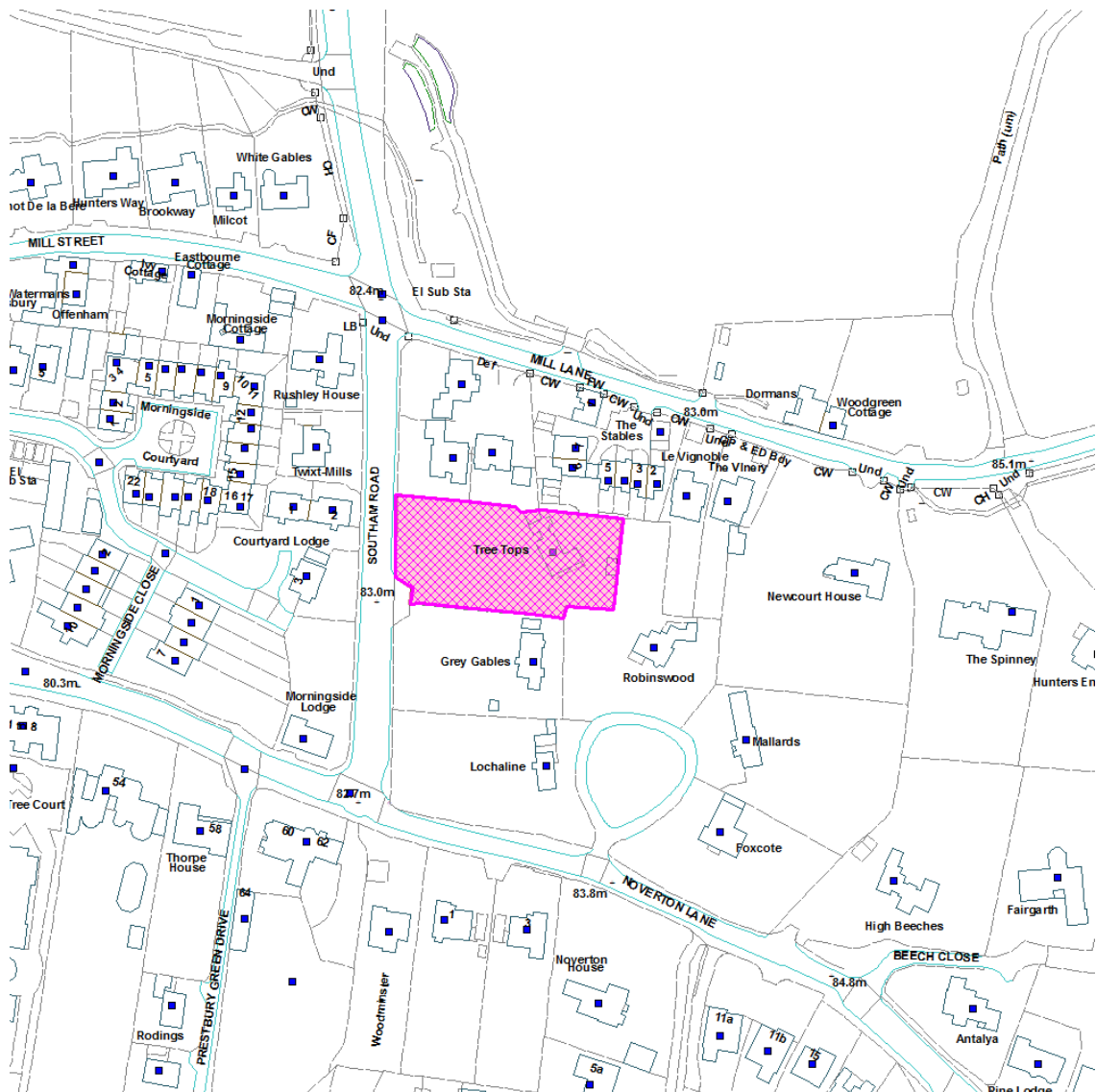


<b>APPLICATION NO:</b> 18/02560/FUL		<b>OFFICER:</b> Miss Claire Donnelly	
<b>DATE REGISTERED:</b> 20th December 2018		<b>DATE OF EXPIRY:</b> 14th February 2019	
<b>DATE VALIDATED:</b> 20th December 2018		<b>DATE OF SITE VISIT:</b> 15th January 2019	
<b>WARD:</b> Prestbury		<b>PARISH:</b> Prestbury	
<b>APPLICANT:</b>	Mr And Mrs Bence		
<b>AGENT:</b>	SF Planning Limited		
<b>LOCATION:</b>	Tree Tops, Southam Road, Cheltenham		
<b>PROPOSAL:</b>	Internal & external alterations including single storey side extensions, two storey rear extension and new triple bay garage with link (revised application to previously approved application ref. 18/00603/FUL; changes include alterations to existing roof) (part retrospective)		

