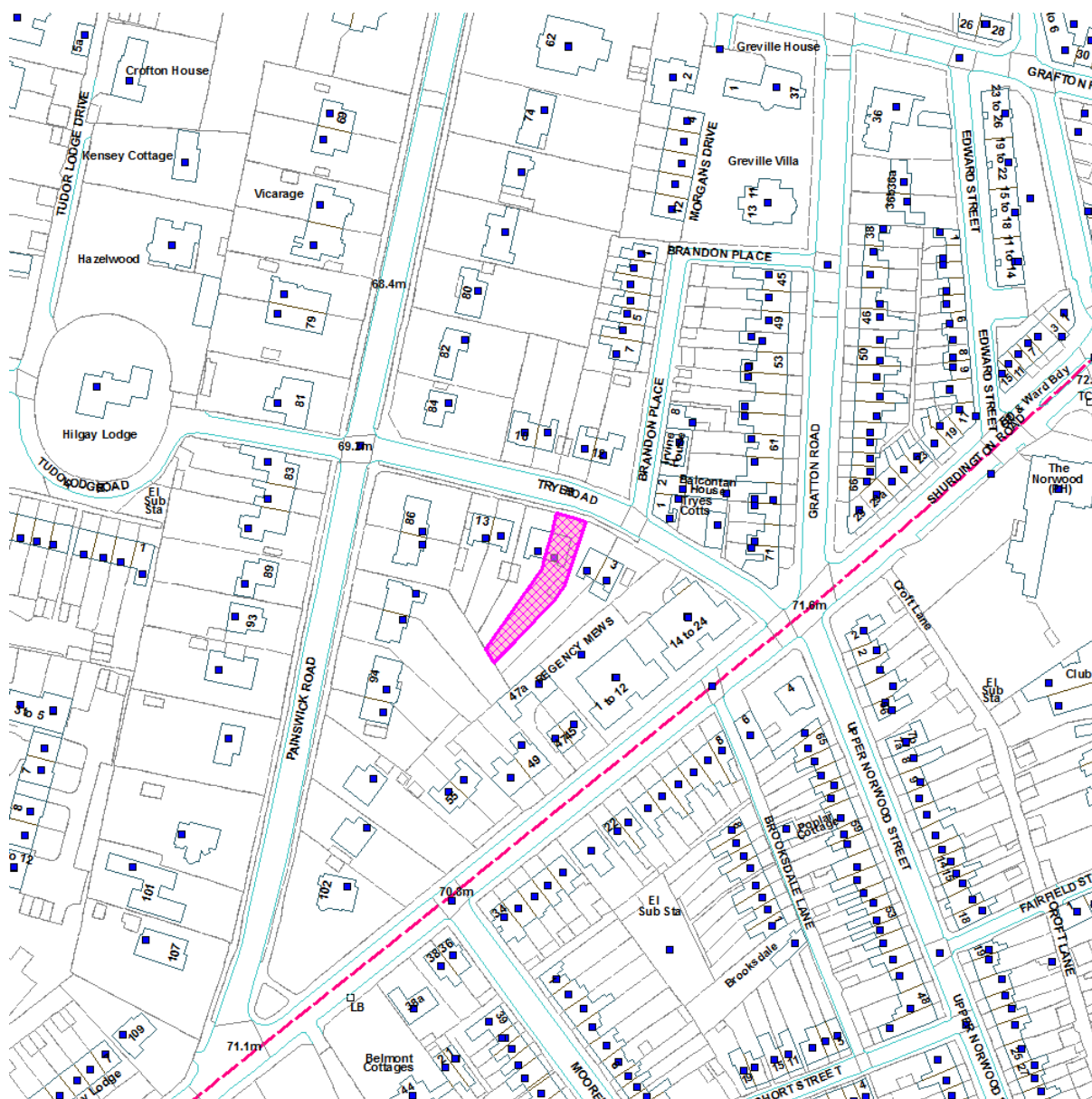


APPLICATION NO: 17/00934/FUL		OFFICER: Mr Gary Dickens
DATE REGISTERED: 13th May 2017		DATE OF EXPIRY: 8th July 2017
WARD: Park		PARISH:
APPLICANT:	Mr Francis Russell	
AGENT:	Agent	
LOCATION:	Taychreggan, 7 Tryes Road, Cheltenham	
PROPOSAL:	Side extension and two-storey rear, stepped extension with internal alterations. Removal of existing garage	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application relates to 7 Tryes Road. The site is a 1930s style, two storey semi-detached dwelling located on a residential road in the central conservation area.
- 1.2 The application is for the erection of a single storey side extension and a part two storey rear extension. The existing detached garage and the rear lean to structure will be demolished. The proposals are unashamedly contemporary in appearance.
- 1.3 The application is before the planning committee at the request of Cllr Tim Harman and Cllr Max Wilkinson on behalf of the adjoining neighbour. Members will visit the site on planning view.
- 1.4 Revised plans were submitted during the course of the application at the request of officers and additional neighbour consultation was undertaken.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Conservation Area

Relevant Planning History:

None

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)
Central conservation area: The Park Character Area and Management Plan (July 2008)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

None

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	7
Total comments received	3
Number of objections	3
Number of supporting	0
General comment	0

- 5.1** The application was publicised by way of letters to 7 neighbouring properties, a site notice and an advert placed in the Gloucestershire Echo. The revised plans were publicised by way of 7 letters to neighbouring properties and a site notice. Three responses were received which objected to the proposal.
- 5.2** All representations have been circulated in full to Members but, in brief, the main objections relate to:
- Unacceptable level of overbearing and impact on privacy to number 9 Tryes Road.
 - The proposal is not in character and out of context with the surrounding area.

