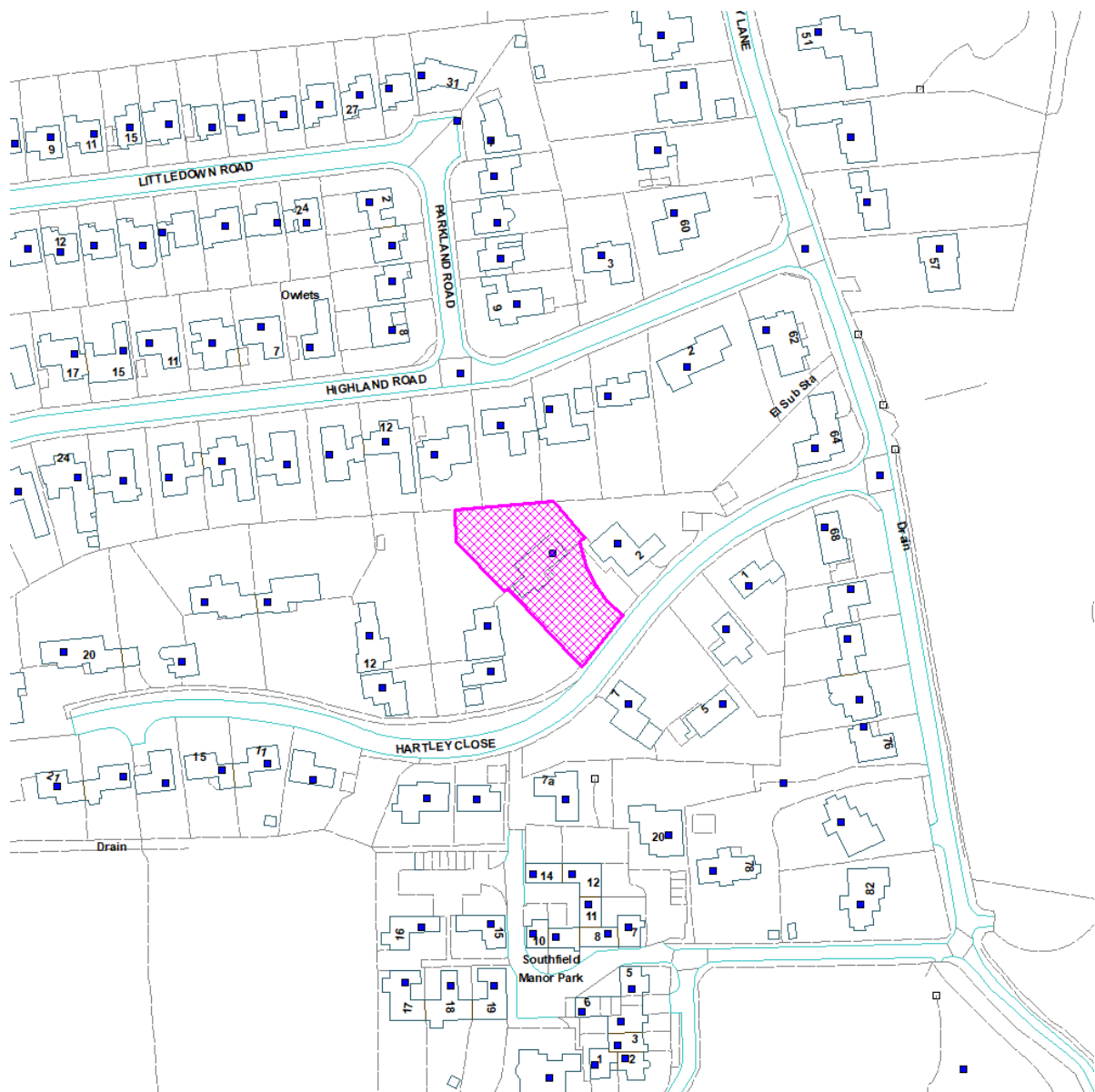


<b>APPLICATION NO:</b> 20/01907/FUL		<b>OFFICER:</b> Mr Ben Warren
<b>DATE REGISTERED:</b> 3rd November 2020		<b>DATE OF EXPIRY:</b> 29th December 2020
<b>DATE VALIDATED:</b> 3rd November 2020		<b>DATE OF SITE VISIT:</b>
<b>WARD:</b> Charlton Park		<b>PARISH:</b> Charlton Kings
<b>APPLICANT:</b>	Mr Luke Fry	
<b>AGENT:</b>	Coombes Everitt Architects Limited	
<b>LOCATION:</b>	4 Hartley Close, Cheltenham, Gloucestershire	
<b>PROPOSAL:</b>	Extensions, alterations and remodelling works to form two storey flat roof dwelling	

