

APPLICATION NO: 18/00934/FUL	OFFICER: Mr Ben Hawkes
DATE REGISTERED: 14th May 2018	DATE OF EXPIRY: 9th July 2018
WARD: Charlton Park	PARISH: Charlton Kings
APPLICANT:	Mr Chris Gough
AGENT:	Build Design
LOCATION:	68 Sandy Lane, Charlton Kings, Cheltenham
PROPOSAL:	First floor front extension, single storey extension to the rear of the garage, first floor side extension, application of render and timber cladding and replacement windows and doors (revised scheme to previously approved application ref. 17/01984/FUL, changes to include an increase in the overall height of the first floor addition by approx. 400mm, removal of fascia/guttering detail and removal of first floor side elevation cladding) Part-retrospective.

RECOMMENDATION: Permit



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a detached residential property located on the corner of Sandy Lane and Hartley Close.
- 1.2 The applicant is seeking planning permission for changes to an already permitted application 17/01984/FUL. The proposal includes a first floor front extension, single storey rear extension, first floor side extension, application of render and cladding to the existing dwelling and replacement windows and doors. These works are part-retrospective as works have started; the first floor front extension has been erected at the increased height.
- 1.3 The changes to be considered as part of this application are an increase in height of the first floor front extension by approximately 400mm, the removal of the fascia/guttering detail and the removal of the cladding from side elevation of this extension.
- 1.4 The application is before members in the interests of transparency, due to a senior member of Cheltenham Borough Council staff living in close proximity to the application site.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Smoke Control Order

Relevant Planning History:

16/02197/FUL 31st May 2017 PER

Two storey side extension, single storey front and rear extension, application of render and timber cladding and replacement windows and doors.

17/01984/FUL 13th November 2017 PER

Single storey front extension, single storey extension to the rear of the garage, first floor side extension, application of render and timber cladding and replacement windows and doors. (Revised scheme to 16/02197/FUL)

18/00302/AMEND 16th February 2018 PAMEND

Nonmaterial amendment to planning permission 17/01984/FUL - to move position of kitchen window by 1281mm. Reduce the amount of cladding. Change rear to have bifold/patio/french door

18/00303/DISCON 16th February 2018 DISCHA

Discharge of condition 3) Cladding and Render and condition 4) Windows and external Doors, of Planning Permission 17/01984/FUL.

3. POLICIES AND GUIDANCE

Saved Local Plan Policies

CP 1 Sustainable development
CP 3 Sustainable environment
CP 4 Safe and sustainable living
CP 7 Design

Adopted Joint Core Strategy Policies
SD4 Design Requirements
SD14 Health and Environmental Quality

Supplementary Planning Guidance/Documents
Residential Alterations and Extensions (2008)

National Guidance
National Planning Policy Framework

4. CONSULTATIONS

Gloucestershire Centre For Environmental Records
30th May 2018

Biodiversity report received.

Wales And West Utilities
29th May 2018

Letter and Plan available to view on line.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	4
Total comments received	7
Number of objections	3
Number of supporting	0
General comment	1

- 5.1** Four letters were sent to neighbouring properties, Seven letters of representation have been received - six letters of objection and one general comment.
- 5.2** The concerns raised within the letters of objection relate to but are not limited to the following:
- Unacceptable design
 - Increase in height of the front extension will be out of keeping with surroundings
 - Increased visual impact
 - Increased prominence of the extended and remodelled property
 - Impact on neighbouring amenity – loss of light and overbearing impact
- 5.3** One letter of representation has been received which doesn't object to the application and suggests that the changes seeking consent should not warrant the refusal of planning permission

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2** The considerations of this application are the changes seeking part-retrospective consent which include an increase in the height of the first floor extension by approximately 400mm, the removal of the fascia/guttering detail and the removal of the cladding from the side elevation of the new first floor addition.

6.3 History

- 6.4** Planning permission was granted by application number 16/02197/FUL for a two storey side extension, single storey front and rear extension, application of render and timber cladding and replacement windows and doors.
- 6.5** A further application 17/01984/FUL was later submitted and approved for a revised application on the site. Changes within this scheme included the retention of the garage in its existing position and the removal of some of the single storey extensions to the rear of the site.
- 6.6** An amendment application (18/00302/AMEND) has also been submitted and approved which included minor changes to the window and door openings and a reduction in the amount of cladding.

