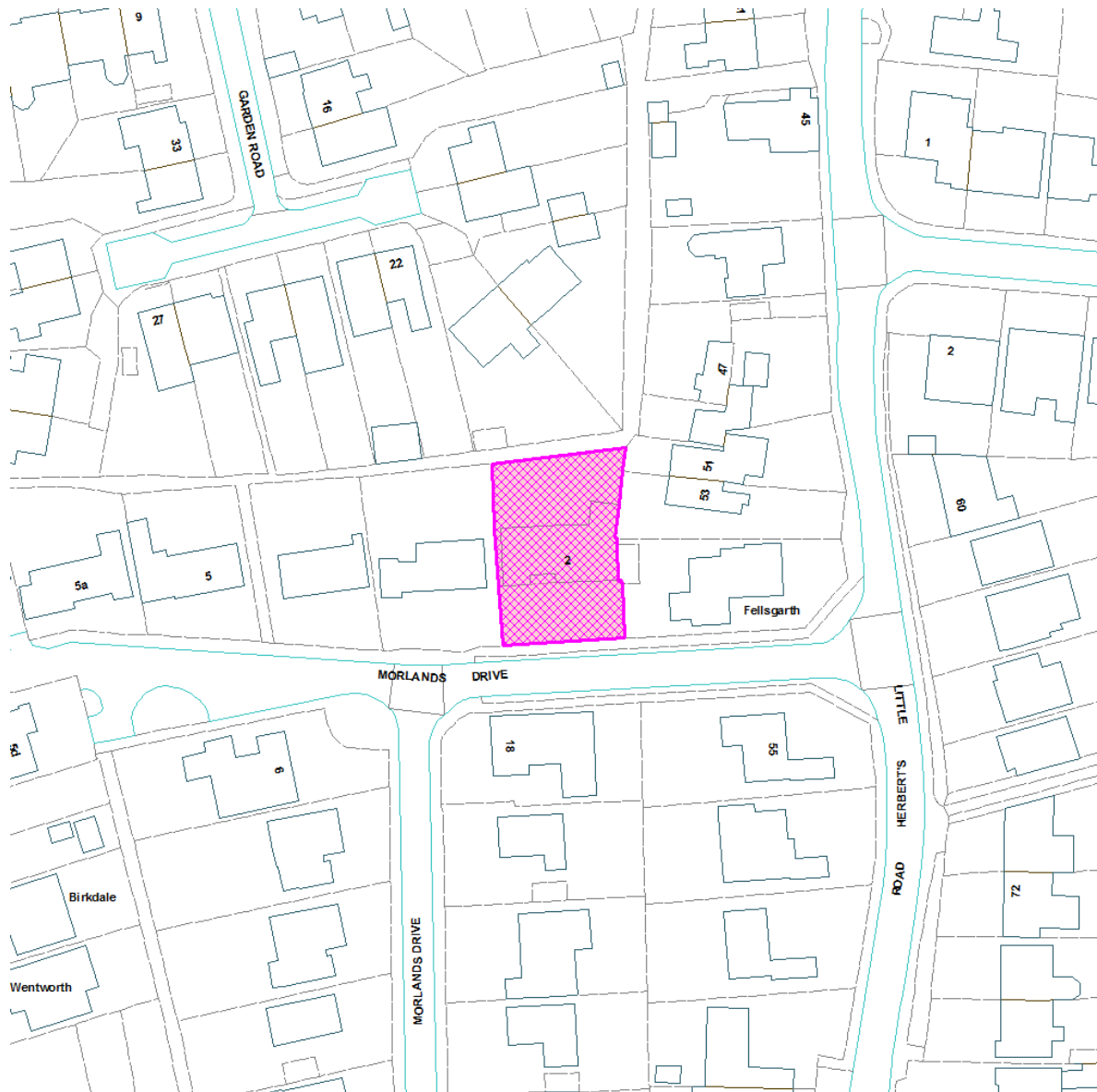


APPLICATION NO: 21/01475/FUL		OFFICER: Mr Ben Warren
DATE REGISTERED: 23rd June 2021		DATE OF EXPIRY: 18th August 2021
DATE VALIDATED: 23rd June 2021		DATE OF SITE VISIT:
WARD: Charlton Kings		PARISH: Charlton Kings
APPLICANT:	Mr & Mrs Bullock	
AGENT:	A1 Architecture Ltd	
LOCATION:	2 Morlands Drive, Charlton Kings, Cheltenham	
PROPOSAL:	Extensions, alterations and remodelling works to form new dwelling	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a detached bungalow located within a residential area on Morlands Drive in Charlton Kings.
- 1.2 The applicant is seeking planning permission for extensions, alterations and remodelling works to form a new two storey dwelling.
- 1.3 The application is at planning committee at the request of Councillor McCloskey due to the level of concerns raised by local residents, specifically relating to design, over development and loss of amenity.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport safeguarding over 15m
Parish Boundary
Principal Urban Area
Smoke Control Order

Relevant Planning History:

None

3. POLICIES AND GUIDANCE

National Planning Policy Framework

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

Parish Council

14th July 2021

Objection:

The Committee has no objection to concept of re-developing this property. In the right situation, this design would be appropriate and acceptable.

However, the existing street-scene is comprised of well-spaced, brick-built dwellings with pitched roofs, predominately dating from the 60's or 70's, with a few newer dwellings that

follow the same material palette and form. This design of render and parapet walled flat roof has no connection to the other dwellings and so 'sticks out like a sore thumb'. This failure to even echo the existing vernacular represents a degradation of the street-scene and is therefore a poor design in this context.

