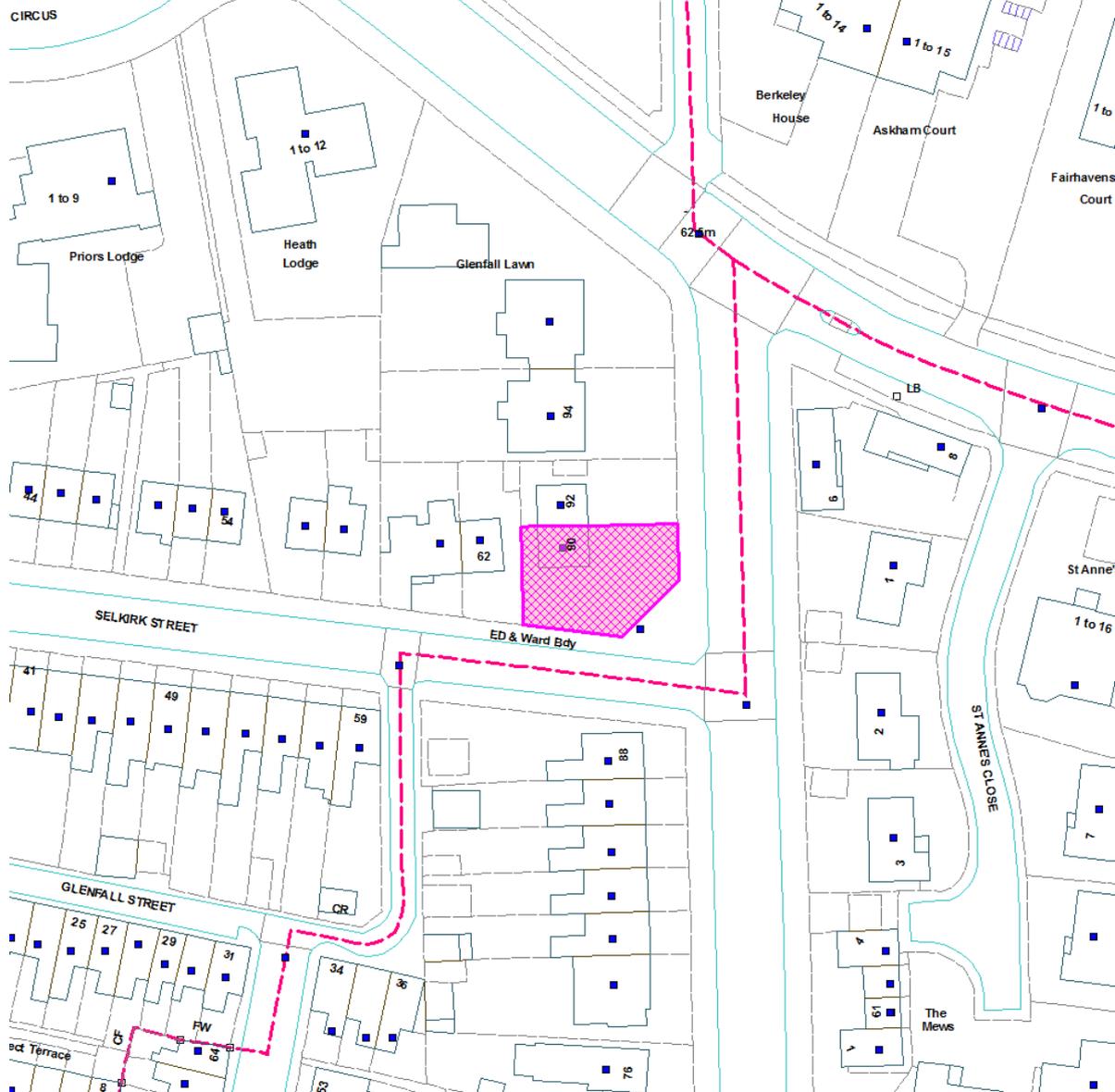


APPLICATION NO: 21/02729/FUL		OFFICER: Mrs Emma Pickernell
DATE REGISTERED: 9th December 2021		DATE OF EXPIRY: 3rd February 2022
DATE VALIDATED: 9th December 2021		DATE OF SITE VISIT:
WARD: Pittville		PARISH:
APPLICANT:	Mr & Mrs Savage	
AGENT:	VJM Design House Ltd	
LOCATION:	90 All Saints Road Cheltenham Gloucestershire	
PROPOSAL:	Rear Dormer to facilitate loft conversion	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is a semi-detached dwelling with an existing two storey side extension located at the junction of All Saints Road and Selkirk Street. The location is within the Fairview Character Area of the Central Conservation Area.
- 1.2 Planning permission is sought for a dormer window on the rear roof slope of the original part of the house. This would have a flat roof and would be clad in zinc.
- 1.3 The application is before committee as the applicant is a Borough Councillor.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Conservation Area
Principal Urban Area
Smoke Control Order

Relevant Planning History:

16/01215/FUL 25th August 2016 REF

Two storey side extension

16/02265/FUL 14th February 2017 REF (allowed on appeal)

Two storey side extension (revised scheme following 16/01215/FUL)

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 8 Promoting healthy and safe communities

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

SD8 Historic Environment

SD14 Health and Environmental Quality

Residential Alterations and Extensions (2008)

Central conservation area: Fairview and All Saints Character Area and Management Plan (July 2008)

4. CONSULTATIONS

Building Control

15th December 2021 - The application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	6
Total comments received	0
Number of objections	0
Number of supporting	0
General comment	0

- 5.1 The application was publicised by way of letters to 6 neighbouring properties, a site notice and a notice in the Echo. No representations have been received.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2 The key issues in determining this application are considered to be (i) design and impact on conservation area, (ii) neighbour amenity.

6.3 The site and its context

- 6.4 The immediate context of the site is mixed with a combination of detached villas, traditional regency terraced properties with artisan terraced properties and more modern semi-detached properties on the application site and Selkirk Street.

6.5 Design and layout

- 6.6 Policy SD4 of the JCS and policy D1 of the Cheltenham Plan set out design requirements of new development which reflect the general principles set out in Chapter 12 of the NPPF. With specific reference to extensions policy D1 states that they should avoid causing harm to the architectural integrity of the building or group of buildings.

