

APPLICATION NO: 20/00587/FUL		OFFICER: Mr Ben Warren	
DATE REGISTERED: 4th April 2020		DATE OF EXPIRY: 30th May 2020	
DATE VALIDATED: 4th April 2020		DATE OF SITE VISIT:	
WARD: Lansdown		PARISH:	
APPLICANT:	Mr Simon Thomas		
AGENT:	Coombes Everitt Architects Limited		
LOCATION:	17A Eldorado Road, Cheltenham		
PROPOSAL:	Demolition of existing two-storey extension and single-storey garage to be replaced with proposed two-storey extension. (Re-submission of previously withdrawn application 19/01988/FUL).		

RECOMMENDATION: Permit



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a semi-detached property located within a residential area on Eldorado Road. The site is located within Cheltenham's Central Conservation area and The Eldorado Character area.
- 1.2 The applicant is seeking planning permission for the demolition of an existing two storey side extension and single garage building and the erection of a new two storey side extension and part two storey/part single storey rear extensions.
- 1.3 The application is at planning committee due to a residents' association objection.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Conservation Area
Honeybourne Line
Principal Urban Area
Residents Associations
Smoke Control Order

Relevant Planning History:

15/01840/CACN 22nd October 2015 NOOBJ

T1 - Ash - reduce and reshape crown by 50% back to previous pruning point. Reduce the length of branches all over by 2.5m in length

17/00491/CACN 13th March 2017 NOOBJ

T1 - multi stem Ash - reduce back to previous points 1-2m in length. T2 - Ash reduce back crown to previous points 1-2m in length

19/01988/FUL 27th November 2019 WDN

Erection of two storey side extension following demolition of existing two storey extension and single storey garage

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development
Section 4 Decision-making
Section 12 Achieving well-designed places
Section 16 Conserving and enhancing the historic environment

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
SD8 Historic Environment
SD14 Health and Environmental Quality

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)

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

4. CONSULTATIONS

Ward Member Comments

No Comments Received

Other Member Comments

Councillor Fisher – 17th April 2020

I believe we have an application for an extension at the above address. Should we be minded to refuse, I would like it brought to Committee. Grounds CP4, CP7.

Consultee Comments

Architects Panel

15th May 2020

The panel had no objection to the principle of the two storey extension and considered this scheme to be a carefully considered and well-mannered design solution.

The panel felt this was a sensitively designed extension in keeping with the existing architecture and with due regard to neighbouring properties.

The success of the scheme will rely on closely matching materials and details of the existing building.

Supported.

Gloucestershire Centre For Environmental Records

20th April 2020

Biodiversity report available to view.

Eldorado Residents Association

22nd April 2020

I am Co-Ordinator of the Eldorado Residents' Association and write in that capacity to make representations on the above application.

In the same capacity I made representations on the previous application 19/01988/FUL in respect of the property, and this letter repeats the previous comments as local residents do not consider that the re-submitted application has addressed any of their concerns.

The existing flat-roofed extension to the south east of the south-western elevation (facing Eldorado Road) detracts from the property. The removal of that extension, and its replacement with something acceptable that enhances the building and the street scene but does not detract from the existing open spaces between buildings, would be welcomed by local residents generally.

However, that element of the current application that proposes to extend the original building with, in effect, a new 'wing' to the South east, extending almost to the boundary with the neighbouring property (15 Eldorado Road) and to the current roofline of the original building, is too wide and too tall.

The property is within the Eldorado Character Area of the Central Conservation area. Both Core Planning policy and Conservation Area policies emphasise the importance of open space around existing buildings and the views available through gaps between buildings.

Officers and Planning Committee members will of course be familiar with local planning policies and I draw their attention in particular to the following:

Paragraph 4.18 of the local plan, leading up to Policy CP7

The pair of dwellings that are now numbers 17 and 17A Eldorado Road were once one single substantial residential dwelling. Extending 17A laterally and vertically to the extent proposed in the application would result in the built form of the resulting pair of dwellings being over-large in relation to neighbouring buildings, i.e. inappropriate in terms of 'massing'. It would also erode the gap between number 17A and number 15 Eldorado Road. Thus it would not respect the character of the locality, nor the neighbouring building, and would erode the open space between 17A and 15.

