

APPLICATION NO: 18/00357/FUL		OFFICER: Mr Gary Dickens	
DATE REGISTERED: 21st February 2018		DATE OF EXPIRY: 18th April 2018	
WARD: Park		PARISH:	
APPLICANT:	Mr A P Williams		
AGENT:			
LOCATION:	6 Westal Park Cheltenham Gloucestershire		
PROPOSAL:	Two storey side extension following demolition of double garage, utility and laundry rooms. Internal alterations and alterations to rear elevation of existing dwelling		

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application relates to 6 Westal Park. The site is a modern detached dwelling on a residential development which dates from the early 1980s and is located within the central conservation area.
- 1.2 The application proposes the demolition of an attached double garage and utility rooms, and the erection of a two storey side extension in order to provide ancillary accommodation.
- 1.3 The application is before the planning committee at the request of Cllr Tim Harman on behalf of adjoining neighbours. Members will visit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Conservation Area
Residents Associations

Relevant Planning History:

78/00248/PF 9th August 1978 PER

Hatherley Road Cheltenham Gloucestershire - Residential Development Of 24 Detached Houses And Garages And Construction Of 2 Culs-De-Sac Roads

07/00568/FUL 5th June 2007 PER

Extension to provide ground floor bedroom with wet room/WC and garden room

10/00821/TIME 28th June 2010 PER

Extension of time limit for implementation of planning permission ref. 07/00568/FUL for the erection of an extension to provide ground floor bedroom with wet room/WC and garden room

13/00429/CACN 15th April 2013 NOOBJ

Alder - fell

17/02317/FUL 29th December 2017 WDN

Two storey side extension following demolition of double garage, utility and laundry rooms. Internal alterations and alterations to rear elevation of existing dwelling

10/00821/TIME 3_COMP

Extension of time limit for implementation of planning permission ref. 07/00568/FUL for the erection of an extension to provide ground floor bedroom with wet room/WC and garden room

3. POLICIES AND GUIDANCE

Joint Core Strategy

SD 4 Design Requirements
SD 14 Health and Environmental Quality

Adopted Local Plan Policies

CP 4 Safe and sustainable living
CP 7 Design

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (Feb 2008)

Central conservation area: Dean Close and Hatherley Park Character Area and Management Plan (July 2008)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Gloucestershire Centre For Environmental Records

12th March 2018 - Report in documents tab

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	12
Total comments received	11
Number of objections	10
Number of supporting	0
General comment	1

- 5.1** Twelve letters were sent to neighbouring properties, a site notice was displayed and an advert published in the Gloucestershire Echo. Eleven responses have been received with one general comment and ten objections 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 loss of privacy to adjoining neighbours.
 - The proposal is not subservient, not in character and out of context with the surrounding area.
 - The loss of the garage and impact on off-road parking.
 - Potential subdivision of the property.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2** The main considerations for this application are the impact of the proposal on the character of the original building, the impact on the surrounding area and the impact on neighbouring amenity.

6.3 The site and its context

- 6.4** Westal Park is a small development of detached dwellings located off Hatherley Court Road in the Park ward of the borough lying wholly within the Central Conservation Area. Built in the early 1980s, the properties are similar in design and plot size although a number have been extended previously.

- 6.5** The application site benefits from an attached garage which is a common (original) feature amongst properties on Westal Park and it would appear the garages vary slightly in width. The existing garage on the application site measures 5.1m.

6.6 This proposal follows an application for a two storey side extension submitted in November 2017 which was subsequently withdrawn. Discussions were held with the applicant prior to submission.

6.7 Design and layout

6.8 The Joint Core Strategy for Gloucester, Cheltenham and Tewkesbury (JCS) notes in Policy SD4 how well thought out design is crucial in producing sustainable places to live. The JCS states how development should *“respect the character of the site and its surroundings”* and *“should be of a scale, type, density and materials appropriate to the site and its setting”*.

