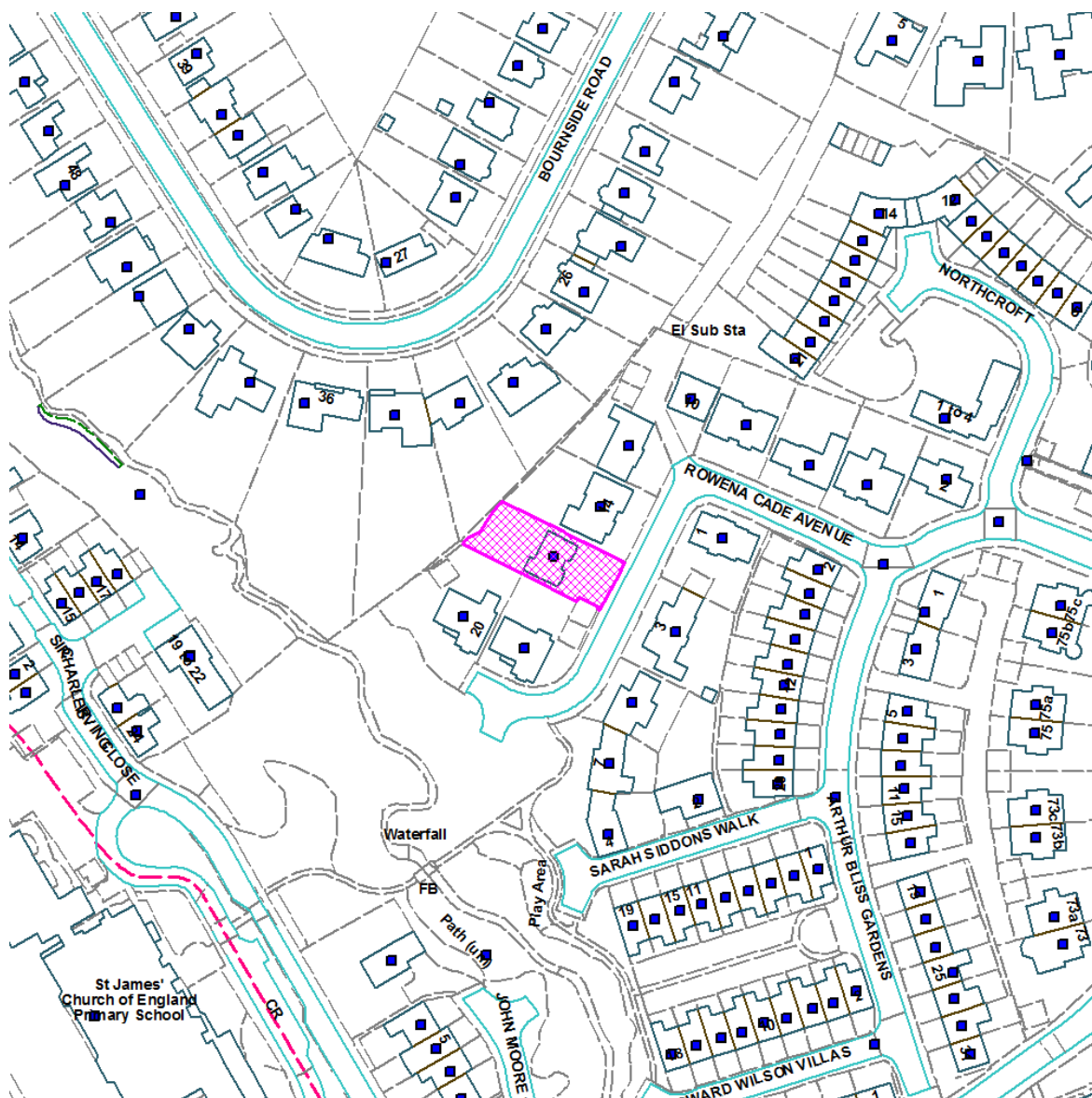


APPLICATION NO: 19/00088/FUL		OFFICER: Miss Claire Donnelly
DATE REGISTERED: 17th January 2019		DATE OF EXPIRY: 14th March 2019
DATE VALIDATED: 17th January 2019		DATE OF SITE VISIT: 28th January 2019
WARD: Park		PARISH:
APPLICANT:	Dr & Mrs Saha	
AGENT:	Cotswold Structures Ltd	
LOCATION:	16 Rowena Cade Avenue, Cheltenham, Gloucestershire	
PROPOSAL:	Single storey rear extension and alterations to front and rear elevations to include Juliette balconies	

RECOMMENDATION: Permit



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a two storey, detached dwelling located within the residential cul-de-sac of Rowena Cade Avenue. The site is within The Park Character Area of Cheltenham's Central Conservation Area.
- 1.2 The applicant is seeking planning permission for a single storey rear extension and alterations to the front and rear elevations to include new Juliette balconies.
- 1.3 The application is at planning committee at the request of Councillor Harman.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area

Relevant Planning History:

00/00649/OUT

11th January 2001

PER

Outline application for redevelopment of existing college (D1 use) and associated buildings to residential (C3 use)

02/00446/CAC

6th September 2002

GRANT

Demolition of all buildings and structures comprising the GLOSCAT campus with the exception of Glenmore to enable redevelopment of part of the site by the erection of 70 houses with associated roads, drainage etc.(revised plans 16.08.02)

02/00447/REM

6th September 2002

APREM

Erection of 70 houses with associated access roads and drainage infrastructure (Approval of matters reserved under permission 00/00649/OUT granted 11/01/01) (In accordance with revised plans received 16.08.02)

12/01825/CACN

23rd November 2012

NOOBJ

Five Day Notice for felling: Damson plum in rear garden - Fell

3. POLICIES AND GUIDANCE

National Planning Policy Framework

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

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)

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

4. CONSULTATIONS

Building Control

18th January 2019

No comment

Gloucestershire Centre For Environmental Records

23rd January 2019

Report available to view on CBC website.

