

<b>APPLICATION NO:</b> 19/01375/FUL		<b>OFFICER:</b> Mrs Victoria Harris	
<b>DATE REGISTERED:</b> 11th July 2019		<b>DATE OF EXPIRY:</b> 5th September 2019	
<b>DATE VALIDATED:</b> 11th July 2019		<b>DATE OF SITE VISIT:</b> 17th July 2019	
<b>WARD:</b> Warden Hill		<b>PARISH:</b> Leckhampton With Warden Hill	
<b>APPLICANT:</b>	Mr & Mrs B & S Hollingworth		
<b>AGENT:</b>	VJM Design House Ltd		
<b>LOCATION:</b>	21 Canterbury Walk, Cheltenham		
<b>PROPOSAL:</b>	Two storey side & single storey rear extensions		

**RECOMMENDATION:** Permit



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a semi-detached two-storey property located along Canterbury Walk.
- 1.2 The application proposes the erection of a two-storey side and rear extension and single storey rear extension.
- 1.3 The application is brought to Planning Committee due to an objection from the Parish Council. Full comments are in the consultations section.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### **Constraints:**

Airport safeguarding over 15m  
Principal Urban Area

### **Relevant Planning History:**

**18/00744/PREAPP 17th April 2018 CLO**

Single storey and 2 storey extension

## 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)

## 4. CONSULTATIONS

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

*2nd August 2019*

Biodiversity report available to view.

### **Building Control**

*15th July 2019*

The application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury borough council on 01242 264321 for further information.

### **Parish Council**

*2nd August 2019*

The Council requests that the following observations be noted and considered by the Planning Committee in respect of the plans for the above application:

The Council objects to the application, for the reasons noted below.

#### Reasons/Observations

The proposed extension, running the full length of the property and spanning the full width of the existing driveway will significantly reduce natural light to the side and rear aspects of the neighbouring property, No 23. It will have a significant impact on the general amenity of the neighbouring property (No 23) and result in a very dark side entrance

This extension will put a sheer 2-storey brick wall stretching the full length of the property, just 2 metres from the front door of the neighbouring property. The green bin represents where the wall will be, all along the boundary line between the 2 properties.

There are no other similar 2-storey side extensions in Canterbury Walk and allowing this to go ahead could set a precedent that we believe would be severely detrimental to the whole neighbourhood.

Natural light into the entrance hall, study (currently served by 1 small rear window and 1 side window, and the sitting room (currently served by front bay window and side window) of No 23 will be detrimentally impacted.

In view of these observation and concerns we would request that this application is put to the full Planning Committee.

## 5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	10
Total comments received	1
Number of objections	1
Number of supporting	0
General comment	0

- 5.1 10 letters were sent out to notify neighbouring properties of this application and in response to this publicity 1 objection has been received.
- 5.2 The planning objections related to design and impact on amenity.

## 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 Warden Hill. The dwellings entrance hall and front door is located in the side elevation and accessed along a drive, the neighbouring property has a similar layout.

6.5 The road has a mixture of dwelling types that include semi-detached two storey dwellings, maisonettes, bungalows and detached dwellings. The road has a strong building line with

gaps between properties. A number of neighbouring properties have been extended to the rear but have not been extended to the side.

