

APPLICATION NO: 18/01555/FUL		OFFICER: Miss Claire Donnelly	
DATE REGISTERED: 1st August 2018		DATE OF EXPIRY: 26th September 2018	
DATE VALIDATED: 1st August 2018		DATE OF SITE VISIT: 14th August 2018	
WARD: All Saints		PARISH:	
APPLICANT:	Mr Matthew Larner		
AGENT:	n/a		
LOCATION:	76 Hales Road, Cheltenham		
PROPOSAL:	Rear and side lower ground and ground floor extension		

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a semi-detached, residential property located on Hales Road. The site is within the Sydenham Character Area of Cheltenham's Central Conservation Area.
- 1.2 The applicant seeks planning permission for a lower ground and ground floor side and rear extension.
- 1.3 The application is before the planning committee at the request of Councillor Jordan on behalf of the adjoining neighbours.
- 1.4 Members will visit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Conservation Area

Relevant Planning History:

00/00602/COU	27th June 2000	PER
Change of use of two ground floor rooms as a chiropractic clinic (rest to be retained as a residential dwelling)		

14/00532/COU	14th May 2014	PER
Change of use from Use Class D1 (chiropractic clinic) to Use Class C3 (domestic dwelling)		

15/02253/FUL	22nd March 2016	PER
Erection of rear dormer and ground floor side extension.		

3. POLICIES AND GUIDANCE

Saved Local Plan Policies

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)
Central conservation area: Sydenham Character Area and Management Plan (July 2008)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Tree Officer

6th September 2018

The Tree Section in principal does not object to this application. Within the garden of 29 Kings Road, adjacent to the proposed extension, is a purple plum tree. This tree should be considered in relation to the proposed extension as it overhangs the boundary, so would likely require pruning to facilitate any extension, and its roots would have to be accounted for in any foundation design.

Please could details of any pruning required to facilitate the proposed extension be submitted and agreed before determination. Please could the following condition be added with any permissions given:

No roots over 25mm to be severed

Any works taking place in the root protection area shall be carried out by hand and no roots over 25mm to be severed without the advice of a qualified arboriculturalist or without written permission from the Local Planning Authority's Tree Officer.

Reason: To safeguard the retained/protected tree(s) in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.

5. PUBLICITY AND REPRESENTATIONS

- 5.1 Letters have been sent to 19 neighbouring properties, a site notice has been displayed and an advert has been placed in the Gloucestershire Echo; 3 neighbouring residents have objected to the proposal.
- 5.2 The main points raised are set out below;
- Loss of privacy
 - Overlooking
 - Visual impact
 - Not in-keeping with the area
 - Overbearing
 - Intrusive
 - Unsympathetic to conservation area; windows and cedar fencing
 - Loss of light
 - Impact on neighbouring tree

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2 The main considerations in relation to this application are the design, the impact on the conservation area and any impact on neighbouring amenity.

6.3 The site and its context

- 6.4 As part of planning application ref, 15/02253/FUL permission was granted for a single storey side extension to increase the depth of the existing porch, in line with the rear of the property. As such, this part of the application has been established as acceptable in terms of its design and impact on neighbouring amenity.