6.9 This is reinforced through Local Plan Policy CP7 which calls on development to be of a high standard of architectural design. 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.’*

6.10 The Local Planning 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”*.

6.11 The proposed two storey side extension would measure approximately 6.3m in width with a depth of approximately 10.3m at ground floor and 7.5m at first floor. The ground floor part of the extension will project beyond the front and rear elevations of the existing property. At first floor the proposed extension is set back from the front and rear elevations by 60 and 50cm respectively. The ridge height of the extension will be 60cm below the roof height of the existing property.

6.12 In officer’s opinion, the proposed extension will neither detract from nor dominate the existing building, and will play a supporting role.

6.13 The window fenestrations in the extension will match those of the existing property as will the choice of material finishes to the external walls and roof. This will be consistent to other properties within Westal Park. A workshop / store is proposed at ground floor with garage style doors for access.

6.14 The design of the extension will match that of the existing and neighbouring properties with no materials or features that are uncommon to the area being proposed. This will enable the proposed extension to sit comfortably in its surroundings and not be detrimental to the character of the area.

6.15 The proposed extension will result in an additional entrance and staircase to the property which could enable the property to be subdivided. This would not be an acceptable form of development therefore a condition is recommended to ensure the extension remains ancillary to the existing dwelling.

6.16 Based on the above, the proposal is considered to be in accordance with Policy SD4 of the JCS, Local Plan Policy CP7 and advice contained within the SPD.

6.17 Impact on neighbouring property

6.18 The JCS stipulates that development must not cause unacceptable harm to the amenity of neighbouring properties and this is supported through Local Plan Policy CP4. Whilst two of the five basic design principles within the SPD relate to neighbouring amenity - maintaining privacy and ensuring adequate daylight.

- 6.19** Ten letters of objection have been received and the main concerns raised are noted in section 5.2 above. The concerns relating to design and subdivision of the plot have been discussed as part of the Design and Layout section above. As well as the application site the neighbouring properties 7 and 9 Westal Park were also visited who specifically raised concerns of overbearing, loss of privacy and impact on light.
- 6.20** When considering a potential loss of privacy or an overbearing impact on neighbouring properties the planning authority uses the following minimum distances as stated within the SPD: *"Facing windows to habitable rooms (living, dining and bedroom) should be a minimum of 21m apart, with at least 10.5m from window to boundary"*. Furthermore, there should be *"12m between dwellings which face each other where only one has windows with clear glazing"*. Although the proposal is on the limits of acceptability it does comply with these distances, measuring a distance of 23m window to window with 9 Westal Park, 11m to the rear boundary, and 12m to 7 Westal Park.
- 6.21** It is acknowledged that the proposal will be visible and have an impact on the adjoining neighbours, however it is not considered that this will be to an unacceptable level. The standard daylight test was also conducted and the proposal passes this test.
- 6.22** A number of comments were received regarding the removal of the double garage and subsequent impact on parking. The site will still retain two off road parking spaces and it is noted that there are currently no established parking standards across the county. It is also evident that unrestricted on-road parking is available outside of this particular cul-de-sac. Subsequently it is not considered that the loss of the garage will have a significant impact on parking.
- 6.23** Based on the above, the proposal would appear to be in accordance with Policy SD4 of the JCS and Local Plan Policy CP4.
- 6.24 Other considerations**
- 6.25** Some of the comments received in relation to this application refer to a legal covenant covering the Westal Park development which places certain restrictions on development / alterations. A planning application is assessed against relevant local and national policy, legislation and guidelines, and a legal / restrictive covenant is not a planning consideration. The existence of a covenant should not be a basis to permit or withhold planning permission.

7. CONCLUSION AND RECOMMENDATION

- 7.1** In conclusion, the application is considered to be in accordance with the policy requirements of the JCS, the Cheltenham Local Plan and advice provided with the Supplementary Planning Document.

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 The annexe hereby permitted shall not be occupied other than for purposes ancillary to the residential use of the dwelling known as 6 Westal Park as shown on the approved plans.

Reason: Use of the development as independent residential accommodation would require further consideration, having regard to the provisions 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) Order 2015 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 application constitutes sustainable development and has therefore been approved in a timely manner.