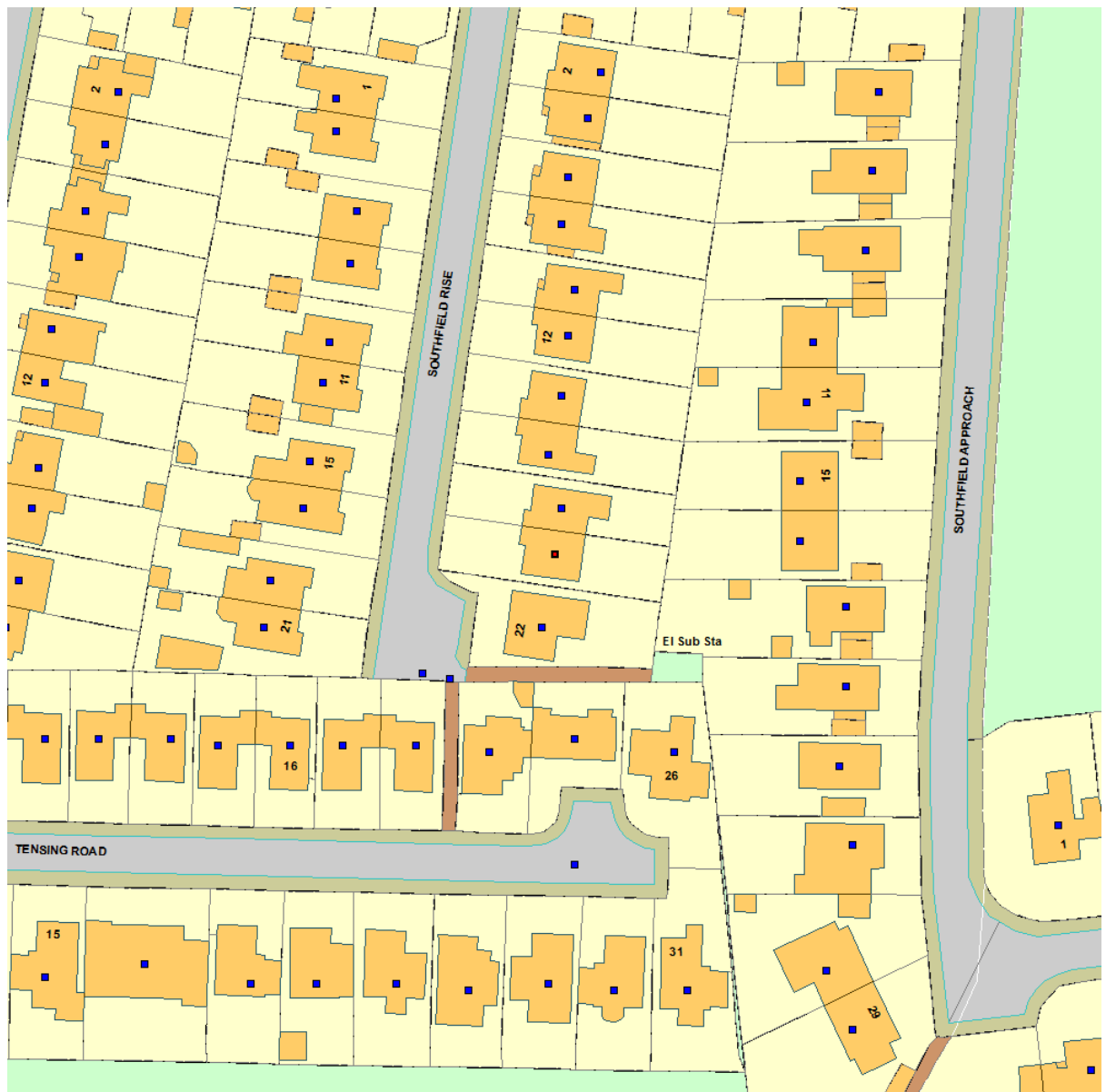


Officer Report

APPLICATION NO: 22/01990/FUL	OFFICER: Mr Ben Warren
DATE REGISTERED: 11th November 2022	DATE OF EXPIRY: 6th January 2023
DATE VALIDATED: 11th November 2022	DATE OF SITE VISIT:
WARD: Charlton Park	PARISH:
APPLICANT: Ms J Dodds	
AGENT: Ian Johnstone Associates	
LOCATION: 20 Southfield Rise Cheltenham Gloucestershire	
PROPOSAL: Erection of a single storey rear extension. An extension to front dormer window and a single storey front extension, including an entrance porch. (Retrospective)	