6.5 Design and layout

- 6.6 Policy SD4 of the Joint Core Strategy requires development to be of a high standard of architectural design that positively respond to and respect the character of the site and its surroundings. Policy SD4 goes on to set out that the scale of development and use of materials should be appropriate to the site and its setting. This is reiterated in saved Local Plan policy CP7.
- 6.7 The adopted Supplementary Planning Document: Residential Alterations and Extensions emphasises the importance of later additions reading as subservient to the original building. It sets out that in order to achieve subservience additions should not dominate or detract from the original building, but play a supporting role.
- 6.8 The application has been revised throughout the course of the application process. Officers had initial concerns regarding the ground floor rear part of the proposal. This part was initially proposed to be 5 metres in height and project 3.4 metres beyond the rear wall of the original building. The extension was considered to be overly large which impacted upon neighbouring properties; it was felt there was scope to reduce the scale of the extension.
- 6.9 Officers concerns were raised with the applicant and subsequently revised plans were submitted. The rear extension has been set off the boundary with the neighbouring property by 0.8 metres. The height of the extension has been reduced by 0.5 metres to 4.5 metres, and the depth has been reduced by 1.2 metres to 2.2 metres. The lower ground floor and side extension remain unchanged, apart from an alteration to the North East elevation fenestration. Additionally, the proposed terrace has been considerably reduced and is now only a stair and access into the ground floor of the property.
- 6.10 The design of the single storey rear extension has been amended to reduce the height of the extension. Officers suggested that the property could take a modern addition; however the height has been reduced 0.5 metres, the detailing from the existing porch removed and introduced larger glazing. Whilst it is considered that the extension could be of a more modern design, the proposed extension is considered to be of an acceptable design that is clearly subservient to the original building.
- 6.11 The proposed side extension, whilst slightly larger than the previously approved extension as part of application ref. 15/02253/FUL, is considered to be clearly subservient to the parent dwelling. The design of the existing porch is to remain as the design of the extension which is considered to be appropriate. The porch is to be extended forward of the existing, however will still be set back from the front elevation of the original building and will not result in harm to the character of the building or the street scene.
- 6.12 The application proposes a lower ground and ground floor rear and side extension.
- 6.13 Based on the above, the proposed lower ground, and ground floor side and rear extension is considered to be in accordance with policy SD4 of the JCS and Local Plan policy CP7.
- 6.14 **Impact on neighbouring property**
- 6.15 Policy SD14 of the Joint Core Strategy and saved Local Plan policy CP4 require development not to result in unacceptable harm to the amenity of adjoining land users and the locality.
- 6.16 Letters have been sent to neighbouring properties, three neighbouring residents have raised objections to the proposal; a summary of the main points raised can be read in section 5.2 above. All neighbour comments have been taken into consideration when determining this application.
- 6.17 The initial 5 metre high, 3.4 metre deep extension was considered to be overly large. It is appreciated that as the property has an elevated ground floor, a ground floor extension

would need to be high; however it was considered that the height could be reduced and still achieve a ground floor extension. Following officer comments, the projection has been reduced and the height marginally reduced. This has reduced the scale of the extension and is now considered to be acceptable.

- 6.18 Both the application site and adjoining property have an elevated ground floor level with a low boundary wall in between; as such there is a degree of overlooking between the application site and the adjoining neighbour as existing. In addition, there are low boundaries to the rear of the site and again an element of overlooking already exists. The initially proposed terrace was deep enough to encourage sitting and based on the relationship with neighbouring properties, the terrace has been amended to protect the amenity of the neighbouring properties. As existing there is an access stair into the kitchen/dining area, however this is narrow and does not provide space for sitting on. It was considered that a similarly sized access would be acceptable to provide access from the kitchen into the rear garden. Whilst the new access would be sited 2.2 metres further into the site, it is considered that the impact would be no greater than the existing impact. The applicant has proposed increasing the height of the boundary to increase the level of privacy between the two properties and minimising an element of overlooking.
- 6.19 A concern has been raised regarding a loss of light, and this was also an initial concern with officers. The adjoining neighbouring property has a lower ground floor window which is likely to be affected by the proposal. The initial scheme failed the relevant light test and following the submission of revised plans which a smaller scaled extension a further site visit was carried out to the neighbouring property to fully assess the impact on the basement window. It was noted that this room is fairly dark as existing, and whilst it is appreciated that this room is at basement level and may experience a loss of light as a result of the extension, based on the revised scheme it is considered that the impact on this window as a result would not make the existing situation unacceptably worse.
- 6.20 Having taken into consideration of all representations, based on the above the proposed extension is not considered to result in unacceptable harm to the amenity of adjoining land users.
- 6.21 **Trees**
- 6.22 There is an existing purple plum tree in the neighbouring property's garden, however is sited very close to the boundary. As such the council's tree officer has been consulted and has provided comments, these can be read in full in section 4. A condition has been added regarding no roots to be severed over 25mm, and the applicant has confirmed that no pruning works are proposed to the tree.

7. CONCLUSION AND RECOMMENDATION

- 7.1 Based on the above, the proposed lower ground floor and ground floor side and rear extension is considered to be in accordance with the relevant policies and documents in regards to design and impact on neighbouring amenity.

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 All external facing and roofing materials shall match those of the existing building unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to saved policy CP7 of the Cheltenham Borough Local Plan (2006) and adopted policy SD4 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.