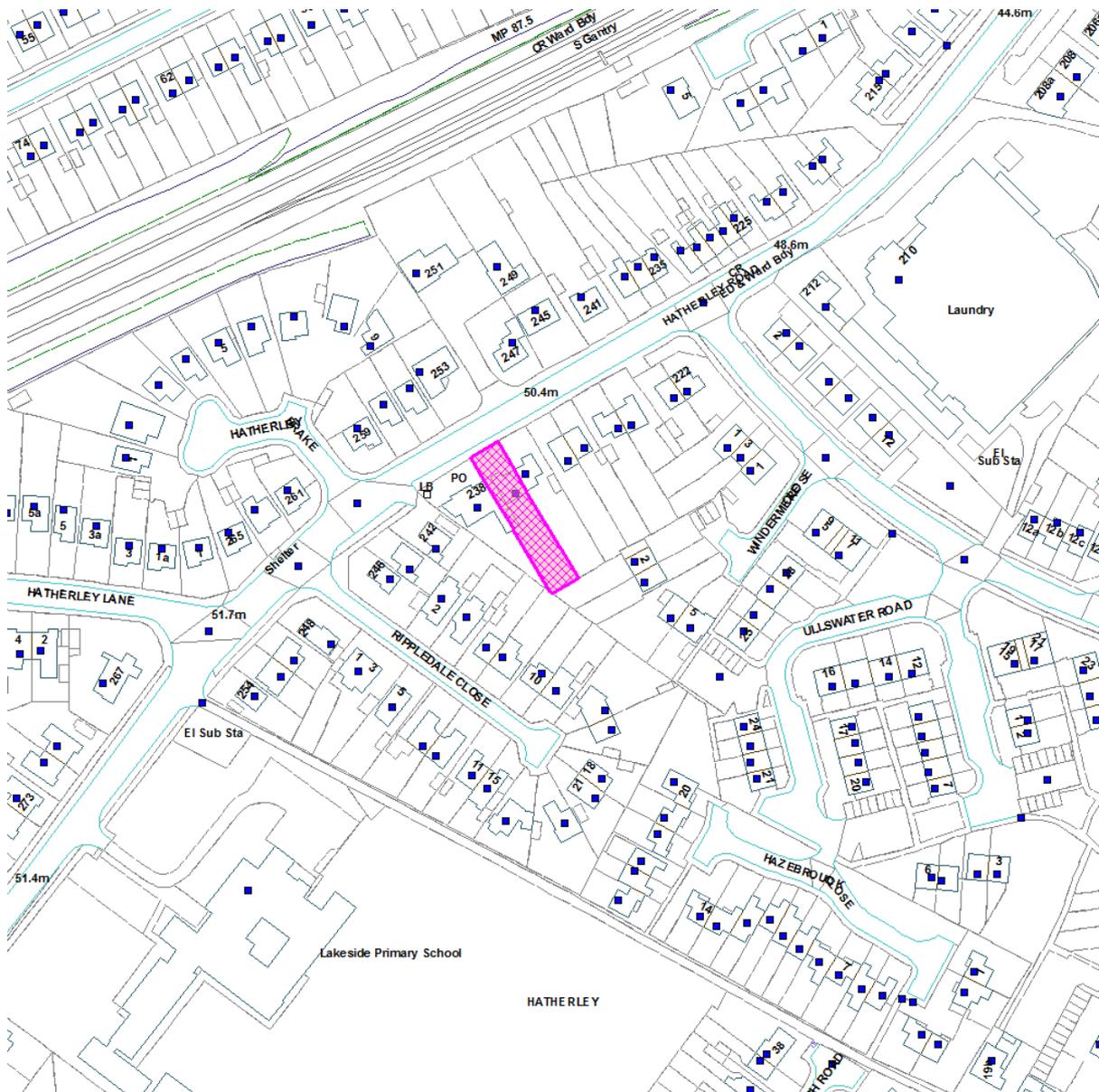


APPLICATION NO: 17/01085/FUL	OFFICER: Mr Ben Hawkes
DATE REGISTERED: 6th June 2017	DATE OF EXPIRY: 1st August 2017
WARD: Up Hatherley	PARISH: Up Hatherley
APPLICANT: Mr & Mrs J Shine	
AGENT: extendArchitecture	
LOCATION: 236 Hatherley Road, Cheltenham	
PROPOSAL: Single storey rear extension and two storey side extension.	

RECOMMENDATION: Permit



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a semi-detached property located on Hatherley Road. The application site sits adjacent to the Post Office however generally sits within a residential area.
- 1.2 The applicant is seeking planning permission for the erection of a two storey side extension and a single storey rear extension.
- 1.3 The application is at planning committee due to a Parish Council objection. The Parish Council's comment supports the objections of the adjacent property of number 234 Hatherley Road relating to the depth of the single storey rear extension and its impact

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport safeguarding over 15m

Relevant Planning History:

04/02080/FUL 3rd February 2005 PER
Erection of conservatory to rear

10/00362/CLPUD 6th April 2010 CERTPU
Erection of a first floor extension

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

Tree Officer

7th July 2017

The Tree Section does not object to this application. Please could a condition regarding foundation design which takes account of roots, and no roots with a diameter of greater than 25mm to be severed, as the building would be within the Root Protection Area of the trees located within the neighbouring property, be added with any permissions given. Also an informative describing the applicant is likely to be liable if the building works cause the trees health to enter into a spiral of decline

Parish Council

19th June 2017

This appears to be a significant extension but we raise no objection unless the neighbours are unhappy in which case please let us know and we will reconsider.