**RECOMMENDATION:** Permit



## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a detached bungalow located within a residential area on Hartley Close.
- 1.2 The applicant is seeking planning permission for extensions, alterations and re-modelling works to create a two storey flat roof dwelling.
- 1.3 The application is at planning committee at the request of Councillor Baker who raises concerns with the design and its impact on the character of the street scene, these concerns have also been raised in the Parish Council's comments.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### **Constraints:**

Airport Safeguarding over 45m  
Principal Urban Area  
Smoke Control Order

### **Relevant Planning History:**

None

## 3. POLICIES AND GUIDANCE

### **National Planning Policy Framework**

Section 2 Achieving sustainable development  
Section 4 Decision-making  
Section 12 Achieving well-designed places

### **Adopted Cheltenham Plan Policies**

D1 Design  
SL1 Safe and Sustainable Living

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

SD4 Design Requirements  
SD14 Health and Environmental Quality

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

Residential Alterations and Extensions (2008)

## 4. CONSULTATIONS

### **Building Control**

*6th November 2020*

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

### **Parish Council**

*1st December 2020*

The scale of the proposal is not a concern, given the size of the plot. However, the choice of materials and the design are completely discordant and bear no relation to any of the properties in the area.

The Committee strong objects to these choices and suggests that a conventional pitched roof structure and materials choices in keeping with the local vernacular would keep a more harmonious street scene.

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

*8th November 2020*

Biodiversity report available to view.

### **Architects Panel**

7<sup>th</sup> December 2020

#### Design Concept

The panel had no objection to the principle of turning the existing bungalow into a two storey dwelling. The building is sufficiently far enough away from adjoining properties that the extra height will not affect neighbour amenities.

#### Design Detail

The design approach deliberately changes the style of the house from what is currently a traditional brick house with pitched tiled roof, to a contemporary flat roofed dwelling composed of zinc cladding and white render.

On balance the panel felt the contrast of style and the simple composition of the more contemporary design could be supported in this location.

#### Recommendation

Support

### **Civic Society**

8<sup>th</sup> December 2020

#### OBJECT

The Civic Society Planning Forum objects to these proposals, which are out of keeping with the rest of the estate, both in style and in scale. The unimaginative grey cladding does not sit comfortably with its 1970s brick neighbours, and is not a good design.

## **5. PUBLICITY AND REPRESENTATIONS**

5.1 9 letters were sent to neighbouring properties, letters of objection have been received from 7 neighbouring properties. The concerns have been summarised but are not limited to the following:

- Privacy
- Design
- Visual Impact/Impact on the street scene

## **6. OFFICER COMMENTS**

### **6.1 Determining Issues**

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

6.3 The local area has been visited to understand the context of the site and its surroundings; the application site has also been viewed from the rear/side garden of number 6 Hartley Close to consider impact on amenity.

### **6.4 The site and its context**

6.5 The existing building is a detached, brick-built bungalow with a pitched roof. The building is sat in a generous plot and is well set back from the highway.

6.6 The properties either side of the application site vary in scale, form and design; these include a detached bungalow of a similar design and scale to the application site on one side and brick-built detached two storey dwellings on the other.

### **6.7 Design and impact on street scene**

6.8 Section 12 of the NPPF refers to achieving well designed spaces and states that planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

6.9 Adopted Cheltenham Plan Policy D1 requires extensions and alterations of existing buildings to avoid causing harm to the architectural integrity of the building or group of buildings.

6.10 JCS policy SD4 relates to design and identifies considerations to include context and character, legibility and identity, amenity and space.

6.11 The application proposes extensions and alterations to the existing dwelling to create a contemporary two storey flat roof dwelling. The scheme introduces new modern materials, including grey metal cladding, grey powder coated aluminium window and doors, and render.

6.12 When considering the context and the scale of the proposed development, it is important to note that the land rises from east to west. The adjacent properties to the south west are two storey pitched roof dwellings located on higher land. To the north and north east, are single storey dwellings on lower land. The proposed development of a two storey flat roof dwelling will provide a transition between the single storey and two storey dwellings either side of it. Whilst proposing a different form of building, it is not considered that the scale of the proposed development would be particularly harmful to its surroundings.

