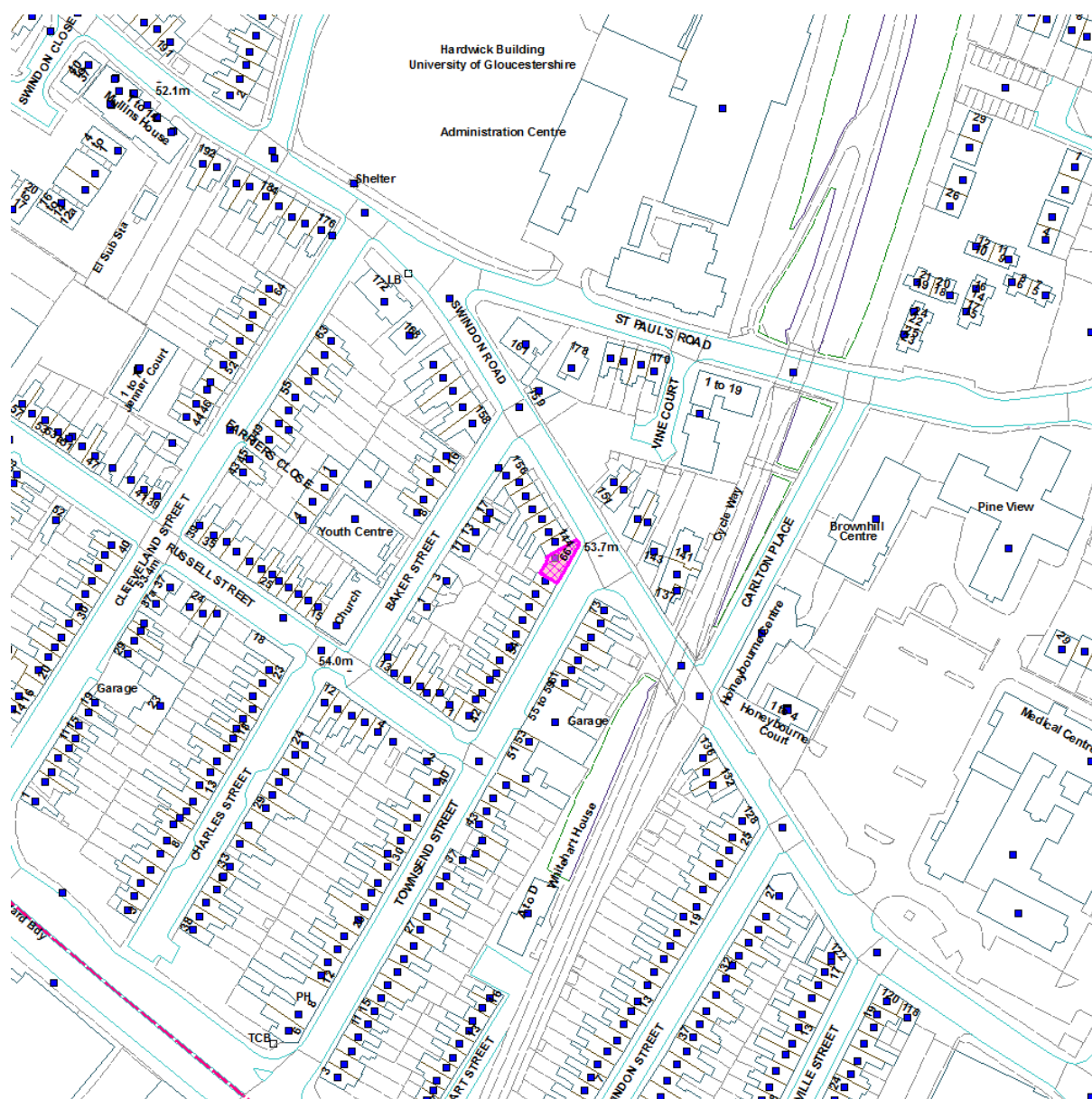


<b>APPLICATION NO: 18/00846/FUL</b>		<b>OFFICER: Mr Gary Dickens</b>
<b>DATE REGISTERED: 2nd May 2018</b>		<b>DATE OF EXPIRY: 27th June 2018</b>
<b>WARD: St Pauls</b>		<b>PARISH:</b>
<b>APPLICANT:</b>	Mr Samra	
<b>AGENT:</b>	H A Planning Ltd	
<b>LOCATION:</b>	66 Townsend Street, Cheltenham	
<b>PROPOSAL:</b>	Two storey side extension (revised scheme ref: 17/01303/FUL)	

**RECOMMENDATION:** Permit



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application relates to 66 Townsend Street. The site is a two storey end terraced property located on a residential road in St Pauls.
- 1.2 The application proposes a two storey side extension in order to provide a garage at ground floor and first floor bedroom.
- 1.3 The application is before committee at the request of Cllr Karl Hobley due to concerns raised by local residents. Members will visit the site on planning view. This is a revised scheme to an application which was refused by Members in November 2017 (ref: 17/01303/FUL).

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### **Constraints:**

Airport safeguarding over 90m  
Honeybourne Line  
Smoke Control Order

### **Relevant Planning History:**

**17/01303/FUL    21st November 2017    REF**  
Two storey side extension

## 3. POLICIES AND GUIDANCE

### Joint Core Strategy

SD 4 Design Requirements  
SD 14 Health and Environmental Quality  
INF 1 Transport Network

### Adopted Local Plan Policies

CP 4 Safe and sustainable living  
CP 7 Design

### Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (February 2008)

### National Guidance

National Planning Policy Framework

## 4. CONSULTATIONS

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

15th May 2018 - Biodiversity report received.

## 5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	10
Total comments received	2
Number of objections	2
Number of supporting	0
General comment	0

- 5.1 Ten letters have been sent to neighbouring properties and two objections have been raised.
- 5.2 Representations have been circulated in full to Members but, in brief, the main objections relate to:
- Parking provision and impact on the highway
  - Potential noise and disturbance caused through multiple occupancy

## 6. OFFICER COMMENTS

### 6.1 Determining Issues

- 6.2 The main considerations for this particular application are the impact of the works on the character of the existing building and surrounding area, together with the potential impact on neighbouring amenity. The potential impact on highway safety will also need to be considered.