**RECOMMENDATION:** Permit



This site map is for reference purposes only. OS Crown Copyright. All rights reserved Cheltenham Borough Council 100024384 2007

## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to Tree Tops, a large detached property located off Southam Road within Prestbury. The site is a fairly large plot, with the dwelling located towards the rear of the site therefore has a larger front garden than rear. The site is not within a conservation area.
- 1.2 The applicant is seeking planning permission for internal and external alterations including single storey side extensions, two storey rear extension and a new triple bay garage with link. This application is a revised scheme to the previously approved application ref. 18/000603/FUL. The changes as part of this revised application include the increase in the ridge height of the main property.
- 1.3 The application has been revised throughout the course of the process, the initially proposed increase in height of the garage with accommodation above was considered to be unacceptable and since has been omitted from the proposal, reverting back to the height approved as part of the previous application.
- 1.4 The application is at planning committee following an objection from the parish council.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### **Constraints:**

Airport Safeguarding over 45m

### **Relevant Planning History:**

<b>78/01053/PF</b>	<b>5th December 1978</b>	<b>PER</b>
Extension to existing garage to provide a car port		

<b>18/00603/FUL</b>	<b>21st June 2018</b>	<b>PER</b>
Internal & external alterations including single storey side extensions, two storey rear extension and new triple bay garage with single storey link		

## 3. POLICIES AND GUIDANCE

### National Planning Policy Framework (NPPF)

Section 2 Achieving sustainable development  
Section 4 Decision-making  
Section 8 Promoting healthy and safe communities  
Section 12 Achieving well-designed places

### Adopted Joint Core Strategy Policies (JCS)

SD4 Design Requirements  
SD14 Health and Environmental Quality

### Saved Local Plan Policies

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

### Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)

## 4. CONSULTATIONS

### Building Control

27th December 2018

The proposed works and alterations will require Building Regulations approval. For more information visit the Cheltenham Borough Council website

### Parish Council

2nd January 2019

#### OBJECTION

Prestbury Parish Council would like CBC Planning Committee to make a decision on this application in view of the deviation from approved plans, with regards to height of the proposal and objection to the re-introduction of windows in the garage roof and added windows to the rear of the main roof.

The Parish Council considers the new application does not meet with Policies SD4 and SD7, it also does not meet CBC Supplementary Planning Policy for extensions.

12<sup>th</sup> February 2019

With reference to the revised plans for the above property, dated 6th February 2019, Prestbury Parish Council OBJECTS to this retrospective application for approval of an increase in building height and windows in the roof.

Prestbury Parish Council considers that the application does not meet with policies SD4 and CP7. The application requires the approval of Cheltenham Borough Council Planning Committee in view of the deviation from approved plans regarding building height.

## 5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	13
Total comments received	13
Number of objections	9
Number of supporting	4
General comment	0

- 5.1 Letters were initially sent to 13 neighbouring residents, 9 objections were received and 4 letters of support were received.
- 5.2 The main concerns raised by objecting residents include;
- Loss of architectural quality,
  - Garage not subservient,
  - Pitched roof link not appropriate,
  - Overdevelopment,
  - Detracts from the character of the area,
  - Negative visual impact,
  - Overbearing
  - Loss of light, as a result of the garage and main dwelling,
  - Loss of privacy and overlooking as a result of the proposed dormers, garage, and rooflights,

- Loss of a view.
- 5.3 Following the submission of revised plans, the objecting residents have been notified of the submission of the revised drawings.

## **6. OFFICER COMMENTS**

### **6.1 Determining Issues**

- 6.2 The main considerations in relation to the application are the design and the impact on neighbouring amenity, in regards to the proposed changes as part of this revised scheme namely the increase in the height of the ridge of the main dwelling.

### **6.3 The site and its context**

- 6.4 This application is a revised scheme to the previously approved application ref. 18/00603/FUL. The previous scheme approved internal and external alterations, single storey side extensions, two storey rear extension and a new garage with link. This scheme was revised during the process of the application which reduced the height of the garage following concerns raised in terms of design and impact on neighbouring amenity.
- 6.5 This revised scheme initially introduced changes to the approved scheme including an increase in the height of the ridge of the original dwelling by 1 metre (part retrospective) and increasing the height of the garage reintroducing first floor accommodation. The revised scheme however has been revised throughout the course of the application with the proposed alterations to the garage omitted from the scheme.