5. PUBLICITY AND REPRESENTATIONS

- 5.1 Letters have been sent to adjoining land users; two neighbouring properties have raised objections to the proposal.
- 5.2 The proposal has been amended throughout the course of the application process; the proposed roof terrace has been omitted from the scheme and amendments made to the front elevation.
- 5.3 A summary of the main concerns raised include;
 - Overly large and not subservient
 - Overshadowing
 - Loss of light
 - Overlooking and a loss of amenity and privacy as a result of the proposed roof terrace
 - Loss of outlook

6. OFFICER COMMENTS

6.1 **Determining Issues**

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

6.3 **Design**

- 6.4 Section 12, Paragraph 124 and 127 of the NPPF set out a requirement for development to achieve well designed places; a key aspect of sustainable development to create better places to live. 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.
- 6.5 The council's Supplementary Planning Document: Residential Alterations and Extensions emphasises the importance of extensions achieving 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.
- 6.6 The application has been revised throughout the course of the application. The initial scheme included a roof terrace above the proposed single storey rear extension and alterations to the front elevation introducing a glazed frontage. Officers raised concerns

relating to a loss of amenity as a result of the proposed roof terrace, this was later omitted from the scheme and the proposal to the front elevation has been scaled back and amended.

- 6.7 The application now proposes a single storey rear extension and the introduction of Juliette balconies to the front and rear elevations.
- 6.8 The single storey extension would project a maximum of 4.2 metres beyond the rear elevation and a minimum of 3 metres; this is due to an existing projecting two storey wing. The extension would have a flat roof and be 2.7 metres in height. The extension is not overly large and is considered to sit comfortably within the site without dominating or detracting from the parent dwelling.
- 6.9 The alteration of two first floor rear and on first floor front windows to Juliette balconies is considered to be of an acceptable design.
- 6.10 The proposed external facing materials would be rendered blockwork; concern has been raised by neighbours regarding the proposed materials. The front elevations of the properties in the cul-de-sac are rendered with red brick side and rear elevations. It is considered that a rendered extension to the rear of the property is acceptable and will not result in harm to the character of the conservation area.
- 6.11 As such, it is considered that the proposed development complies with the relevant policies and guidance in terms of achieving an acceptable design.
- 6.12 Impact on neighbouring property**
- 6.13 Section 12 of the NPPF sets out that development should ensure to create places that are safe, inclusive, with a high standard of amenity for existing and future users. Policy SD14 of the JCS and saved Local Plan Policy CP4 require development not to cause unacceptable harm to the amenity of adjoining land users and the locality.
- 6.14 Letters have been sent to neighbouring properties, two residents have submitted objections, and a summary of main concerns raised is set out in section 5 of the report.
- 6.15 Initial concerns were raised in regards to a loss of privacy as a result of the proposed roof terrace, although privacy screening was proposed, due to the nature of the site it was considered by officers that a roof terrace in this location would be unacceptable. This element has since been omitted from the scheme. To ensure the flat roof is not used, a condition has been added to the decision to ensure that the flat roof is not used as an external amenity space.
- 6.16 It was noted on site that the properties to the south of the site are at a lower land level than the application site, therefore the extension would seem higher to these properties. The proposed extension would be 8 metres from the rear elevation of an existing conservatory at no. 20 Rowena Cade Avenue, and would be 13 metres from the centre point of a ground floor window at no. 18 Rowena Cade Avenue to the south of the application site. However, the extension would not be overly high; measuring at 2.7 metres and it is not considered that there would be an unacceptable overbearing impact or loss of amenity as a result.
- 6.17 Concerns have also been raised in regards to the single storey rear extension in terms of a loss of light. The relevant light test has been carried out and whilst the neighbouring property to the north of the site may experience a loss of light as this property is set further forward in the site; the loss is not considered to be unacceptable in terms of the relevant policies.

- 6.18 The extension is single storey and is not considered to result in overlooking or a loss of privacy to adjoining land users.
- 6.19 In regards to the Juliette balcony, the first floor front elevation balcony is considered to be acceptable. Concerns have been raised in regards to the two rear balconies by residents in terms of potential noise disturbance, however whilst these concerns have been noted and taken into consideration, it would not warrant a refusal of planning permission.
- 6.20 As such, the proposal is considered to comply with the relevant policies in terms of protecting neighbouring amenity.
- 6.21 **Other considerations**
- 6.22 A neighbour raised an objection in regards to a loss of outlook as a result of the proposed extension; a loss of a view is not a material planning consideration.
- 6.23 **Environmental impact**
- 6.24 Whilst records show important species or habitats have been sighted near to the application site in the past, it is not considered that the scale of the proposed development will have a harmful impact on these species.

7. CONCLUSION AND RECOMMENDATION

- 7.1 Based on the above, and following the submission of revised plans, the proposed single storey rear extension and installation of Juliette balconies is considered to be in accordance with the relevant policies and guidance in terms of achieving an acceptable design and will not result in unacceptable harm to the amenity of adjoining land users.
- 7.2 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 The flat roof area of the development hereby permitted shall not be used as a balcony, roof garden or other external amenity area at any time. Access to the flat roof shall be for maintenance purposes only.

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 relating to an unacceptable impact on neighbouring amenity;

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