

APPLICATION NO: 16/01597/FUL		OFFICER: Miss Chloe Smart	
DATE REGISTERED: 6th September 2016		DATE OF EXPIRY: 1st November 2016	
WARD: Up Hatherley		PARISH: Up Hatherley	
APPLICANT:	Mr Paul Turner		
AGENT:	BPL Architecture		
LOCATION:	6 Wards Road, Cheltenham		
PROPOSAL:	Proposed erection of a wheelchair lift at the front of the property and relocation of front door		

RECOMMENDATION: Refuse



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is a detached property which is located within the ward of Up Hatherley. Planning permission is sought for the erection of a wheelchair lift at the front of the property.
- 1.2 The proposed wheelchair lift would project 1.2 metres from the front wall of the existing dwelling and would have a width of 1.5 metres. The highest point of the lift would measure 8.1 metres in height. The application is accompanied by a supporting statement outlining the medical requirements for the proposal; however, due to nature of the information, this has been treated as confidential.
- 1.3 The application is before planning committee following a request from Councillor McKinlay who considers that due to the special circumstances of the case, the application should be considered by planning committee.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

N/A

Relevant Planning History:

04/01663/FUL 1st November 2004 PER

Alteration of front flat roof to pitched roof

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

Parish Council

9th September 2016

No objection.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	8
Total comments received	2
Number of objections	0
Number of supporting	2
General comment	0

- 5.1 Eight letters have been sent to neighbouring properties and two responses have been received in support of the proposal.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2 The main considerations in relation to this application are the design of the proposal and the impact on neighbouring amenity. The personal circumstances of the applicant also have to be given due consideration given the nature of the proposal.

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 proposal is essentially for a full height extension to the front of the existing dwelling. The Supplementary Planning Document: Residential Alterations and Extensions provides guidance in extending residential properties to ensure the character of residential areas is not eroded through poorly designed alterations and extensions. This emphasises the importance of retaining the character of existing buildings and seeks to ensure extensions are respectful to the parent dwelling.

- 6.6 The proposed lift extension would be located at the front of the dwelling and would therefore be highly prominent within the street scene. The materials proposed for the extension are black reflective glass panels. Having assessed the proposal with the above guidance in mind, it cannot be disputed that the extension would represent a dominant feature to the front of the property which would be an incongruous and alien addition to the character and appearance of the original dwelling and the surrounding locality.

- 6.7 Members will be aware that this application has been submitted as a result of a medical need and due to the personal circumstances of the applicant. Whilst officers fully recognise and understand this, planning legislation places a requirement for applications to be determined in accordance with the development plan, which in this instance is the Local Plan, unless material considerations indicate otherwise.

- 6.8 The above assessment of the impact of the proposal on the character of the original dwelling and the street scene demonstrates that there is clear harm as a result of the proposal in the case of Local Plan Policy CP7 and the adopted Supplementary Planning Document. The judgement therefore has to be whether or not the personal circumstances of the applicant outweigh the shortcomings of the scheme from a design perspective.

- 6.9 The submitted covering letter states that if it had been possible to install a lift internally within the building, then this would be a simpler exercise. Officers felt that due to the circumstances involved, a thorough site visit was necessary to ensure any recommendation was made with a full picture as to the internal and external layout of the property in mind.

- 6.10 Having carried out this visit, it is considered that there are alternative options which would be significantly less harmful to the character and appearance of the application property and the surrounding locality. It is acknowledged that these are likely to be more costly and would result in the loss of internal floorspace, but it does appear to be the case that there are alternative locations possible, many of which would not require the benefit of planning permission.

- 6.11 It is recognised that there will be significant benefits to the occupants of the property as a result of the location of the lift extension which would result in minimal internal disruption

to the original house, retaining existing floorspace within the dwelling but also during construction. In addition, it is also recognised that the proposed alterations to the dwelling could be fully reversed in the future. That said, and very much on balance, officers are unable to support the scheme as a result of the harm identified in light of the relevant policy considerations; the addition will read as an overly discordant feature within the street scene and this is not outweighed by the benefits to the applicant, particularly when less intrusive options are available

- 6.12** Further discussions with the applicant would be fully welcomed by officers in order to give more consideration to other options to achieve a less intrusive proposal that still achieves the needs of the applicant. However, the applicant wishes for the proposal to be determined in its current form and given the proposal is contrary to policy CP7 and this is harm is not considered to be outweighed by the benefits to the applicant, officers consider the recommendation should be one of refusal.

6.13 Impact on neighbouring property

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

- 6.15** The proposal is not considered to result in any unacceptable impact on the amenity of neighbouring properties. There would be no loss of light, overbearing impact or loss of privacy.

- 6.16** The proposal therefore meets the requirements of Local Plan Policy CP4.

6.17 Other considerations

- 6.18** Officers recognise that this is a sensitive application, in that the works are proposed purely to address the mobility needs of the applicant. As such, it is recognised that there is a balancing act between the harm and benefits of the proposal. As set out above, officers consider there is clear harm as a result of the extension and for the reasons discussed above, do not consider the harm can be outweighed by the benefits. That said, should members arrive at a different conclusion, the removal of the lift shaft upon sale of the property or until such time as it is no longer required by the applicant would be important. This would need to be the subject of a S106 agreement.

7. CONCLUSION AND RECOMMENDATION

- 7.1** In summary, it is recognised that the proposal has been submitted to address the mobility needs of the applicant. These personal circumstances have been taken into account in arriving at this recommendation; however it is considered that the proposal would result in a dominant addition within a prominent location in the street scene which would be an incongruous and alien addition to the character of the original property and the street scene. For these reasons, the application is contrary to Local Plan Policy CP7 and the SPD: Residential Alterations and Extensions.

- 7.2** Given the level of harm identified as a result of the proposal and given it is likely that alternative less harmful options could be achieved which still meet the needs of the applicant and do not present such a harmful addition to the property, officers do not consider that harm is outweighed by the benefits of the proposal.

- 7.3** For these reasons, the recommendation is to refuse the application for the refusal reason as set out below.

8. INFORMATIVES / REFUSAL REASONS

- 1 The proposed lift extension would represent a dominant addition to the front of the dwelling which would be an incongruous and alien addition to the character and appearance of the original dwelling and also the surrounding locality, by virtue of its prominent location.

For these reasons, the proposal is contrary to Local Plan Policy CP7 and Supplementary Planning Document: Residential Alterations and Extensions (Adopted 2008).

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 authority cannot provide a solution that will overcome the harm identified as a result of the proposal.

As a consequence, the proposal cannot be considered to be sustainable development and therefore the authority had no option but to refuse planning permission.