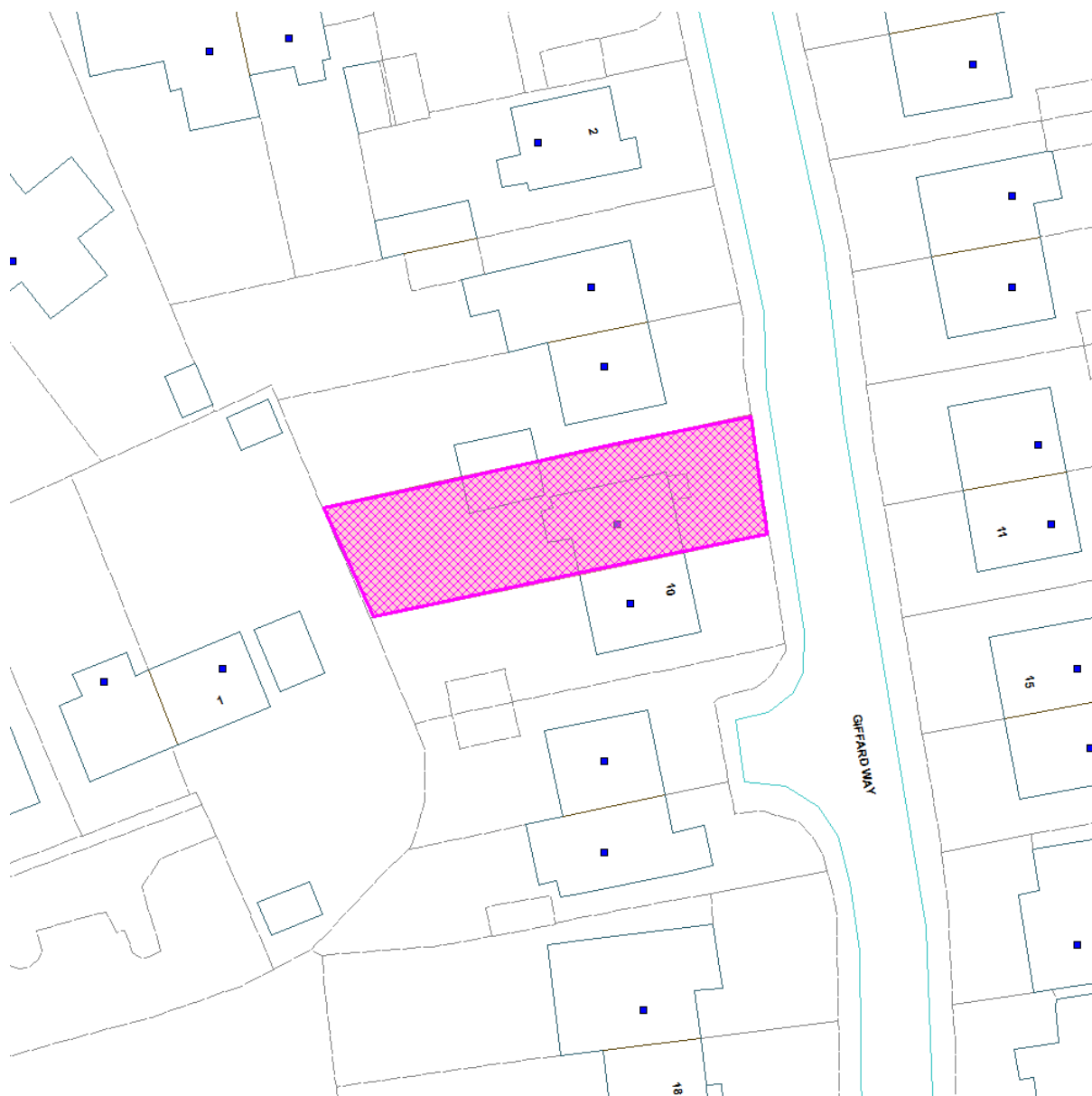


## **Delegated Officer Report**

<b>APPLICATION NO:</b> 19/00450/FUL	<b>OFFICER:</b> Mrs Victoria Harris
<b>DATE REGISTERED:</b> 7th March 2019	<b>DATE OF EXPIRY:</b> 31 May 2019
<b>DATE VALIDATED:</b> 7th March 2019	<b>DATE OF SITE VISIT:</b> 27th March 2019
<b>WARD:</b> Leckhampton	<b>PARISH:</b> Leckhampton With Warden Hill
<b>APPLICANT:</b>	Mr Andrew MacDonald
<b>AGENT:</b>	DesignForLiving Architects Limited
<b>LOCATION:</b>	8 Giffard Way Leckhampton Cheltenham
<b>PROPOSAL:</b>	Demolish rear extension and garage. Two storey rear extension. Replace entrance porch

**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 proposes the erection of a two-storey rear extension with a single storey element and front porch.
- 1.2 The scheme has been revised, trying to address officers concerns relating to design and impact on neighbouring amenity.
- 1.3 The application is brought to Planning Committee at the request of Cllr Horwood, on the grounds that the revised extension is still overbearing and large for the site.

## **2. CONSTRAINTS AND RELEVANT PLANNING HISTORY**

### **Constraints:**

Airport Safeguarding over 45m

### **Relevant Planning History:**

None

## **3. POLICIES AND GUIDANCE**

### **National Planning Policy Framework**

Section 12 Achieving well-designed places

### **Saved Local Plan Policies**

CP 4 Safe and sustainable living  
CP 7 Design

### **Adopted Joint Core Strategy Policies**

SD4 Design Requirements

### **Supplementary Planning Guidance/Documents**

Residential Alterations and Extensions (2008)

### **Other**

## **4. CONSULTATIONS**

### **Gloucestershire Centre For Environmental Records**

*22nd March 2019* - Biodiversity report available to view.

### **Building Control**

*13th March 2019* - The application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

### **Parish Council**

*2nd April 2019* - The Parish Council objects to this application as it is too big for the site and would be overbearing. We would ask that it goes to committee if it is approved.

## **5. PUBLICITY AND REPRESENTATIONS**

Number of letters sent	<b>5</b>
Total comments received	<b>2</b>
Number of objections	<b>2</b>