### 6.3 The site and its context

- 6.4 The application site is located at the corner of Townsend Street and Swindon Road in St Paul's. The vast majority of properties in the vicinity are terraced dwellings and, although separated from 64 Townsend Street, this building adjoins 144 Swindon Road. The space between 66 and 64 Townsend Street currently functions as an off road parking space / outside amenity area.
- 6.5 A previous application was before Members in November 2017 proposing a two storey side extension which consisted of a bedroom at ground floor and at first floor. The plans indicated the property would be used as a six bedroom House in Multiple Occupancy (HMO). Planning permission is not required for a dwelling house (Use Class C3) to become a HMO (Use Class C4) if used by 3 – 6 residents. More than 6 residents would require a change of use planning application.
- 6.6 The previous application was refused for the following reasons:

*The application site is situated in St. Paul's ward which has a high proportion of houses in multiple occupation (HMO). The intensive nature of this residential use brings with it evidence of environmental and social problems and also puts significant pressure on on-street car parking and in light of this, the Council is actively considering interventions in the form of article 4 directions to restrict permitted changes in use.*

*The proposed two storey side extension, which would result in the existing 4 bedroom HMO being enlarged to a 6 bedroom HMO, will add to this intensive use and would result in the loss of a much needed off road parking space. Furthermore, the design of the proposed extension will result in cramped living accommodation that fails to pay due regard to incoming occupants.*

*It is a core planning principle that development should secure a good level of amenity for all existing and future occupants of land and buildings and paragraph 56 of the NPPF states that good*

*design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The proposed extension will fail to do this, exacerbating an existing problem, and is therefore contrary to local plan policies CP4 (safe and sustainable living) and CP7 (design).*

## **6.7 Design and layout**

**6.8** Policy SD4 of the Joint Core Strategy for Gloucester, Cheltenham and Tewkesbury (JCS) states how new development *“should respond positively to, and respect the character of, the site and its surroundings”*. Furthermore, paragraph 4.5.5 notes how *“development at any scale and location should make a positive contribution to providing better places for communities”*.

