

APPLICATION NO: 20/02138/FUL		OFFICER: Mr Ben Warren
DATE REGISTERED: 3rd December 2020		DATE OF EXPIRY: 28th January 2021
DATE VALIDATED: 3rd December 2020		DATE OF SITE VISIT:
WARD: Park		PARISH:
APPLICANT:	Mr and Mrs S Carpenter	
AGENT:	RRA Architects	
LOCATION:	14 Gratton Street, Cheltenham, Gloucestershire	
PROPOSAL:	Proposed rear extension and front basement extension with internal alterations	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a mid-terraced property located within a residential area on Gratton Street. The site is located within Cheltenham's Central Conservation Area and The Suffolks Character Area.
- 1.2 The applicant is seeking planning permission for a single storey rear extension and front basement extension with associated internal alterations.
- 1.3 The application is at planning committee at the request of Councillor Barrell, who wishes members to consider the concerns raised by the neighbour at number 13 Gratton Street regarding loss of light and loss of outlook as a result of the proposed single storey rear extension.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area
Principal Urban Area

Relevant Planning History:

04/01960/FUL 18th January 2005 REF

Conversion of basement area into a self-contained flat together with a two storey extension to the rear

05/01263/FUL 16th September 2005 PER

Two storey rear extension

05/01264/FUL 21st October 2005 PER

Change of use of basement into a self-contained flat including new access to the front

10/00224/CLPUD 16th February 2010 CERTPU

Single storey rear infill extension

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 4 Decision-making

Section 12 Achieving well-designed places

Section 16 Conserving and enhancing the historic environment

Adopted Cheltenham Plan Policies

D1 Design

SL1 Safe and Sustainable Living

Adopted Joint Core Strategy Policies

SD4 Design Requirements

SD8 Historic Environment

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)

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

4. CONSULTATIONS

Building Control
4th December 2020

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

5. PUBLICITY AND REPRESENTATIONS

- 5.1 5 letters were sent to neighbouring properties on two separate occasions, a site notice was displayed and an advert was published in the Gloucestershire Echo.
- 5.2 Two letters of objection have been received from the neighbouring land user at number 13 Gratton Street who objections to the proposed rear extension due to a perceived loss of light and loss of outlook.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2 The main considerations in relation to this application are the design, impact on the conservation area, and the impact of the proposal on neighbouring amenity.
- 6.3 A site visit has been carried out to the neighbouring property, in addition, site photos have been provided and google maps / google street view have been used to fully consider the proposed development.

6.4 The site and its context

- 6.5 The existing building is a mid-terraced rendered property providing accommodation over three levels, basement, ground and first floor. To the front of the site is an existing light well opening with access stairs to the basement level and railings, to the rear of the site is an existing two storey wing and small single storey lean to extension.
- 6.6 The site is located in a built up residential area of Cheltenham and properties in the Gratton Street have various single and two storey additions to the rear.

6.7 Impact on neighbouring property

- 6.8 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.
- 6.9 The plans originally submitted as part of this application included a full width single storey rear extension. A site visit was carried out following receipt of an objection from number 13 Gratton Street who raised concerns regarding a loss of light and loss of outlook. Number 13 Gratton Street has a small rear garden/courtyard area which is already bound on three sides by existing structures/boundary walls. The garden of this site is lower than the ground floor level of the property and is therefore accessed by a couple of external steps. With this being the case, the existing structures to the east and south of this garden already have an impact on this space, as does the extent of the existing single storey extension within the application site.

The application originally proposed to add a further single storey full width rear extension that would run the full length of the neighbour's garden. Whilst the proposal would not result in any unacceptable loss of light to any habitable room, officers considered that it would result in an unacceptable overbearing impact on the neighbour's private amenity space and would therefore have a detrimental impact on the usability and enjoyment of this limited outside space. Officers therefore requested revised plans to address these concerns.

- 6.10 The revised plans now show the new extension to be set in from the boundary with number 13 by approximately 1.8 metres. Officers acknowledge that the neighbour still objects to this revised scheme and also appreciate that the extension will likely be visible from the rear doors of number 13. However, in its revised form, officers do not consider that the extension will result in any unacceptable overbearing impact. It is also noted that these gardens are south westerly facing and therefore will receive adequate sunlight throughout the majority of the day.
- 6.11 The works to the basement will have no impact on neighbouring amenity in terms of a loss of light or loss of privacy.
- 6.12 In its revised form the proposals are considered to be compliant with Adopted Cheltenham Plan (2020) policy SL1 and adopted JCS policy SD14 which requires development to protect the existing amenity of neighbouring land users and the locality.
- 6.13 **Design**
- 6.14 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 and layout.
- 6.15 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. JCS policy SD4 relates to design and identifies the key considerations to include context, character, legibility and identity, amenity and space. Furthermore JCS policy SD8 requires designated and undesignated heritage assets and their settings to be conserved and enhances as appropriate to their significance, and for their important contribution to local character, distinctiveness and sense of place. In this case the heritage asset is the conservation area.
- 6.16 Cheltenham's Supplementary Planning Document (SPD) – Residential Alterations and Extensions identifies that development should maintain character, achieve subservience, maintain space between buildings, maintain privacy and ensure adequate daylight is maintained.
- 6.17 The proposed rear extension in itself is a relatively small scale addition to the site, however will further increase the footprint of existing extensions to the property. The new extension will sit comfortably within the plot and will read clearly as a subservient addition to the existing building. The proposed extension has a contemporary design approach, and whilst this is not in keeping with the traditional design of the existing building it is considered to represent an acceptable modern addition that will not result in any unacceptable harm to the design or character of the existing building or to the surrounding conservation area. External finishes/materials have not been detailed within the application. It is understood that the material will be a standing seam metal cladding, which officers consider to be acceptable in principle, however a condition has been suggested which requires full details to be submitted.
- 6.18 The proposed works include an extension at basement level which would partially infill the existing light well/opening to the front of the property. Whilst light wells are a common

feature of the properties in Gratton Street, these vary in size and form, some have large openings with access steps to the basement level, others only have small light wells for light and escape purposes. The partial infilling of this area to create a basement extension is not considered to result in any unacceptable harm to the design of the existing building or any unacceptable harm to the character of the conservation area and is therefore considered to be acceptable. However, details of the roof construction, including materials is considered necessary and therefore a condition has been suggested.

6.19 The proposal is considered to be compliant with the requirements of the Adopted Cheltenham Plan (2020) policy D1, adopted JCS policies SD4 and SD8 and the Supplementary Planning Document – Residential Alterations and Extensions (adopted 2008).

6.20 Other considerations

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 Having considered all of the above, whilst the concerns of the local residents have been duly noted, officers consider the proposed development to be compliant with the adopted Cheltenham plan policies, adopted JCS policies and guidance within Cheltenham’s Supplementary Planning Document – Residential Alterations and Extensions.

7.2 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 No external facing materials shall be applied to the single storey rear extension unless in accordance with:

- a) a written specification of the materials; and
- b) supporting images

The details of which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to adopted policy D1 of the Cheltenham Plan (2020) and adopted policy SD4 of the Joint Core Strategy (2017).

- 4 Prior to the commencement of works to extend the basement, details of the roof construction including

- a) a written specification of the materials; and
- b) supporting images

shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to adopted policy D1 of the Cheltenham Plan (2020) and adopted policy SD4 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 reduce impact on neighbouring amenity;

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