. Each of these was refused.

- 6.6** The first application (ref: 06/01117/FUL) proposed a larger extension at first floor level, extending to the depth of the ground floor extension and projecting beyond the side elevation. The application proposed French doors at first floor which looked onto the rear garden. The application was refused on subservience and the impact on neighbouring amenity. The applicant appealed this decision which the Planning Inspector dismissed.

- 6.7** The Inspector stated that the *“bulk and design of the proposed extension would be harmful to the character and appearance of the dwelling and of the area and would not meet the objectives of planning policies...”*. The Inspector also discussed how the proposed French doors would impact on the neighbouring property number 64 and that they *“would be detrimental to the privacy of the occupiers of that property”*. Additionally, the reduction in light to two of the rear windows at number 66 would be reduced and *“would be an additional disadvantage of the scheme but not a sufficient basis in itself for withholding planning permission.”*

- 6.8** The second application (ref: 07/01157/FUL) saw a reduction in the size of the proposed first floor extension but retained the french doors at the first floor. This application was refused due to the impact on neighbouring amenity, specifically overlooking and loss of light. Although in the previous application the Planning Inspector felt loss of light was not a sufficient basis for withholding planning permission, advanced more detailed light test

demonstrated a noticeable loss to the ground floor window of number 66 Church Road. For this reason the application was refused.

6.9 The third application (ref: 07/01766/FUL) was for a similar scheme to the second application however the French doors were removed and replaced with a window. This application was refused due to the impact on neighbouring amenity. The applicant appealed this decision which the Planning Inspector dismissed.

6.10 The Planning Inspector felt this scheme was subordinate to the existing dwelling, however felt *“the windows in the rear of No.66 which face into the gap between the dwelling would be subject to a significant loss of light and to material visual domination”*. The Inspector concluded that *“the proposal would harm the living conditions of the occupiers of the adjoining house”*.

6.11 Design and layout

6.12 Local Plan Policy CP7 requires development to be of a high standard of architectural design and to complement and respect neighbouring development. Paragraph 4.18 of the Local Plan advises that *‘Extensions to existing buildings need to be carefully designed to respect the character and scale of the existing building or group of buildings....The most important consideration is that an extension should not detract from the original.’*

6.13 Expanding upon Local Plan Policy CP7, the Authority has adopted design guidance relating to residential alterations and extensions through a Supplementary Planning Document. One of the five basic design principles set out within this document relates to subservience. Here the document advises that *“an extension should not dominate or detract from the original building, but play a supporting role”*.

6.14 The current application, which was subject to a pre-application, proposes a first floor extension which will project by 3.2m over the existing ground floor extension and over the existing side extension. A small two storey side extension is also proposed which will adjoin the existing single storey side extension and proposed first floor extension. The proposed extension will have a part flat and part pitched roof. The application also proposes French doors with balustrade and a window in the rear elevation.

6.15 It is acknowledged that at present there is an untidy appearance to the rear of the site, as also highlighted by the Planning Inspector, and that the proposal would improve this aspect. However, having assessed all elements of the application, officers consider the proposal to be contrary to the Local Plan Policies and adopted guidance in relation to residential extensions and alterations.

6.16 Although the proposed materials and elements of the design will match existing, the length of the proposed first floor extension combined with the existing first floor extension will almost double the length of the original cottage. The extension will project beyond the side elevation by 1.72m and will measure approximately 7.8m in depth. Although this is setback from the principal elevation it will be evident from the street. The proposed extension does not therefore play the supporting role as advised in the Council's SPD.

6.17 The proposal fails to follow the advice within the Supplementary Planning Document (as referenced in 6.12 above) relating to subservience. The result is that the extension detracts from the original dwelling, causing harm to its architectural integrity and therefore being contrary to Local Plan Policy CP7.

6.18 It is officer's opinion that the existing additions to the application site are the extent to which this property can realistically be extended. Any further increase would start to compromise the original dwelling beyond an acceptable level.

6.19 Impact on neighbouring property

- 6.20** Local Plan Policy CP4 (a) refers to development not causing “*unacceptable harm to the amenity of adjoining land users...*”. The potential loss of sunlight and/or daylight, loss of outlook and loss of privacy is taken into account when assessing the impact on the amenity.
- 6.21** The Supplementary Planning Document also includes maintaining privacy and ensuring adequate daylight as two of the five basic design principles when contemplating residential alterations and extensions.
- 6.22** Although no comment has been received from the owners / occupiers of number 66 Church Road, there are concerns regarding the potential impact of the development. Previous officer reports and the Planning Inspector comments state how the outlook from the two rear windows at number 66 Church Road is already affected by its own two storey rear extension. The Planning Inspector felt “*another storey above the single storey extension would increase the sense of enclosure when looking out of the 2 windows*” of number 64 Church Road. Furthermore, the “*impression of enclosure would be increased by the side elevation of the extended part...being in effect a blank wall*”.
- 6.23** It is Officer’s opinion that the current proposal has not addressed these comments and the tunnel effect created will be unacceptable. The oppressive impact of two storey walls 1.8m apart and either side of the windows is something officers feel should not be supported.
- 6.24** The application proposes French doors with balustrade to the rear of the first floor extension. Although these are further from the boundary with number 66 Church Road (4.2m from the centre of the doors) than on the previously submitted (and refused) application, there are still concerns regarding the impact these will have on the neighbouring property.
- 6.25** As referenced in 6.7 above, the planning inspector considered the French doors to be detrimental to number 66 Church Road. Even with the increase in distance from the boundary, the possibility of overlooking would still be created.
- 6.26** The proposal fails the standard 45 degree light test although it is acknowledged that the existing extensions fail this same test. Therefore a more detailed assessment will be required to consider if any further reduction will be noticed as a result of the proposal. The results from this light test will follow in an update to this report.
- 6.27** Based on these elements, the proposal is contrary to Local Plan Policy CP4 causing unacceptable harm to the neighbouring property through way of loss of privacy and loss of daylight, whilst also creating a level of oppressiveness to number 66 Church Road.

7. CONCLUSION AND RECOMMENDATION

- 7.1** To conclude, it is felt that the proposed extensions and alterations fail to comply with Local Plan Policy CP7 and the advice provided within the Supplementary Planning Document: Residential Alterations and Extensions. The proposal is also not compliant with Local Plan Policy CP4 and will result in an unacceptable impact on neighbouring amenity.
- 7.2** It is recommended that members resolve to refuse planning permission based on the analysis set out within this report, and for the reasons set out below. The proposal fails to achieve the desired level of subservience whilst also having an unacceptable impact on the adjoining neighbour.

8. REFUSAL REASONS

- 1 The proposed extension, by virtue of its scale, fails to achieve the necessary subservience to the main dwelling and is therefore contrary to the provisions of policy CP7 of the Cheltenham Borough Local Plan and advice contained within the Council's adopted SPD 'Residential Alterations and Extensions'.

Furthermore, the proposed first floor extension would result in the adjoining property losing further daylight to habitable rooms whilst having an oppressive and overbearing impact on the neighbouring property. For these reasons the proposal is contrary to policy CP4 of the Cheltenham Borough Local Plan.