**6.9** This is reinforced through Local Plan Policy CP7 which advises in paragraph 4.18 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 Authority has sought to provide advice to developers through its Supplementary Planning Document: Residential Alterations and Extensions (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 extension would ‘fill the space’ between the application site and the adjacent property. The extension will have a one metre set back from the front elevation of the existing building and a small rear courtyard remains in order to store refuse and recycling bins. The ridge height of the extension is approximately 15cm lower than the existing roof height whilst the window fenestrations, design and materials match that of the existing building.

**6.12** In officer opinion the proposed two storey extension will not dominate or detract from the existing building and will play a supporting role. This proposal also appears to address the previous refusal reason relating to cramped living accommodation, providing an appropriate level of space for existing and future occupants. It is also noted that the previous application was not refused due to the proposed design and the impact of this on the existing building.

**6.13** As such, the proposed extension is considered to be in accordance with JCS Policy SD4 and Local Plan Policy CP7.

## **6.14 Impact on neighbouring property**

**6.15** Policy SD14 of the JCS and Local Plan Policy CP4 relate to potential impact on neighbouring amenity. Both policies state that no unacceptable harm should be caused as a result of new development. 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. The potential disturbance from noise should also be a consideration.

**6.16** Two objections to the application have been received. The concerns raised centre on the use of the property as a HMO and the implications this has on the area, primarily noise disturbances and impact on parking. Whilst officers sympathise with residents over the intensive presence of HMOs in St Paul’s, this application must be judged on whether a two storey side extension is appropriate and not whether the property should be used as a HMO. At present time no local policy exists to restrict the levels of HMOs present within St Paul’s however this is being actively considered by the Local Authority through the draft Local Plan and future Article 4 directives.

**6.17** The proposal will not adversely affect parking levels within the area as one off road parking space will be retained. A condition is included preventing the garage from being converted into residential space at a later date.

**6.18** There are no issues with regards to loss of privacy or loss of light, neither will the proposal have an overbearing impact on neighbouring properties. The proposal is therefore considered to be in accordance with JCS Policy SD14 and Local Plan Policy CP4.

**6.19 Environmental Impact**

**6.20** 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 small scale development will have any impact on these species.

## **7. CONCLUSION AND RECOMMENDATION**

**7.1** The proposal has sought to address the previous refusal reason by providing improved internal space for occupiers and retaining off road parking. It is acknowledged that with some minor internal reconfiguration the property could easily become a six bedroom HMO, however planning permission would not be required for this. With this in mind, the officer recommendation is to permit the application subject to the conditions below.

## **8. CONDITIONS**

- 1 The planning permission hereby granted shall be begun not later than the expiration of three years from the date of this decision.

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 planning permission hereby granted 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 1995 (or any Order revoking and/or re-enacting that Order) the garage/car parking space(s) hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles and ancillary domestic storage without the prior written permission of the Local Planning Authority.

Reason: To retain the garage/car parking space(s) for parking purposes in accordance with Policy INF1 of the Joint Core Strategy for Gloucester, Cheltenham and Tewkesbury relating to development and highway safety.

- 4 Notwithstanding the approved plans, the garage door(s) shall be of a rolling or sliding door design, and shall not project beyond the front face of the garage or over the highway at any time.

Reason: To ensure that the garage door(s) do not encroach over the highway whilst being opened and closed in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

## **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.