22nd June 2017

Having read the objections from a neighbour we now realise this extension is far too large - in fact we wonder if it exceeds the permitted percentage anyway - and will have a huge impact on adjoining properties. The parish council therefore registers a strong objection with a rider that the extension should not exceed the permitted limits and that the letter of application be closely scrutinised for accuracy.

Gloucestershire Centre For Environmental Records

21st June 2017

Biodiversity Report available to view on line.

5. PUBLICITY AND REPRESENTATIONS

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

5.1 8 letters were sent to neighbouring properties, 2 letters of objection have been received from the adjacent land users either side of the application site.

5.2 The letters of objection raise the following concerns:

- Impact on existing trees
- The depth of the single storey rear extension
- Overbearing impact of the single storey rear extension
- Visual Impact of the single storey rear extension
- Restricting future development at number 238 Hatherley Road.

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.

6.3 Design

6.4 Guidance set out in the Supplementary Planning Document – Residential Alterations and Extensions (Adopted February 2008) highlights the importance of extensions to a dwelling appearing subservient in size and scale and reads as follows ‘An extension should not

dominate or detract from the original building, but play a 'supporting role'. Generally, the extension is normally set back from the main elevation'.

- 6.5** Local plan policy CP7 requires development to be of a high standard of architectural design and to complement and respect neighbouring development.
- 6.6** The two storey side extension as originally proposed raised concerns with officers due to the lack of a suitable set back and its relationship with the existing building. Revisions were requested and later received. The revised plan shows a reduction in depth of this extension by 1.3 metres and therefore has a total setback of 2.3 metres from the front projecting wing. This reduction in depth in combination with the double pile roof form allows the extension to read clearly as a subservient addition to the existing building.
- 6.7** The overall design of the two storey side extension is in keeping with the design and character of the existing building and is not considered to result in any unacceptable harm to the design or character of the existing building. The external facing materials are to be render and roof tiles to match the existing building which is wholly appropriate. It is the view of officers that the extension will sit comfortably as an addition within the street scene.
- 6.8** To the rear of the site the property has already been extended with a part two storey and part single storey rear extension and conservatory. The extension within this application proposes a further increase in depth at ground floor of 2.5 metres. Officers acknowledge that the depth of the rear extension is large and in terms of plan form will significantly increase the floor space of the property. Whilst the extension will appear generous in size, being a single storey addition with a flat roof form it is the view of officers that it will sit comfortably within the plot and appear appropriately subservient to the existing building.
- 6.9** The single storey rear extension takes a contemporary design approach with a flat roof form and larger openings. It is considered that this design approach is acceptable and will not result in any unacceptable harm to the design or character of the existing building.
- 6.10** Officers consider the proposals to be compliant with the requirements of the local plan policy CP7 and the Supplementary Planning Document – Residential Alterations and Extensions (adopted 2008)
- 6.11 Impact on neighbouring property**
- 6.12** Concerns have been raised by the neighbouring land users at number 234 Hatherley Road, specifically relating to the impact of the single storey rear extension. Within permitted development an extension could be erected in this location with a depth of up to 6 metres and an overall height of 3 metres without the need for planning permission. Consideration therefore has to be given to the impact of the additional length proposed.
- 6.13** In total the ground floor addition to the property would measure approximately 8.8 metres, whilst the proposal is acknowledged as being a generous addition the overall height is approximately 2.8 metres. The proposal does not fail the light test and therefore will not result in any unacceptable loss of light. With regard to overbearing impact due to the proposal being a single storey addition with a limited overall height it is not considered that the additional depth proposed would result in any overbearing impact.
- 6.14** In terms of the two storey side extension, the only window in the side elevation of number 238 Hatherley Road is a first floor window serving the landing of the flat, as this is not a habitable room it is not afforded any protection in terms of a loss of light.
- 6.15** All new first floor windows are located in the front and rear elevations and will not result in any unacceptable loss of privacy to any neighbouring land user.

6.16 The proposal is considered to be compliant with Local Plan policy CP4 which requires development to protect the existing amenity of neighbouring land users and the locality.

6.17 Other considerations

6.18 Due to the close proximity of trees within the neighbouring properties rear garden the council's tree officer has been consulted and has provided formal comments. Whilst officers acknowledge that the trees are in close proximity of the proposed development and any new foundations in the proposed location could have an impact on the neighbouring trees/shrubs, the trees are not considered to be worthy of a formal Tree Preservation Order. Officers acknowledge the importance of these trees in terms of screening and privacy for the neighbouring land user, however without these trees the proposal is still considered to be acceptable. Officers have added an informative to advise the applicant of the potential impact the development may have on these trees. As the trees are outside of the applicants ownership and they are not worthy of formal protection a condition is not considered to be reasonable or necessary.

6.19 An objection has been received from the land owners at number 238 Hatherley Road, which raises concerns on how this proposal if granted permission could restrict the potential development prospects for their own property. This is not a material consideration of this application and each application should be considered on its own merits.

6.20 Environmental Impact

6.21 Whilst records show that important species or habitats have been sighted on or near the application site in the past, it is not considered that the proposed development will have any impact on these species.

6.22

7. CONCLUSION AND RECOMMENDATION

7.1 For the reasons discussed above it is considered that the proposal is in accordance with policy CP7 and CP4 in terms of achieving an acceptable standard of design and protecting the amenity of neighbouring land users.

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 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).

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 reduce the footprint of the proposed side extension in order to produce an acceptable scale and form of extension;

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

- 2 The applicant's attention is brought to trees located adjacent to the boundary and within the ownership of number 234 Hatherley Road. The proposed development and in particular the foundations required to erect the single storey rear extension will likely impact on the roots of these trees, with this in mind the applicant is advised to use an appropriate type of foundation in order to limit any potential harm or impact on these trees.