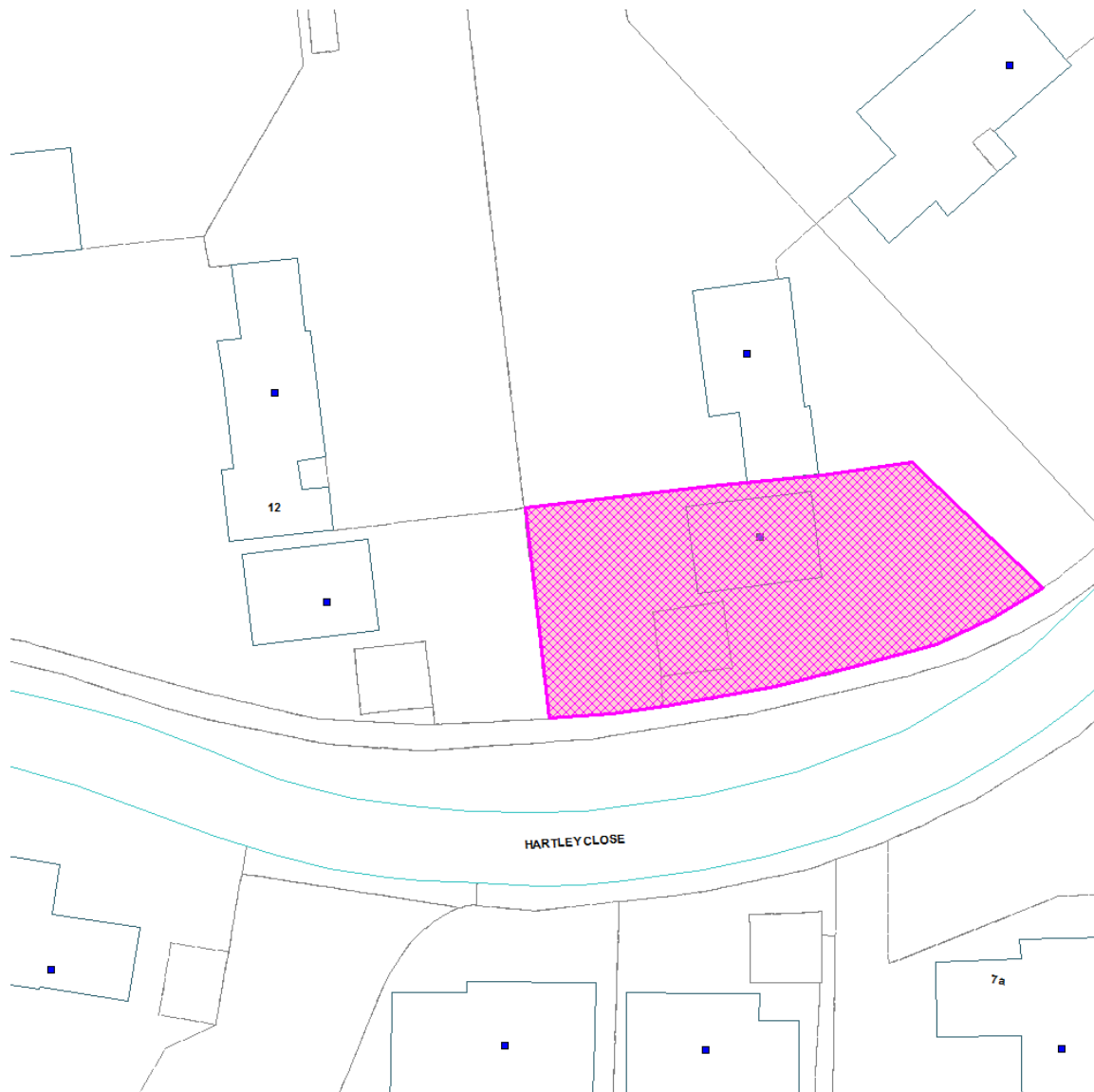


<b>APPLICATION NO:</b> 17/00386/FUL	<b>OFFICER:</b> Miss Claire Donnelly
<b>DATE REGISTERED:</b> 24th February 2017	<b>DATE OF EXPIRY:</b> 21st April 2017
<b>WARD:</b> Charlton Park	<b>PARISH:</b>
<b>APPLICANT:</b>	Mr L Turbifield
<b>AGENT:</b>	The Smith Hotchen Partnership
<b>LOCATION:</b>	8 Hartley Close, Cheltenham
<b>PROPOSAL:</b>	Two storey side and rear extension and external remodelling