6.13 The proposed design and appearance of the remodelled dwelling is significantly different from the design of the existing dwelling and differs from that of the properties immediately either side of it. However, a contemporary design approach that differs from its immediate surroundings does not necessarily result in harm. Paragraph 127 of the NPPF specifically mentions that decisions should not prevent or discourage appropriate innovation or change. The existing building is of no real architectural merit and the properties in the immediate locality vary in scale, form and design. Officers do not consider there to be a particularly strong sense of character surrounding the application site. Recent permissions and works already carried out in the local area have established modern extensions and alterations to be acceptable in this area. The Architects Panel support the application and

consider the contrast in style and the contemporary design in this location to be acceptable.

6.14 Officers consider that the extended and remodelled property would sit comfortably within its plot and will retain a generous amount of space about it; the dwelling is set back from the road by approximately 26 metres. Given the surrounding layout of development and its position away from the highway, officers consider that a contemporary design approach can be achieved on this site without resulting in any significant harm to the character of the area or any unacceptable harm to the street scene.

6.15 Whilst acknowledging that the design is not in keeping with its surroundings, Officers consider the proposal represents an acceptable modern and high quality design that will not result in any unacceptable harm to the design or character of its surroundings. Therefore, on balance, the application is considered to be compliant with adopted Cheltenham Plan Policy D1 and adopted JCS policy SD4.

#### **6.16 Impact on neighbouring property**

6.17 It is necessary to consider the impact of development on neighbouring amenity. JCS Policy SD14 and Cheltenham Plan Policy SL1 state how development should not cause unacceptable harm to the amenity of neighbouring properties. Matters such as a potential loss of light, loss of privacy, loss of outlook, noise disturbances and overbearing impact will therefore be considered.

6.18 The proposed works introduce an additional floor to the site; it is acknowledged that this will result in the proposed dwelling being more visible from neighbouring sites. However, due to its position within the generous plot; it is not considered that the development will result in any unacceptable loss of light or overbearing impact to any neighbouring land user.

6.19 Concerns have been raised locally regarding a potential loss of privacy as a result of new first floor rear elevation windows. All of the first floor rear elevation windows achieve in excess of 11 metres to the rear boundary; this exceeds the minimum of 10.5 metres which is considered to be acceptable. The first floor window closest to the boundary with number 6 Hartley Close serves an en-suite bathroom and it is reasonable to assume that this will be obscurely glazed, but a condition to this effect has also been suggested.

6.20 The extended dwelling is not considered to result in any unacceptable loss of light, loss of privacy or overbearing impact and is therefore considered to be compliant with adopted Cheltenham Plan policy SL1 and adopted JCS policy SD14 in terms of protecting neighbouring amenity.

#### **6.21 Other considerations**

6.22 Concerns have been raised from the adjacent land user at number 6 Hartley Close regarding the 'future use' of the site and the extent of parking provision proposed. The proposal is for a remodelled dwelling and is therefore being considered in that way, any change of use in the future would require a new application. The provision of off street parking is considered to be of benefit for the local area and will reduce any on street parking implications.

#### **6.23 Public Sector Equalities Duty (PSED)**

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have "due regard" to this duty. There are three main aims:

- Removing or minimising disadvantages suffered by people due to their protected characteristics;

- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people; and
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

In the context of the above PSED duties, this proposal is considered to be acceptable.

## **7. CONCLUSION AND RECOMMENDATION**

- 7.1 Paragraph 38 of the NPPF states ‘LPA’s should approach decisions on proposed development in a positive and creative way.....Decision makers at every-level should seek to approve applications for sustainable development where possible’. Having considered all of the above, whilst officers appreciate that the works will result in a remodelled dwelling that is not directly in keeping with its surroundings, it is considered to represent an acceptable contemporary design that will not result in unacceptable harm to the design or character of its surroundings. Furthermore, the proposed development will not result in any unacceptable impact on neighbouring amenity.
- 7.2 After careful consideration, officer recommendation is to permit the 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) (England) Order 2015 (or any order revoking and/or re-enacting that order), the first floor rear elevation window to serve the en-suite shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent).

Reason: To safeguard the amenities of adjacent properties, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).