In terms of privacy, residents of the first-floor flats within number 15 are concerned at loss of privacy and also at loss of views of open sky that would result if the development were permitted. In privacy terms there are currently 7 (seven) non-obscured windows in the side elevation of number 15 that faces 17A.

In terms of the Conservation area, I draw attention in particular to:

Paragraph 5.18 of the Local plan leading to Policy BE1

The massing of the proposed development would virtually eliminate the open space and view available between numbers 15 and 17A (particularly the view of Cleeve Hill available from the upper storeys of properties on the opposite side of Eldorado Road) and would detract from the rhythm of the street scene and the general feeling of spaciousness that currently exists.

Regard should also be had of the extent to which the proposed development to the side and rear of the property is visible from that part of the highway of Eldorado Crescent that is to the rear of 15 Eldorado Road (a corner property) i.e. between number 15 and number 32 Eldorado Crescent. It should be borne in mind that the foliage that currently obscures part of the rear of 17A Eldorado Road is on deciduous trees, and so for many months of the year does not provide the natural screening that is currently emerging (April).

Conclusion:

Although removal of the current flat-roofed extension and its replacement with something acceptable in scale and design would be welcome, for the reasons set out in this letter, the application in its current form should be refused.

Tree Officer
21st April 2020

The Trees Section does not object to this application.

Environmental Health
27th April 2020

No adverse comment.

Building Control
23rd April 2020

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

5. PUBLICITY AND REPRESENTATIONS

6.

Number of letters sent	11
Total comments received	5
Number of objections	5
Number of supporting	0
General comment	0

6.1 11 letters were sent to neighbouring properties, a site notice was displayed and an advert was published in the Gloucestershire Echo. A total of 5 representations have been received in objection to the application. The objections have been summarised but are not limited to the following:

- Loss of privacy
- Loss of light
- Loss of gap/impact on street scene
- Scale and overbearing impact
- Civil matters (right of access/maintenance)

7. OFFICER COMMENTS

7.1 Determining Issues

7.2 The main considerations of this application are design, impact on the conservation area and impact on neighbouring amenity.

7.3 The application has been submitted at a time where a site hasn't been undertaken due to the restrictions in place because of Covid19. However, this is a re-submission of an application submitted approximately 6 months ago where a site visit was undertaken, site photos were taken and visits were made to two of the neighbouring properties.

7.4 The site and its context

7.5 As viewed in the street scene the building has the appearance of a single detached dwelling, similar in scale form and design to that of surrounding properties, however, the site has previously been sub-divided and whilst having the general appearance of one dwelling it is in fact a pair of semi-detached properties.

7.6 The surrounding area has a mix of large detached buildings sat in generous plots, pairs of semi-detached dwellings and buildings which accommodate flats, all the buildings are of a generous size and are sat in reasonably large plots.

7.7 Eldorado Road is located within Cheltenham's Central Conservation Area and also forms part of the Eldorado Character Area.

7.8 **Design and layout**

7.9 The proposed work seeks to remove an existing two storey flat roof extension and its replacement with a new pitched roof two storey side extension that extends to the rear. The existing flat roof extension is not in keeping with the design or character of the existing building or surrounding area and therefore its removal is considered to be a positive enhancement to the property and the surrounding area and is a welcome part of the proposed works.

7.10 The design of the new extension is in keeping with the design and character of the existing building, the extension is set back from the front elevation of the property and appears suitably subservient. Concerns have been raised locally regarding a loss of gap between the application site and the block of flats at 15 Eldorado Road. Officers appreciate that the gaps between properties in the immediate locality are an important part of the character of the area, however this extension is only 1 metre wider than the existing extension, side access to the rear of the property is retained and a gap of approximately 4.5 metres will remain between the new extension and the side of 15 Eldorado Road. Whilst officers acknowledge there will be a small loss of a gap, a sufficient gap will be retained and it is not considered that there will be any unacceptable harm to the character of the existing street scene as a result of the new extension.

7.11 To the rear, the proposed extensions include a two storey wing and a single storey flat roof addition. Both additions are considered to be of an acceptable scale form and design, will sit comfortably within the plot and will read clearly subservient to the existing building.