6.7 Reasons for the changes to the scheme

- 6.8** As set out in the applicants covering letter received on the 11th May 2018, the increase in the height of the proposed first floor front extension is due to an oversight in the preparation of the original plans when considering the finished floor levels within the new extension. As approved, this would result in a stepped and lowered ceiling height half way through the first floor extension, the lower ceiling height being 2 metres.

6.9 Design

- 6.10** When considering the proposed design, the judgement officers have been required to make is whether an increase in the height of the proposed first floor front extension would result in an unacceptable design that would harm the character of the surrounding area.
- 6.11** The increase in height which is needed to accommodate a suitable head height within the new extension would result in the new extension protruding above the eaves height of the existing property. This will in turn, result in a junction whereby the side elevation wall will run into the roof slope of the main dwelling. Whilst officers agree that this will create a relatively awkward junction, it is unlikely that this will be fully appreciated once the extension and remodelling works of the existing building have been completed and the alterations are viewed collectively.
- 6.12** Officers are disappointed that the increase in height was not discussed with the planning department prior to the works starting; however, it is the collective view of officers that this change will not result in any unacceptable harm to the overall design or appearance of the extended and remodelled property.
- 6.13** The removal of the fascia/guttering detail on the first floor front extension would result in a cleaner and more crisp finish to the contemporary design and would generally create a more aesthetically pleasing finished project.
- 6.14** The proposed extensions and alterations to the building will undoubtedly be noticeable in the street scene. It is, however, the view of officers that the impact resulting from this

additional height would not result in unacceptable harm to the surroundings and would therefore not tip the balance towards recommending refusal of this application.

- 6.15** It is the view of officers that the proposal is of an acceptable design and is compliant with the requirements of local plan policy CP7, adopted JCS policy SD4 and the Supplementary Planning Document – Residential Alterations and Extensions (adopted 2008).

6.16 Impact on neighbouring amenity

- 6.17** At the request of the neighbouring land user, a further site visit was made, where officers were able to view the already increased front extension from the kitchen, bathroom and rear garden of number 70 Sandy Lane. By visiting the site again officers were able to fully understand the implications of the increase in height on this particular property and allowed a full understanding of the objections raised.

- 6.18** With regard to a loss of light to number 70 Sandy Lane, Paragraph 6.18 of the officer report for the original application (16/02197/FUL), states:

‘The outlook of the habitable rooms for number 70 Sandy Lane is to the front and rear of the property. Given the location of the proposed extensions there will be no unacceptable loss of light to this neighbouring property. It is noted that the side elevation windows in number 70 are obscurely glazed and serve bathrooms to the property and therefore are not afforded any protection in terms of light.’

The situation and relationship between these properties has not changed since the granting of permission for the original application. Whilst there may be an increased impact on the obscurely glazed ground floor side elevation window which serves the kitchen, this window is a secondary light source to this room, with a larger clear glazed opening to the rear. Officers’ opinion remains, that the impact of this proposal would not result in any unacceptable loss of light to this neighbouring property.

- 6.19** Given the relationship of the application site and the adjacent property whereby no clear glazed windows would look towards the application site and the land between these properties is only used for access and not private amenity space, it is not considered that the development in its revised form will result in any unacceptable or overbearing impact.
- 6.20** Whilst the comments and concerns raised by neighbouring land owners have been duly noted, the proposal is considered to be compliant with Local Plan policy CP4 and adopted JCS policy SD14 which requires development to protect the existing amenity of neighbouring land users and the locality.

6.21 Other points to consider

- 6.22** With regards to the reduction in the amount of first floor cladding, officers have already considered this as part of the amendment application (18/00302/AMEND) which was previously granted. This part of the revised scheme is therefore considered to be acceptable.

6.23 Environmental Impact

- 6.24** Records show that important species have been sighted near the application site in the past and in particular bats recorded in 2003, the sighting was recorded as 105 metres from the site. Given the length of time that has passed and the nature of the proposed works, it is not considered that this development would have any impact on these species.

7. CONCLUSION AND RECOMMENDATION

- 7.1** Whilst it is regrettable that these changes are required and that consent was not sought prior to the works taking place, officers do not consider that the changes proposed would warrant the refusal of planning permission. With this in mind, officer recommendation is that planning permission should be granted subject to the conditions set out below:

8. CONDITIONS / INFORMATIVES

- 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 The external cladding and render shall be applied in accordance with the submitted and approved details within the discharge of condition application 18/00303/DISCON.

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).

- 4 The windows and external doors shall be installed in accordance with the submitted and approved details within the discharge of condition application 18/00303/DISCON.

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 mass of the extensions, to improve the design and to reduce impact on neighbouring amenity;

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