### **6.6 Design and layout**

- 6.7 Section 12, Paragraph 124 and 127 of the NPPF set out a requirement for development to achieve well designed places. Further to this, policy SD4 of the Joint Core Strategy and saved Local Plan Policy CP7 require development to be of a high standard of architectural design that positively responds to and respects the character of the site and its surroundings.
- 6.8 The Council's adopted Supplementary Planning Document: Residential Alterations and Extensions require later additions to achieve subservience in relation to the parent dwelling. The document sets out that an extension should not dominate or detract from the original building, but play a supporting role. Achieving an appropriate level of subservience is one of the five main design principles for residential extensions.
- 6.9 The initial design of the front elevation of the main dwelling was considered to be poor. There was a fairly substantial expanse of uninterrupted building and as a result of this, disrupted the proportions of the building and resulting in a loss of character. It was considered that this element of the scheme did not constitute good design. These concerns were raised with the applicant and a stone banding detail has been added which now breaks up the front elevation and draws on the proportions of the building. As a result of the changes made throughout the course of the application it is considered that whilst the design is not ideal, based on the changes made the proposal is acceptable in terms of design.
- 6.10 As mentioned above, the proposed garage has been revised throughout the course of the application process. The initial scheme proposed the garage to be 6.5 metres in height incorporating first floor accommodation and dormer windows. The garage is to be located on the boundary and was considered to be an overly large, overbearing, dominating addition to an already large parent dwelling. The scale of the initially proposed garage did not read as a subservient addition and given that concerns were raised and subsequent

revisions made as part of the previous application, this element of the scheme could not be supported. As such, the garage has been revised to that of the approved scheme and measures a maximum height of 4.9 metres.

6.11 The previously approved glazed link between the main dwelling and single storey side extension has been reinstated to achieve the separation between the parent dwelling and the modern addition. This was not shown on the initial plans and officers felt this feature should be as approved in the previous scheme.

6.12 Based on the above and the submission of revised drawings, the proposed development is considered to be of an acceptable design. The proposal is therefore considered to comply with the relevant sections of the National Planning Policy Framework, policy's SD4 and CP7 as well as the guidance set out within the Supplementary Planning Document.

#### **6.13 Impact on neighbouring property**

6.14 Paragraph 127 of the NPPF requires development to create places that have a high standard of amenity for existing and future users. Further to this, policy SD14 of the Joint Core Strategy and saved Local Plan policy CP4 require development to cause no unacceptable harm to local amenity including the amenity of neighbouring occupants.

6.15 Letters were initially sent to 13 neighbouring properties, 13 responses have been received 9 of which objecting to the proposal. Following the submission of revised plans, the nine objecting residents have been notified of the submission of revised plans and were given the chance to make further comments. A summary of the main concerns raised throughout the course of the application is set out above.

6.16 The initially proposed garage was considered to have an unacceptable impact on the amenity of neighbouring residents and as such has been omitted from the scheme.

6.17 Concern has been raised by neighbouring residents regarding a loss of light as a result of the 1 metre increase in height of the ridge of the original dwelling. Whilst the alteration will be noticed by neighbouring residents, it is not considered that as a result of this amendment to the property there would be an unacceptable loss of light to neighbouring properties that would be contrary to the relevant policies. The comments received have been taken into consideration; however officers consider that the increase in ridge height is acceptable in terms of its impact on amenity.

6.18 A comment has been raised regarding a loss of privacy as a result of the proposed dormers and roof lights within the roof of the main dwelling. The proposed dormers would look over the front garden of the application site and is slightly angled towards the neighbouring property. These properties have large front gardens and small back gardens, therefore the main amenity space is likely to be to the front of the property. Following a visit to the application site, it is considered that the windows would not directly overlook the front garden of the neighbouring property, Grey Gables, as any views would be oblique. As such, it is not considered that the new windows within the roof would result in a loss of privacy to adjoining land users.

6.19 Neighbouring residents have raised objection relating to the already approved two storey rear extension and the impact on these properties as a result. This element of the proposal has not changed as part of the revised scheme and therefore the acceptability of this element of the scheme has been established as part of planning application ref. 18/00603/FUL.

6.20 As such, based on the above the proposal in its revised form is considered to be appropriate.

## **7. CONCLUSION AND RECOMMENDATION**

- 7.1 As discussed above, following the submission of revised plans, the proposed increase in height of the ridge of the main dwelling as part of this revised scheme is considered to be in accordance with the relevant policies and guidance in terms of achieving an acceptable standard of design and will not result in a harmful impact on neighbouring amenity.
- 7.2 Whilst it is unfortunate that the ridge of the existing dwelling has been increased without prior consent from the Local Planning Authority, it is considered that when weighing up the changes made, and that it is considered that there would be no harmful impact on surrounding amenity as a result. On balance, when weighed up against relevant policies and guidance, the proposal is not considered to warrant a refusal of planning permission.
- 7.3 The recommendation is to therefore permit this application 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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and/or re-enacting that order), the new first floor rear elevation windows which serve the two en-suite bathrooms as shown on drawing no's. 18/619 810 C and 18/619 830 F; shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the floor that the window serves.

Reason: To safeguard the amenities of adjacent properties, having regard to saved policy CP4 of the Cheltenham Borough Local Plan (2006) and adopted policy SD14 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, the authority sought revisions to overcome concerns regarding design and impact on neighbouring amenity;

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