- 6.7 Policy SD8 of the JCS relates to the Historic Environment and states that development should make a positive contribution to local character and distinctiveness.

- 6.8 Dormers are not a common feature within the immediate area, although roof forms do vary considerably amongst the different house types mentioned a 6.4. It is also noted that a dormer was approved on the attached property. At the time when that dormer was proposed (2005) it was negotiated from a flat roof dormer to a pitched roof.

- 6.9 In recent years the design of flat roof dormers has generally improved and the high quality zinc-clad design proposed here is considered to be appropriate. The scale of the dormer is appropriate; it is set in from the edges of the roof slope and does not dominate it.

- 6.10 As such the proposal is considered to be of an acceptable design and to have an acceptable impact upon the conservation area.

6.11 Impact on neighbouring property

- 6.12 Policies SD14 of the JCS and SL1 of the Cheltenham Plan require that development does not cause unacceptable harm to the amenity of adjoining land users and living conditions in the locality.

- 6.13 The application dwelling is relatively close to the rear boundary, which forms the side boundary of 62 Selkirk Street, however there are a number of existing windows on the existing rear elevation. The dormer would face the side elevation of this property which has a number of secondary windows within it. It is noted that the dormer is intended to

serve a bathroom and as such it is recommended that the window is obscurely glazed to avoid any adverse impact on the privacy of the neighbouring property.

6.14 Subject to this condition the proposal is considered to have an acceptable impact on neighbour amenity.

6.15 Other considerations

6.16 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 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.

6.17 Climate Emergency

6.18 Cheltenham Borough Council, in common with a number of Local Planning Authorities, has declared a climate emergency, with an aim to be a carbon zero authority by 2030.

6.19 Given the scale and nature of the proposal it is considered that there is limited scope to include green technologies or building practices over and above that required by building regulations.

7. CONCLUSION AND RECOMMENDATION

7.1 The proposal is considered to be acceptable and therefore is recommended for approval.

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 window within the dormer hereby permitted 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).

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.