**RECOMMENDATION:** Permit



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a two storey, brick built, detached property on Hartley Close. Hartley Close is a residential cul-de-sac which has an element of space about the properties. There are a range of two storey properties and bungalows, detached and semi-detached within the Close. The site is within the ward of Charlton Park and is not in a conservation area.
- 1.2 The applicant is seeking planning permission for a two storey side and rear extension, and external remodelling.
- 1.3 The application is before planning committee at the request of Councillor Baker due to concerns raised by residents.
- 1.4 Members will visit the site on planning view.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### **Constraints:**

Airport Safeguarding over 45m  
Smoke Control Order

### **Relevant Planning History:**

**00/00796/FUL 18th July 2000 PER**  
Erection of conservatory

## 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

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

*16th March 2017*

Report available to view on line.

## 5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	7
Total comments received	21
Number of objections	21
Number of supporting	0
General comment	0

5.1 Letters have been sent to neighbouring properties, 21 comments have been received all raising objections to the proposal.

### 5.2 Comments Received

The main concerns raised include:

- Overbearing impact
- Negative visual impact
- Overly large extension
- Not in-keeping with the neighbouring properties in both scale and use of materials
- Loss of light
- Overlooking

## 6. OFFICER COMMENTS

### 6.1 Determining Issues

6.2 The main considerations in relation to this application are the design and the impact on neighbouring properties.

### 6.3 Design

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

6.5 The council's adopted Supplementary Planning Document: Residential Alterations and Extensions (2008) sets out design guidance in terms of extension to residential properties. Whilst the document does not specifically mention extensions to detached properties, the document emphasises the importance of achieving subservience. The document states that an extension should not dominate or detract from the original building but play a supporting role. The design guidance also states that materials have a key role in aiding an extension to read as a subservient addition. The document states that the chosen external facing materials for an extension should match or complement those used in the existing building to achieve an appropriate addition.

6.6 The initial proposal was not considered to be subservient to the original building, as such the extension was not considered to be of an acceptable design. The mass of the rear elevation was considered to be too substantial and resulted in an overbearing and oppressive impact on the adjoining land user to the rear of the site. Both the design of the rear extension and side extension was considered to completely dominate and detract from the original form of the existing building and was therefore contrary to the relevant design guidance. There have also been concerns in regards to the impact on neighbouring amenity as a result of the rear extension; this is discussed in the section below.

- 6.7** The initial proposal proposed the external walls of the extension to be finished in render; this was not considered to be acceptable as there is no obvious use of render within the immediate locality. It is noted that the site sits in a prominent location within Hartley Close and the use of render was not considered to be in-keeping or complementary of the immediate neighbouring development, as such it was suggested that the extension should be predominantly brick so the extension complements the parent dwelling and the character of the surrounding area.
- 6.8** Negotiations have taken place, setting out neighbour concerns and, subsequently, revisions were later submitted.
- 6.9** The design of the proposal has been revised to overcome officers concerns regarding the overbearing rear (west) elevation, awkward roof forms and scale of the two storey side extension.
- 6.10** During the first consultation phase of the application, concerns were raised in regards to the overbearing impact of the proposal both on the street scene and the neighbouring properties. The rear (west) elevation has been altered to reduce the mass, scale and overbearing impact of the extension. The first floor of the two storey rear extension has been reduced in depth by 1.9m and this helps the original design of the parent dwelling to be read more clearly. This has resulted in the massing of the rear elevation being broken up and the two storey side extension reading more clearly as a later addition. The single storey rear extension remains largely unchanged; although the kitchen has been stepped in by 0.7m to help break up the massing of the rear elevation. The two storey side extension has been revised to project beyond the side elevation of the original building. The revisions show the design of the parent dwelling reflected in the design of the two storey side extension and complements and reflects the original form of the parent dwelling. The originally proposed render has also been omitted from the scheme.
- 6.11** Since the submission of revisions there are still concerns from residents that the extension will have an overbearing impact on the street scene. Whilst these comments have been duly noted, it is considered that the revised plans have overcome officers' initial concerns. It is noted that the application is proposing a considerable sized extension; however revised plans have altered the design to reduce the mass of the extension, which as a result reads as a more complementary and an appropriate addition to the house.
- 6.12** For the reasons set out above, it is considered that the revisions have overcome initial design concerns and the proposal is now a more respectful addition to the original building. The proposal is considered to comply with Policy CP7 of the Local Plan and guidance set out within the Supplementary Planning Document: Residential Alterations and Extensions.
- 6.13 Impact on neighbouring property**
- 6.14** Local Plan Policy CP4 requires development not to cause unacceptable harm to the amenity of adjoining land users and the locality.
- 6.15** Letters have been sent to neighbouring properties, 21 responses have been received throughout the application process. The main concerns which have been raised are listed above in paragraph 5.2 above.
- 6.16** Other concerns raised by residents include drainage concerns including access and maintenance of drains, parking as a result of the increased size of the property, loss of a view and a covenant on the properties within the Close. These matters have been further covered in paragraphs the below.
- 6.17** The initial proposal was considered to result in unacceptable harm on the amenity of neighbouring properties. The aforementioned Supplementary Planning Document