Number of supporting	<b>0</b>
General comment	<b>0</b>

**5.1** 5 letters were originally sent out to notify neighbouring properties of this application and in response to this publicity, 2 objections have been received. The neighbouring properties were notified a second time following revised plans and no letters of representation have been received.

**5.2** The planning objections for the original plans related to;

- Design and impact on the character and appearance of the area
- Overbearing impact on neighbouring dwellings

**5.3** The neighbour also raised concerns with regards to the impact on the structural integrity of their existing garage. This is a civil matter between landowners and not a planning consideration.

## **6. OFFICER COMMENTS**

### **6.1 Determining Issues**

**6.2** The key considerations in relation to this application are the design of the proposal and impact that it will have on the existing building and character of the locality, and the potential impact on neighbouring amenity.

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

**6.4** The application site is a semi-detached, pitched roof, brick property located within Leckhampton. A number of neighbouring properties have been extended including the adjacent neighbour at 10 Giffard Way.

### **6.5 Design**

**6.6** Section 12 of the NPPF emphasises the importance of achieving well designed places that are visually attractive and sympathetic to local character and setting..

**6.7** Policy SD4 of the Joint Core Strategy (JCS) sets out that high quality, well thought out design is key to achieving sustainable development. The policy goes on to emphasise that development should positively respond to and respect the site and its surroundings.

**6.8** Saved local plan policy CP7 requires development to be of a high standard of architectural design and to complement and respect neighbouring development and the character of the locality. Paragraph 4.18 of the Cheltenham Borough Local Plan advises that 'extensions to existing buildings need to be carefully designed to respect the character and scale of the existing building. The most important consideration is that an extension should not detract from the original'.