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** The site is located on the southern side of Tryes Road and is within the Park character area of the central conservation area

6.5 Design and layout

- 6.6** 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 the scale of the existing building or group of buildings....The most important consideration is that an extension should not detract from the original.'*
- 6.7** Expanding upon this, the Authority has adopted design guidance relating to residential alterations and extensions through a Supplementary Planning Document (SPD). 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"*.
- 6.8** There were concerns with regards to the original proposal and the relationship between the proposed two storey rear extension and the existing dwelling. The original proposal masked almost the entire rear elevation of the existing dwelling and was not considered to play a subservient role. Following discussions, the revised scheme has seen the first floor element reduced in width and moved from a central position to now be in line with the side elevation of the existing property. In effect this would create the form of a more traditional two storey rear wing.
- 6.9** The proposed extension to the rear would measure the full width of the existing property at ground floor level and at first floor would have a width of approximately 3.9m. The overall depth of the first floor level would be approximately 3.6m whilst at ground floor this would be approximately 4.8m.
- 6.10** Whilst the extension proposes a contrasting architectural approach, the proposed two storey rear extension is not considered to dominate the existing building and will play a supporting role given the reduction in width. The revised proposal still enables the original building to be appreciated and at the same time, provides something that stands alone as an interesting piece of architecture.

- 6.11** The National Planning Policy Framework (NPPF) contains a section 'Requiring Good Design'. Here the NPPF states that "*planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative...*". Furthermore, "*great weight should be given to outstanding or innovative designs*".
- 6.12** The proposed two storey rear extension is of a contemporary design with a standing seam zinc finish to the first floor element of the proposal and render to the ground floor. The rear windows are set back within the extension by approximately 80cm at both ground and first floor levels which enable the windows to be framed by the structure. It is apparent that time and thought has been given to the proposal and in officer opinion this should be commended. With the NPPF advice in mind, the contemporary design of the proposal is considered to be acceptable.
- 6.13** The application also proposes a single storey side extension which would extend beyond the side elevation of the existing property by 1.5m and measure 3.2m in depth, not extending beyond the rear elevation of the existing dwelling. The proposed single storey side extension will have a render finish and pitched roof.
- 6.14** The application site is located within the central conservation area and therefore special attention should be made to preserving or enhancing the character or appearance of the area. The bulk of the proposal is restricted to the rear of the property and is therefore not immediately visible within the public realm. When viewed from the road side there will only be glimpses of the zinc clad extension but not to a significant degree. Although the material is different to the existing and surrounding properties, the form of the extension is broadly traditional and is therefore considered to be compatible with the context of the surrounding area.
- 6.15** The proposal is therefore considered to be in accordance with Local Plan Policy CP7 and in line with the NPPF.
- 6.16 Impact on neighbouring property**
- 6.17** 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.
- 6.18** 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.
- 6.19** Three letters of objection have been received from neighbouring properties and the main concerns raised are noted in 5.2 above. The comments relating to the design impact on the conservation area have been discussed in detail under the '*Design and Layout*' section above.
- 6.20** Concerns have been raised from number 9 Tryes Road with regards to the potential impact on their property. Members will have the chance to visit this property on planning view. The amenity concerns relate to loss of light / overshadowing and overlooking / loss of privacy.
- 6.21** With regards to the impact on the light levels, it is noted that a single storey extension currently exists to the rear of number 9 and extends the full width of the building. There are also three light sources on the rear elevation to the ground floor of number 9. The relevant daylight test was conducted and the application passes this test. As a result, it is not considered that the proposal will have an unacceptable impact on light levels to the adjoining neighbour, number 9 Tryes Road.

- 6.22** It is not considered that the proposed extension will increase the overlooking into the rear garden of number 9 Tryes Road. The properties on the south side of Tryes Road (numbers 3 – 13) have a kink within the rear gardens, where sites turn towards the neighbouring properties in a westerly direction. The garden for number 9 turns towards number 11 Tryes Road and away from the application site. This reduces the potential for overlooking as less of the garden for number 9 can be viewed from the application site when compared if the garden ran in a more common straight line from the building. Additionally, the design also reduces overlooking as the windows are set back from the edge of the proposed extensions.
- 6.23** It is acknowledged that the proposal will be visible from number 9 and number 5 Tryes Road and there will be an impact on these properties. However, officers do not consider this to have an unacceptable level of overbearing which would be significant enough to warrant refusal of this application.
- 6.24** The proposed windows to the east elevation at first floor level could impact on number 5 Tryes Road and a condition is therefore recommended restricting these to be obscurely glazed. In addition, a condition is also recommended preventing the use of the flat roof of the proposed ground floor extension as a balcony.
- 6.25** Taking all of the above into account, the proposal is considered to be in accordance with Local Plan Policy CP4 and advice provided with the Supplementary Planning Document.

7. CONCLUSION AND RECOMMENDATION

- 7.1** To conclude, the application is considered to be in accordance with the requirements of local plan policies CP4 and CP7, and the NPPF, and the recommendation therefore is to grant planning permission subject to the following conditions.

8. CONDITIONS

- 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 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 first floor extension windows in the side (SE) elevation shall at all times be non-opening and glazed with obscure glass to at least Pilkington Level 3 (or equivalent).

Reason: To safeguard the privacy of adjacent properties having regard to Policies CP4 of the Cheltenham Borough Local Plan (adopted 2006).
- 4 The roof area of the development hereby permitted shall not be used as a balcony, roof garden or amenity area.

Reason: To safeguard the amenities of the adjacent property, having regard to Policy 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 achieve a more satisfactory form of development.

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