7.12 The proposed facing materials of all the extensions are to match the existing building which is wholly appropriate and acceptable.

7.13 Officers acknowledge that the works propose a generous addition to a building that has already been sub-divided, however the new additions are not considered to result in any unacceptable harm to the design of the existing building or to the character of the surrounding area. When viewed in the street scene, the removal of the existing flat roof extension and the proposal of a new appropriately designed extension is considered to be a positive enhancement to the building and to the surrounding conservation area.

7.14 **Impact on neighbouring property**

7.15 Concerns have been raised by various neighbouring properties regarding a loss of privacy and a loss of light. Officers previously raised concerns regarding a loss of light to windows located in the side elevation of number 15 Eldorado Road in an earlier application that was withdrawn. In response to this, the applicant has submitted a light test assessment as a supporting document within this new application.

7.16 Officers have reviewed the assessment and have considered the use of the rooms in the side of 15 Eldorado Road in order to determine which windows serve habitable rooms and therefore warrant protection. There are two windows that are of particular concern to officers; these serve a kitchen and a bedroom to flat number 1. The light test that is applied is set out in Paul Littlefair's – Site Layout Planning for daylight and sunlight document, the assessment identifies that the new extension will fail the light test to both of these windows. However, there are factors that require further consideration, firstly Paul Littlefair identifies that bedrooms are less important than other rooms such as living rooms

and kitchens. Furthermore, the agent has provided additional information in a document received on 11th May 2020, which shows the layout of this neighbouring flat, the plan identifies that the kitchen is a very small room and measures approximately 4.1 metres by 2.1 metres, the limited size of this room suggests that this is purely a functional kitchen space and is not a dining kitchen.

- 7.17 The assessment concludes that the development will result in a marginal fail, with the kitchen failing by just 3% and the bedroom by just 1%. Whilst officers accept that there will be a loss of light to these windows, given the use of the rooms and the fact that the proposal will only move 1 metre closer to these windows than the existing extension, as well as a 4.5 metre gap being retained, officers do not consider that the new extension will result in an unacceptable loss of light. In addition, no objection has been raised from the occupier of this flat.
- 7.18 The owner of number 17 Eldorado Road has raised concerns about the impact of the new extensions to the rear of the site on a first floor side elevation window within the property; this has been confirmed as a window serving an upstairs landing, is not habitable room and therefore isn't afforded protection in terms of light. A further concern from this neighbour is that the new single storey extension will be built across this window, however as identified in the additional document received on 11th May 2020, the flat roof of the new extension will be lower than this existing window.
- 7.19 With regards to privacy, a condition has been suggested that requires all of the upper floor windows in the side elevation of the new extension are obscurely glazed and high level opening. The new first floor window in the rear elevation faces into the applicants private amenity space and achieves a distance in excess of 24 metres to the rear boundary, far in excess of the 10.5 metres considered to be acceptable. The proposal is therefore not considered to result in any unacceptable loss of privacy to any neighbouring land user.
- 7.20 **Other considerations**
- 7.21 Records show that important species have been sighted near the application site in the past and in particular Newts recorded in 2007, the sighting was recorded as 230 metres from the site. Given the distance from the site and the scale of the proposed development which replaces an existing structure of a similar size, it is not considered that this development would have any impact on these species.
- 7.22 The tree officer has reviewed the application and raises no objection to the proposed works.
- 7.23 Concerns have been raised by the attached neighbour that relate to issues such as rights of access, maintenance and covenants, these issues are considered to be civil matters and are not material planning considerations, however these concerns have been highlighted to the applicant's agent.

8. CONCLUSION AND RECOMMENDATION

- 8.1 Having considered all of the above, on balance officers consider the proposed extensions to represent an acceptable scale, form and design that will not result in any unacceptable harm to the design or character of the existing building or to the character of the area and does not result in any unacceptable impact on neighbouring amenity.
- 8.2 Officer recommendation is to grant planning permission, subject to the conditions set out below;

9. 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 upper floor side elevation windows that serve the half landing, bathroom and bedroom 5; 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.