**6.9** Expanding upon local plan policy CP7, this Authority has adopted design guidance relating to householder extensions. It is stated within the introduction to the guide that its purpose is "to ensure that the character of each of the residential areas within the Borough is not eroded through un-neighbourly, poorly-designed extensions and alterations to residential properties". One of the five basic design principles set out within this Supplementary Planning Document 'Residential Alterations and Extensions' is

subservience, the document advises that “an extension should not dominate or detract from the original building, but play a supporting role”.

- 6.10** The proposal has been revised following officers’ concerns. The original scheme was considered large and failed to achieve the desired level of subservience to the parent dwelling.
- 6.11** In the revised scheme the depth of the two storey extension has been reduced by 900mm with the roof of the extension now being proposed as hipped. Both the first floor window to the side elevation serving bedroom 4 and the proposed en-suite first floor window in the side elevation are now detailed to be obscured glaze. As revised the proposed extension will extend 4m from the rear elevation, the first floor does not extend the full width of the property and is set back 1.5m from the boundary with the neighbouring property. The extension will be finished in brick to match the existing.
- 6.12** The two storey extension is a large addition but given the reduced in depth of the extension, that it does not extend the full width of the property, and the ridge height is set lower than ridge of the existing dwelling, and that the proposal will not mask the original form of the building. As revised the proposal is considered to provide an extension that respects the character and scale of the existing building, and does not detract from the original dwelling.
- 6.13** The front porch is 2.1m by 1.5m, will have a lean-to roof and has a brick and timber clad finish. It is a subservient addition that is in keeping with the original dwelling.
- 6.14** As such, it is considered that the proposed development complies with the relevant policies and guidance in terms of achieving an acceptable design.
- 6.15 Impact on neighbouring property**
- 6.16** Section 12 of the NPPF highlights that development should promote a high standard of amenity for existing and future users. This is further emphasised in policy SD14 of the JCS and Local Plan policy CP4 which set out the requirement for development not to cause unacceptable harm to the amenity of adjoining land users and the locality.
- 6.17** The neighbour at 10 Giffard Way had concerns that the original two storey extension would have had an overbearing impact. Following the revised plans the neighbour has been re-consulted and no further objections have been received at the time of writing this report.
- 6.18** To assess whether the development would lead to a loss of daylight the 45° daylight test as referred to within Local Plan Policy CP4, has been completed. The proposal passes this test which suggests that the neighbouring property would not lose daylight to their windows to an unacceptable degree.
- 6.19** With regards to potential overshadowing and the perceived overbearing impact caused by the extension, it is worth noting that whilst the two storey extension will project 4m beyond the rear elevation, it is set in from the shared side boundary by 1.5m.
- 6.20** The amount of sunlight received by a specific property is dependent on the season, aspect, and time of day, and it is therefore very difficult to substantiate. The application site is north of the adjoining neighbour and the test is whether this impact is to an unacceptable degree and given that the garden and windows will not be cast in shadow all day, officers do not consider it to be unacceptable. The relationship between buildings that would result from the proposed extension is common place within a built-up environment and is considered to be acceptable.

- 6.21** In relation to the potential overbearing impact, a similar conclusion has been arrived at by officers. Given the distance between the two storey extension and the depth of the garden, the proposal will not be overly overbearing when viewed from the adjoining site and is considered to be compliant with the provisions of local plan policy CP4
- 6.22** 2 first floor windows are proposed in the north side elevation. If members were to permit this application a condition is recommended that will ensure these windows are glazed with obscure glass and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level.
- 6.23** As such, the proposal is considered to comply with the relevant policies in terms of protecting neighbouring amenity.
- 6.24 Environmental impact**
- 6.25** 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 two storey extension and porch 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 therefore to 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 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).
- 4 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order), the side first floor windows to bedroom 4 and en-suite 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 room 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, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.