

APPLICATION NO: 22/00634/FUL		OFFICER: Miss Claire Donnelly
DATE REGISTERED: 6th April 2022		DATE OF EXPIRY: 1st June 2022
DATE VALIDATED: 6th April 2022		DATE OF SITE VISIT:
WARD: Lansdown		PARISH: n/a
APPLICANT:	J Jobes And I Petkov	
AGENT:	VJM Design House Ltd	
LOCATION:	52 Queens Road Cheltenham Gloucestershire	
PROPOSAL:	Proposed rear dormer to facilitate loft conversion	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application relates to 52 Queens Road; a mid-terrace, residential dwelling located within the Lansdown Character Area of Cheltenham's Central Conservation Area.
- 1.2 The applicant is seeking planning permission for a rear dormer to facilitate a loft conversion.
- 1.3 The scale of the dormer has been reduced throughout the course of the application in order to address officers concerns in regards to design and impact on the conservation area.
- 1.4 The scheme has been revised throughout the application process. An initially proposed dropped kerb and associated off-street parking area have been omitted from this application. The application site has a previous refusal (application ref. 17/00548/FUL) and dismissed appeal for a dropped kerb and off-street parking area due to the impact on the conservation area. As such, with these decisions in mind, officers raised the same concerns and therefore the applicant removed these elements from this application.
- 1.5 The application is at planning committee as the applicant is a member of staff.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport safeguarding over 15m
Conservation Area
Principal Urban Area
Smoke Control Order

Relevant Planning History:

17/00548/FUL	13th July 2017	REFUSED
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Dropped kerb and off road parking to front garden

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development
Section 4 Decision-making
Section 8 Promoting healthy and safe communities
Section 12 Achieving well-designed places
Section 16 Conserving and enhancing the historic environment

Adopted Joint Core Strategy Policies

SD4 Design Requirements
SD8 Historic Environment
SD14 Health and Environmental Quality

Cheltenham Plan Policies

D1 Design
SL1 Safe and Sustainable Living

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)
Central conservation area: Lansdown Character Area and Management Plan (July 2008)

4. CONSULTATIONS

Building Control

8th April 2022 –

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

Gloucestershire Centre For Environmental Records

26th April 2022 –

Report available in documents tab.

GCC Highways Planning Liaison Officer

10th May 2022 –

Comment available to view in documents tab.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	4
Total comments received	1
Number of objections	0
Number of supporting	0
General comment	1

- 5.1 Letters have been sent to four neighbouring properties, a site notice has been erected, and an advert placed in the Gloucestershire Echo; one general comment has been received.
- 5.2 The neighbouring resident raised the following comments;
- Concerns over loss of street tree and the impact on the conservation area.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2 The application proposes a rear dormer to a residential property in the conservation area; the key considerations are therefore the design, impact on the conservation area and any impact on neighbouring amenity.

6.3 Design

- 6.4 Policy SD4 of the JCS and policy D1 of the Cheltenham Plan require development to be of a high standard of architectural design that responds positively to and respects the character of the site and its surroundings. This draws from paragraph 130 of the NPPF which seeks development to be visually attractive and sympathetic to local character.
- 6.5 Policy SD8 of the Joint Core Strategy requires development to make a positive contribution to local character and distinctiveness, having regard to the valued elements of the historic environment. Section 16 of the NPPF seeks development to consider the impact of a proposed development on the significance of a designated heritage asset; great weight should be given to the asset's conservation.
- 6.6 The Council's Supplementary Planning Document: Residential Alterations and Extensions provides specific design guidance for dormer windows stating that dormers should not be overly wide or have the appearance of an extra storey.
- 6.7 As mentioned in the introduction, the scale of the proposed dormer has been revised throughout the application process. The initially proposed dormer was considered to be overly wide for an uninterrupted roof slope in the conservation area. As such, officers concerns were raised with the applicant and subsequently revised plans have been submitted, reducing the width of the dormer.

- 6.8 The proposed dormer would now be 2no. windows in width, and would therefore expose more of roof of the original dwelling. The reduction in width would result in the dormer reading as a more modest addition to the uninterrupted roof-scape of the terrace of four properties in the conservation area. The scale of the dormer would now comply with the aforementioned SPD guidance and would preserve the character of the conservation area.
- 6.9 The design and finish of the dormer would be relatively modern with 2no. windows and a zinc clad finish. The design is considered to be acceptable for its location.
- 6.10 The proposed dormer is therefore considered to be acceptable in terms of its scale, form, design and impact on the conservation area, and is therefore compliant with the relevant planning policies and guidance.

6.11 Impact on neighbouring property

- 6.12 Policy SD14 of the JCS and policy SL1 of the Cheltenham Plan require development not to cause unacceptable harm to the amenity of adjoining land users; this echoes section 12 of the NPPF which requires development to be of a high standard of amenity for existing and future users.
- 6.13 Following the statutory neighbour consultation, one general comment has been received from a neighbouring resident. A summary of the main points raised can be read above; the comments relate to a now omitted element of the application.
- 6.14 The proposed dormer window would be on the rear roof slope and small in scale, proposing 2no windows. It is considered that as a result of the proposed dormer window, there would not be an unacceptable impact on the amenity of neighbouring properties in regards to overlooking or an unacceptable loss of privacy.
- 6.15 It is therefore considered that the proposed dormer is acceptable and compliant with relevant planning policies and guidance.

6.16 Other considerations

- 6.17 Members will note consultee comments and neighbour comments in response to the consultation period of the application. As mentioned in the introduction a previously proposed dropped kerb and creation of off-street parking have been omitted from the application; these consultee and neighbour responses refer to a proposal that has been omitted from the scheme.

6.18 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 For the reasons set out above, the application in its revised form is considered to be acceptable. The proposal is therefore considered to be in accordance with the relevant planning policies and guidance in regards to achieving an acceptable standard of design, would not impact upon the character of the conservation area, and would protect the amenity of adjoining land users.
- 7.2 The recommendation is to therefore permit this 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.

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 the scheme to overcome officers concerns.

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