Parish Council

14th September 2021

No objection

Architects Panel

6th July 2021

Design Concept

The panel had no objection to the principle of having a two storey dwelling on this site but felt this design was totally inappropriate in this location, being out of scale and character with neighbouring properties.

The style of this building is more reminiscent of a 1930s commercial building than a Charlton Kings residential dwelling - aesthetically unsatisfactory, incorrect fenestration proportions, and a choice of materials not in keeping with the character of the area.

Design Detail

The layout of the house is not convincing - there is no side access to the rear garden and it is questionable if the building is too close to the site boundaries.

Elevations to show the scheme in context are not provided. If they had been it would have been evident how inappropriate this design really is.

Recommendation

Not supported.

Gloucestershire Centre For Environmental Records

5th July 2021

Biodiversity report available to view.

5. PUBLICITY AND REPRESENTATIONS

5.1 9 letters were sent to neighbouring properties on 3 separate occasions, further letters were also sent to any local resident who had commented on the application when each set of revised plans was received. A total of 18 letters of representation have been received, the concerns raised have been summarised but are not limited to the following:

- Loss of light
- Loss of privacy
- Design and impact on street scene
- Scale and massing
- Materials

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 3 Morlands Drive 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 and is the first property/plot when entering Morlands Drive.
- 6.6 The adjacent property at number 3 Morlands Drive to the west, is a two storey pitched roof dwelling with its frontage on to Morlands Drive. To the east of the site is a bungalow located on the corner of Morlands Drive and Little Herbert's Road, and two storey semi-detached properties that have their frontages on to Little Herberts Road, all of which have rear gardens that abut the side boundary of the application site.
- 6.7 The properties in Morlands Drive are a mix of bungalows and two storey dwellings, typically the two storey dwellings have a similar scale, form and design. Although the area has seen recent redevelopment of properties, including the redevelopment of a bungalow at number 6 Morlands Drive, which is now a contemporary two storey dwelling.
- 6.8 **Design and impact on street scene**
- 6.9 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.
- 6.10 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. Furthermore, JCS policy SD4 relates to design, and identifies considerations to include context and character, legibility and identity, amenity and space.
- 6.11 The original submission within this application proposed extensions and alterations to the existing dwelling to create a contemporary two storey flat roof dwelling. Officers considered the design and form to be wholly at odds with the design and character of the area. In addition both the Parish Council and Architects Panel objected to this scheme, and numerous objections were received from local residents. Revised plans were therefore requested. A number of revised schemes have been submitted for consideration, the officer comments below relate to the latest set of plans received on 3rd September 2021.
- 6.12 The latest plans show significant changes from that originally submitted, the proposal is now for a two storey pitched roof dwelling that matches the general scale and form of the adjacent two storey properties in Morlands Drive. Officers duly note that the building is deeper than that of the adjacent dwelling, however a cat slide roof detail is proposed to the rear to ensure the ridge and eaves height of the dwelling reflect that of the adjacent properties in Morlands Drive. Whilst matching the general form and scale, the proposal is for a more contemporary design, including a rendered façade, brick tile detail, and grey UPVC windows and doors. This significant change in proposal supports the intentions of paragraph 132 of the NPPF, which identifies the importance of applicants engaging with the views of the LPA and the local community regarding design and design quality.
- 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. The existing building is of no real

architectural merit and recent works already carried out in the local area have established modern extensions, alterations and replacement dwellings to be acceptable in this area, most notably the redevelopment of an existing bungalow at number 6 Morlands Drive into a contemporary two storey dwelling.

- 6.14 Officers consider that the extended and remodelled property would sit comfortably within its plot and will reflect the general plot size and layout of other properties in Morlands Drive. 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. The Parish Council raise no objection to this revised scheme.
- 6.15 Whilst acknowledging that the design is not directly in keeping with its immediate neighbours, 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 A condition requiring the submission material details has been suggested.

6.17 Impact on neighbouring property

- 6.18 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.
- 6.19 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.

The rear elevation and garden of the bungalow to the east (Fellsgarth) would face towards the side of this new development, a distance of approximately 14.5 metres would exist between the rear elevation of this property and the new two storey side elevation of the proposed dwelling, this exceeds the 12 metres that is considered to be acceptable.

In terms of the impact on number 3 Morlands Drive, the proposed dwelling generally sits in line with this property, although it projects slightly further into the rear garden, this greater depth will not result in any loss of light to any habitable room, and is not considered to result in any overbearing impact, the relationship of this new proposal with number 3 Morlands Drive is similar to the relationship of many other neighbouring properties in this road.

Due to its position within the plot and relationship with neighbouring land users; it is not considered that the development will result in any unacceptable loss of light or overbearing impact to any neighbouring land user.

- 6.20 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 12.5 metres to the rear boundary of number 21 Garden Road; this exceeds the minimum of 10.5 metres which is considered to be acceptable. The new upper floor side elevation window 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.
- 6.21 The extended and remodelled 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.

6.22 To ensure further development does not result in any unacceptable amenity issues, a condition has been suggested which would remove permitted development rights for extensions to the property and alterations to the roof. Therefore, any further extensions would require a further planning application to be made.

6.23 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, and having negotiated a revised scheme, 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 unless in accordance with:

- a) a written specification of the materials; and
- b) photos or physical sample(s) of the materials.

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 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 window serving the 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 adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

- 5 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 extensions to the building or alterations to the roof hereby permitted shall be constructed without express planning permission.

Reason: Any further extension or alteration requires further consideration to safeguard the amenities of the area, having regard to saved policies CP4 and CP7 of the Cheltenham Borough Local Plan (2006) and adopted policies SD4 and 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, the authority has sought revisions to the scale, form and general design;

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