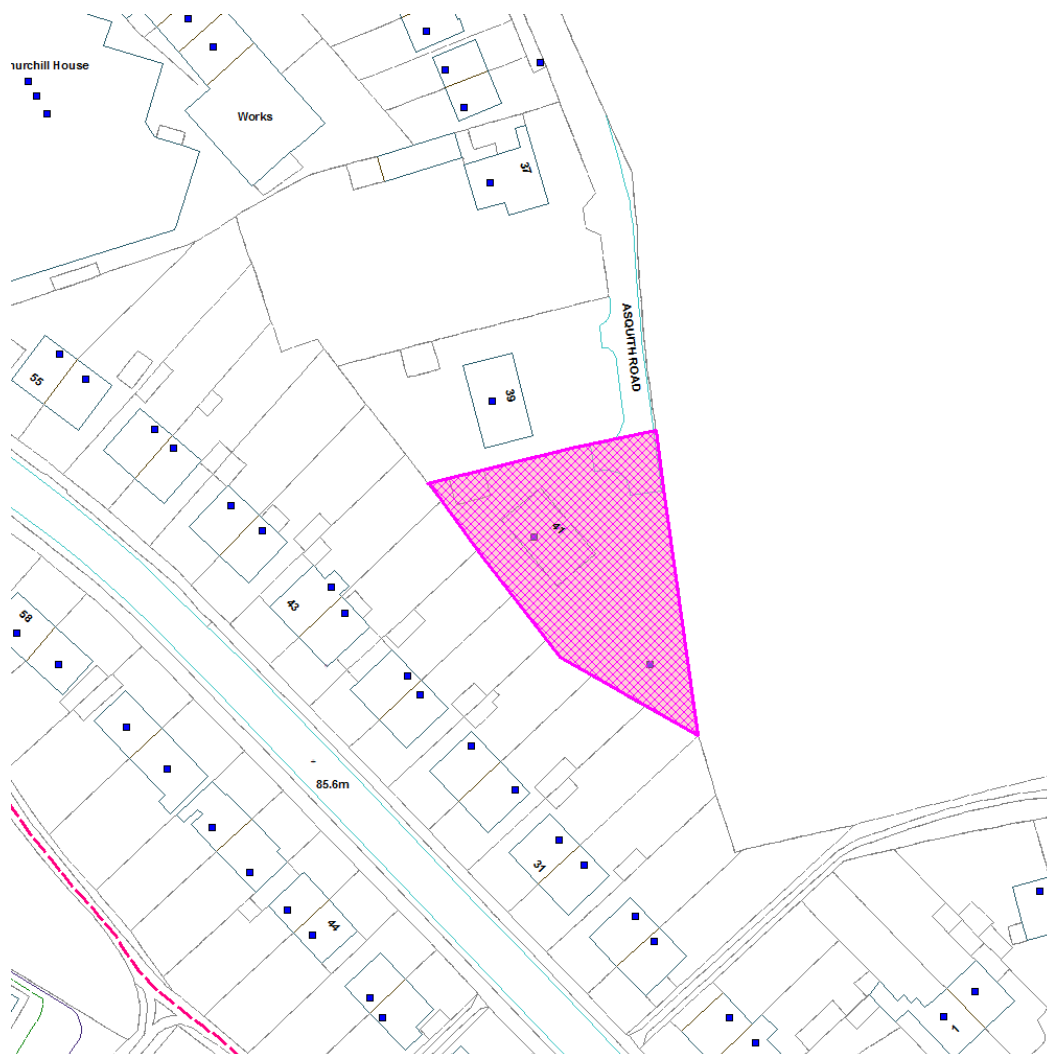


APPLICATION NO: 17/00484/FUL	OFFICER: Miss Michelle Payne
DATE REGISTERED: 8th March 2017	DATE OF EXPIRY: 3rd May 2017
WARD: College	PARISH: N/A
APPLICANT:	Mr & Mrs Flooks
AGENT:	PSK Architect
LOCATION:	41 Asquith Road, Cheltenham
PROPOSAL:	Alterations and extensions to provide first floor accommodation

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This application relates to a 1970's detached bungalow in Asquith Road at the end of a cul-de-sac. The property is one of two bungalows built within the original curtilage of no.37 Asquith Road, and reads as a pair with no.39 Asquith Road. Grounds levels within the site vary slightly.
- 1.2 The property is faced in reconstituted stone beneath a pitched concrete tiled roof, with brown upvc windows and doors. The property has been extended by way of a modest single storey extension to the rear, and a conservatory addition to the side.
- 1.3 The application is seeking planning permission for alterations and extensions to provide first floor accommodation.
- 1.4 The application is before planning committee at the request of Cllr Sudbury to allow Members to consider the impact on the amenity of neighbouring properties and also on the character of the area.
- 1.5 Members may recall that the application was deferred from the July committee agenda to allow for errors in the drawings to be addressed.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Smoke Control Order

Relevant Planning History:

None

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. CONSULTATION RESPONSES

Gloucestershire Centre for Environmental Records

27th March 2017

Report available to view on line.