## **6.6 Design**

- 6.7** Section 12 of the NPPF emphasises the importance of achieving well designed places that are visually attractive and sympathetic to local character and setting.
- 6.8** 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.
- 6.9** 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'.
- 6.10** In accordance with the Council's supplementary planning guidance – 'Residential Alterations and Extensions (2008)', a two storey side extension should normally be set back from the front, principal elevation with the roof of the extension set below the main roof height.
- 6.11** The proposed side extension is set back 665mm from the front elevation, the width is 2m and the ridge height and eaves height are lower than the existing building. The two storey extension will extend 1.4m beyond the rear elevation and the first floor does not extend the full width of the property and is set back 2.1m from the boundary with the adjoining neighbouring property No.19. The single storey extension will extend the full width of the existing property, extend 5.9m beyond the rear elevation and will have a flat roof with 3 roof lanterns. The facing materials will also match the parent dwelling.
- 6.12** The extension is a large addition but the ridge height is set lower than the ridge of the existing dwelling, it is set back from the front elevation and will not mask the original form of the building. On balance the design allows the extension to appear as sufficiently subservient overall to the existing dwelling. The proposed design, mass and scale does not detract from the appearance of the existing house.
- 6.13** The side extension will partially close the gap between the application site and the neighbouring property No. 23, however a gap of 2.4m will be retained. As the gap will only be partially close, space between the buildings will be maintained to prevent a terracing effect between the existing houses.
- 6.14** Overall, the proposed extension is of an appropriate design which would not be harmful to the character and appearance of the dwelling or its setting within the residential area. The proposal is therefore in accordance with policy SD4 of the Joint Core Strategy for Gloucester, Cheltenham and Tewkesbury (Adopted 2017), and policy CP7 of the Cheltenham Borough Local Plan (Adopted 2006). These policies seek to, amongst other things, require development to respond positively and respect the character of the area.
- 6.15** Furthermore, the proposal generally accords with the overall aims and guidance of the Supplementary Planning Guidance on 'Residential Alterations and Extensions' and also the National Planning Policy Framework in relation to matters of design and character.

## **6.16 Impact on neighbouring property**

- 6.17** 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.
- 6.18** The proposed two storey extension is to be built up to the side boundary of the adjoining property; No. 23 Canterbury Walk. To the side elevation of No 23 is an entrance door, a sitting room window and study/bedroom window. The proposal would result in a two storey wall within 2.4m of the side elevation of No.23, and adjacent to their drive.
- 6.19** No.23 entrance door, sitting room window and study/bedroom window will be affected and will lose some outlook and a partial loss of daylight as a result of the extension. Whilst the side extension will cause some loss of outlook and daylight to the neighbour's sitting room and study/bedroom, the rooms which these windows serve have additional windows to the front and rear that will be unaffected by the proposal. Therefore, it is considered that the neighbouring habitable rooms would not experience a significant loss of light or outlook as a result of the proposed side extension, owing to the other source of natural light and outlook. This is not an uncommon scenario and in rooms where there are additional light sources and outlook, the cumulative impact of these light sources has to be considered, rather than the value of each specific window. The extension will have an impact on the entrance door however a hall is not a habitable room and cannot be protected.
- 6.20** The extension will be clearly visible from the side of No.23, from both the drive, windows and door but given that the windows are secondary light sources and the rear amenity space will be unaffected the development would be such that it would not result in significant overbearing effect to occupiers of this neighbouring house.
- 6.21** The single storey rear extension is large however there are no concerns with regards to overlooking or loss of privacy, and the proposal will not affect light levels to the adjoining properties. It is also noted that no letters of objection have been received from 19 Canterbury Walk.
- 6.22** When considering a proposal an important material consideration is what can be built under permitted development in the General Permitted Development Order (GPDO). The applicant could construct a single storey extension with a pitched roof along the side boundary under PD that would have a similar effect on the drive, windows and door of No.23. Also a 6m deep single storey extension to the rear could be built under the larger homes extensions PD process. This is an important material consideration and a fall-back position we need to take into account when considering the design and impact on the neighbours.
- 6.23** Overall, the proposed extension would not result in significant adverse effects to the living conditions of occupiers of No.23 or any other neighbour in the area. The proposal therefore accords with Cheltenham Borough Local Plan Policy CP4, and Joint Core Strategy for Gloucester, Cheltenham and Tewkesbury (Adopted 2017) policies SD4 and SD14. These policies include requirements for development to not cause unacceptable harm to neighbour amenities, amongst other things. Furthermore, the proposal is in accordance with the National Planning Policy Framework with regards to ensuring a high standard of amenity to existing occupants and other related issues.
- ## **6.24 Other considerations**
- 6.25** Whilst records show that important species or habitats have been sighted on or near the application site in the past, it is not considered that the proposed development will have any impact on these species.

## **7. CONCLUSION AND RECOMMENDATION**

- 7.1 Based on the above, the proposed extension 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 with or without modification), no additional windows, doors and openings shall be formed in the extension without express planning permission.

Reason: Any further openings require detailed consideration to safeguard the privacy 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.