

;APPLICATION NO: 18/01326/FUL		OFFICER: Mr Gary Dickens
DATE REGISTERED: 4th July 2018		DATE OF EXPIRY: 29th August 2018
WARD: Park		PARISH:
APPLICANT:	Ms E Canham	
AGENT:	Mr Charles Cox	
LOCATION:	Ashford Court Cottage 4A Ashford Road Cheltenham	
PROPOSAL:	Construction of first floor to existing bungalow	

## Update to Officer Report

**Recommendation: Permit**

### 1. PUBLICITY AND REPRESENTATIONS

Number of letters sent	35
Total comments received	6
Number of objections	6
Number of supporting	0
General comment	0

- 1.1. Thirty-five letters were sent to neighbouring properties, a site notice displayed and an advert published in the Gloucestershire Echo.
- 1.2. Representations from surrounding properties have been circulated in full to Members but, in brief, the main objections relates to:
  - The additional first floor and design approach being out of keeping and harmful to the character of the area.
  - Potential loss of light and loss of privacy to neighbouring properties.

### 2. OFFICER COMMENTS

- 2.1. **The site and its context**
- 2.2. The existing bungalow was built in the mid-1980s and lies relatively hidden away from the public realm to the rear of 4 Ashford Road. In addition to the parent dwelling, the site is bounded by residential properties on Park Place, Ashford Road and Andover Walk.
- 2.3. The site has been subject to previous planning approvals, the most recent of which was for a single storey side extension permitted under delegated authority in June this year (ref: 18/00865/FUL). The most relevant permission when considering the current application relates to an application approved by Members at the May Planning Committee in 2013 (ref: 13/00309/FUL). That application was also for a first floor extension to the existing bungalow and has now expired.

2.4. The adjoining property known as 'The Bungalow, Andover Walk' has been subject to a recent permission (ref: 18/01011/FUL) for the demolition of all buildings on site and the erection of two detached two storey dwellings. This has been taken into account when determining this proposal.

#### 2.5. **Determining Issues**

2.6. The main considerations for this application are similar to the 2013 application: the impact of the works on the character of the existing building and surrounding area, together with the potential impact on neighbouring properties.

2.7. The only change in policy terms since the previously approved first floor extension is the adoption of the Joint Core Strategy for Gloucester, Cheltenham and Tewkesbury (JCS) and the revised National Planning Policy Framework (NPPF) issued in July 2018. Relevant policies within the JCS and advice provided within the NPPF have therefore been taken into account when assessing this application.

#### 2.8. **Design and layout**

2.9. The Joint Core Strategy for Gloucester, Cheltenham and Tewkesbury (JCS) highlights in Policy SD4 how development should positively respond to and respect the character of the area. Furthermore, this should be of a scale, type, density and materials that are appropriate to the site. Local Plan Policy CP7 reinforces this.

2.10. As well as the first floor extension, a relatively comprehensive re-modelling of the existing building is proposed. The proposed first floor extension would result in the building increasing in height from 4.9m to 5.75m. The footprint has increased in size due to the incorporation of the approved side extension within this scheme.

2.11. Paragraph 130 of the NPPF states that "*where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development*".

2.12. The previous officer report noted how "*the proposed scheme represents a high quality design which would respond well to the constraints of the site*". This application has to some extent taken a different approach but is proportionally similar to what was previously approved. The proposed works will not significantly harm the character of the conservation area nor will it be detrimental to the site itself.

#### 2.13. **Impact on neighbouring property**

2.14. Policy SD14 of the JCS and Local Plan Policy CP4 both require development to not harm the amenity of adjoining neighbouring properties. When assessing this impact, the potential loss of light, loss of outlook and loss of privacy is taken into account.

- 2.15. Furthermore, the SPD includes maintaining privacy and ensuring adequate daylight as two of the five basic design principles when contemplating residential alterations and extensions.
- 2.16. The concerns raised over the design and impact on the wider conservation area are discussed within the 'design and layout' section above.
- 2.17. The windows to the first floor are proposed to be obscurely glazed aside from the top element of the windows to the front elevation. The fact these are to be obscurely glazed prevents any overlooking into neighbouring properties. A condition has been added to ensure that these are maintained as obscurely glazed and have restricted opening mechanisms.
- 2.18. The standard daylight test was conducted and the proposal passes this test. It is not considered therefore that light levels to neighbouring properties will be unduly affected by this application nor will it be oppressively overbearing.

### **3. CONCLUSION AND RECOMMENDATION**

- 3.1 The previous application was approved subject to a small number of conditions. This proposal, albeit not wholly identical, has been considered against similar constraints and policies as the previous application was, with the addition of the adopted JCS and revised NPPF as well as the recent approval at The Bungalow site on Andover Walk. With this in mind it is difficult to arrive at a different conclusion to the previous application.
- 3.2 The recommendation is therefore to permit planning permission subject to the conditions below.

### **4. CONDITIONS/REFUSAL REASONS**

- 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 2015 (or any order revoking and/or re-enacting that order with or without modification), no additional windows, doors and openings shall be formed in the building without express planning permission.

Reason: Any further openings require detailed consideration to safeguard the privacy of adjacent properties, having regard to Policy CP4 of the Cheltenham Borough Local Plan (adopted 2006).

- 4 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 frosted glazing annotated on the approved drawings shall be glazed with obscure glass and shall incorporate a restricted opening mechanism, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The windows shall be installed in accordance with the details so approved and shall be maintained as such thereafter.

Reason: To safeguard the amenities of the surrounding properties in accordance with Joint Core Strategy Policy SD14 and Local Plan Policy CP4.

- 5 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).