5. PUBLICITY AND REPRESENTATIONS

5.1 On receipt of the application, letters of notification were sent out to nine neighbouring properties. In response to the publicity, nine representations were received in relation to the proposal. The comments have been circulated in full to Members but, in brief, the concerns relate to:

- Overdevelopment
- Out of character
- Visual impact
- Impact on privacy
- Impact on daylight
- Noise and disturbance
- Covenant

5.2 Further letters of notification were sent to 13 local residents on receipt of revised plans in June. Again, the comments received have been circulated in full to Members; however, no additional concerns were raised. It was not considered necessary to re-consult on the latest revisions as the overall scheme has not changed.

6. OFFICER COMMENTS

6.1 Determining Issues

6.1.1 The main considerations when determining this application relate to design and impact on neighbouring amenity.

6.2 Design

6.2.1 Local plan policy CP7 (design) requires all new development to be of a high standard of architectural design and to complement and respect neighbouring development and the character of the locality. Additionally, the NPPF, at paragraph 58, advises that planning policies and decisions should seek to ensure that developments respond to the local character and reflect the identity of local surroundings and materials.

6.2.2 As originally proposed, officers had concerns in relation to the overall design, and the resultant impact on neighbouring amenity. With regard to design, there were particular concerns over the significant increase in eaves and ridge height. Although officers acknowledged that there may be a need to marginally increase the ridge height, it was suggested that any such increase should be limited to 500mm, and that the existing eaves height be maintained.

6.2.3 Additionally, it was suggested that the proposed box style dormer to the rear be omitted, given the property's close proximity to the site boundary, and that only high level roof lights be installed. It was also strongly advised that the 3no. dormers to the front roof slope be reduced in size; and the appropriateness of white uPVC windows at first floor in contrast to the brown uPVC windows at ground floor was also questioned.

6.2.4 The revised drawings largely accord with officer advice. The most recent revisions show the existing eaves height to be unchanged and a 376mm increase in ridge height to an overall height of 5.64m; the increase in ridge height was previously reported to be 500mm. The 3no. dormers to the front of the property have also been notably reduced in size during the course of the application so that they are better spaced within the roof slope; the windows have been reduced to three lights and they would now be set well back from the eaves. Moreover, these dormers would now be rendered and the colour of

the window frames would match those at ground floor. The latest revisions also correctly show the overhanging eaves detail on the existing bungalow.

6.2.5 It is disappointing that that a large box style dormer window is still proposed to the rear roof slope, although again it has been reduced in size during the course of the application. Furthermore, it would no longer break the eaves line and would be tile hung to minimize its visual impact. It is a common form of development in order to achieve additional habitable floor space. In addition, only high level, obscure glazed windows are now proposed within the rear dormer; and this could be secured by way of a condition. Officers are also mindful that were it not for the increase in ridge height, a box style dormer could be installed on this rear roof slope under permitted development rights.

6.2.6 Overall, in its revised form, the scheme is now considered to be more respectful to the character of the existing property, and its neighbour to the north, in accordance with policy CP7 and general design advice set out within the NPPF.

6.3 Impact on neighbouring property

6.3.1 Local plan policy CP4 (safe and sustainable living) advises that development will not be supported where it would cause unacceptable harm to the amenity of adjoining land users or the locality. Consideration is given to a number of matters including, but not limited to, loss of sunlight and/or diffuse daylight, loss of outlook, and loss of privacy.

6.3.2 In its revised form, the proposal would not result in any unacceptable harm to neighbouring amenity in terms of outlook, privacy or daylight; particularly to the wider locality.

6.3.3 The windows proposed to the rear dormer would be obscurely glazed, high level windows and this could be adequately secured by way of a condition (see condition 3 below). As previously mentioned, it is the increase in ridge height that results in the need to obtain planning permission for a rear dormer; if a dormer were to be installed under permitted development, there would be no requirement to install obscure glazing.

6.3.4 Additionally the scale and nature of the proposals would ensure that levels of sunlight and daylight currently afforded to neighbouring properties would not be unduly affected. Moreover, whilst officers recognise that the rear dormer would clearly be appreciable from the houses in Mead Road, and to a lesser extent the increase in ridge height, it would not result in any overbearing impact. The properties immediately to the rear of the application site benefit from gardens approximately 20 metres in length.

6.3.5 The proposed works would therefore accord with the requirements of policy CP4 and general advice set out within the NPPF.

6.4 Other considerations

6.4.1 It has been highlighted in the representations that the property is subject to a restrictive covenant. Members will be aware that covenants are not, and cannot, be a material consideration in the determination of a planning application. Issues relating to planning and restrictive covenants are entirely separate matters. The granting of planning permission would not overrule the validity of the covenant.

6.5 Conclusion and recommendation

6.5.1 Officers consider the revised proposals to be in accordance with local plan policies CP4 and CP7, and national advice set out within the NPPF. The revised design is more sympathetic to the character of the existing bungalow and its neighbour, and would not result in any unacceptable harm to neighbouring amenity.

6.5.2 The recommendation therefore is to grant planning permission subject to the following conditions:

7. 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 windows in the rear dormer 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 Policy CP4 of the Cheltenham Borough Local Plan (adopted 2006).

INFORMATIVE

- 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 significant revisions to the proposals to ensure a more satisfactory form of development and to mitigate any impact on neighbouring amenity.

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