(adopted 2008) provides guidance and clarity on maintaining privacy and reducing any impact of development on the privacy of neighbouring properties; it also helps the authority to be consistent in its decision making. The document states that first floor windows should achieve 10.5 metres to the boundary to protect the amenity of adjoining land users. This measurement is derived from national best practice in relation to safeguarding amenity and members will be aware that officers refer to it in many reports. The application initially proposed a two storey rear extension including 3 new first floor windows which measured 9m to the boundary, contrary to the guidance. Revised plans were submitted and the first floor of the two storey extension has been set back so the first floor windows achieve the 10.5 metre required distance.

- 6.18** The application proposes two velux roof lights within the north elevation roof slope, a condition has been attached to ensure the roof lights are obscure glazed and non-opening unless the parts that open are 1700mm above floor level. This has been attached to protect the privacy of the adjoining land user.
- 6.19** The relevant light tests have been carried out to assess the impact of the proposal on the neighbouring property, no. 6 Hartley Close. It is likely that as a result of the proposal this neighbouring property will experience a loss of light however the loss of light will not be to a level that is considered to be unacceptable.
- 6.20** As set out above, the proposal is considered to comply with Policy CP4 of the Local Plan and the relevant guidance in terms of not causing unacceptable harm to the amenity of adjoining land users in terms of a loss of light or loss of privacy.
- 6.21 Other considerations**
- 6.22** Several residents have raised concern over the access and maintenance of a shared drain which is situated within the application site and subsequent flooding issues which have occurred due to the drainage in the area. This matter is not a material planning consideration and does not form part of the decision making during the planning process.
- 6.23** Comments in regards to a covenant on the property have been submitted by a neighbouring resident as part of their objection. A covenant on a property is not a material planning consideration and therefore cannot be taken into account when determining a planning application.
- 6.24** A comment has been raised that due to the scale of the proposed extension some residents will experience a loss of a view. This is not a material planning consideration as there is no right to a view.
- 6.25** The matter of parking has been raised by neighbours as a result of the new extension and subsequent enlarging of the existing property. The site benefits from a driveway which can fit at least 2 cars on as existing. A new garage will also be constructed which will provide further off street parking; as such there are no concerns over highway safety as a result of the proposal.

## **7. CONCLUSION AND RECOMMENDATION**

- 7.1** In light of the above, the proposed two storey side and rear extension is considered to comply with the relevant guidance and policies in terms of design and impact on neighbouring properties. Whilst officers note that the application is proposing a large extension to the existing building, it is considered that the revised design achieves an acceptable relationship with the parent dwelling that can accommodate this proposal.

- 7.2 Taking into consideration the council's policies and guidance and neighbour comments, on balance the level of impact is not so severe that the development should not be supported.
- 7.3 As such, the recommendation is to permit this application subject to the conditions set out below.

## 8. CONDITIONS / INFORMATIVES

### **GCC Highways Planning Liaison Officer**

- 1 The development hereby permitted shall be begun before the expiration of three 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 the approved plans listed in Schedule 1 of this decision notice.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 All external facing and roofing materials shall match those of the existing building unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to Policies CP3 and CP7 of the Cheltenham Borough Local Plan (adopted 2006).

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and/or re-enacting that order), the two velux roof lights in the North elevation roof slope shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the floor that the window serves.

Reason: To safeguard the privacy of adjacent properties having regard to Policies CP4 of the Cheltenham Borough Local Plan (adopted 2006).

### **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 sought revisions to overcome concerns regarding design and impact on neighbouring amenity.

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