RECOMMENDATION: Approve



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a semi-detached chalet style property located within a residential area on Southfield Rise.
- 1.2 Planning permission was granted, ref: 20/01599/FUL, for the erection of a single storey and two storey rear extension, extension to front dormer window and a single storey front extension with porch. This application was approved following planning committee resolution in November 2020.
- 1.3 In the applicant's covering letter, it explains that due to financial constraints the applicant was no longer in a position to construct the first floor part of the rear extension. As such, a wholly single storey flat roof extension with parapet has been constructed. The works have progressed quite significantly on site, in the main, the structures are complete, and this application therefore seeks retrospective planning permission.
- 1.4 For clarity, the applicant has submitted a revised application that includes all of the works undertaken, this includes the single storey rear extension, an extension to the front former window and a single storey front extension with porch. Other than the wholly single storey rear extension to the rear, all other parts of the development are as already approved in the previous application, therefore officer comments in this report only relate to the acceptability of the single storey rear extension.
- 1.5 The application is at planning committee at the request of Councillor Baker who wishes members to have the opportunity to consider the impact of the development on neighbouring amenity.
- 1.6 During the course of the application it was suggested by the adjoining land owner at 18 Southfield Rise that the plans within this application do not reflect that of the 'as-built' single storey rear extension, it was suggested that the extension was higher than that on the plans. With this being the case, the council's enforcement officer has been out to site and has provided confirmation of the extension height 'as built'. The plans show an overall height of the single storey rear extension at 3.25 metres, the measurement provided by the council's enforcement officer is 3.3 metres, therefore a difference of 0.05 metres has been identified. Whilst officers acknowledge that there is a very minor discrepancy in the measurements, at the scale the plans are drawn, the difference could be the thickness of a line on the drawing or could be due to the fact the restorative ground works in the garden have not yet been completed. Officers are content that within reason, the plans do accurately reflect the scale of the extension as built.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Principal Urban Area
Smoke Control Order

Relevant Planning History:

20/00798/FUL 20th July 2020 REF

Erection of an entrance porch, two storey rear extension and the formation of an underground room in rear garden

20/01599/FUL 20th November 2020 PER

Erection of a single storey and two storey rear extension. Extension to front dormer window and single storey front extension including porch (Revised submission to 20/00798/FUL)

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 11 Making effective use of land
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)
Climate Change (2022)

4. CONSULTATIONS

Gloucestershire Centre For Environmental Records - 18th November 2022

Letter available to view in documents tab.

Building Control - 14th November 2022

This 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 6 letters were sent to neighbouring properties, one letter of objection from the adjoining land user at number 18 Southfield Rise has been received in response to this neighbour notification process. The concerns raised have been summarised but are not limited to the following:
- Loss of light
 - Overbearing impact

6. OFFICER COMMENTS

6.1 **Determining Issues**

- 6.2 As noted in the introduction, elements included within this application have already been considered and approved in the previous application (20/01599/FUL), this includes the single storey front extension, porch and works to the dormer window, therefore the considerations of this application relate solely to the changes proposed to the rear of the building, this being, the change from a part single and part two storey rear extension to a wholly single storey rear extension. The considerations in relation to this application are the design and the impact of the proposal on neighbouring amenity.

6.3 Design

- 6.4 Policy SD4 of the JCS notes how development should “respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality”. Furthermore, development “should be of a scale, type, density and materials appropriate to the site and its surroundings”. This is supported through adopted Cheltenham Plan Policy D1 which requires development to ‘complement and respect neighbouring development and the character of the locality.’
- 6.5 The rear extension is a single storey full width, flat roof extension with parapet. The extension measures approximately 3 metres deep and has a height of approximately 3 metres to the top of the coping stones. In terms of footprint, the extension is considered to be a modest addition to the property, sits comfortably within the plot and reads clearly as a subservient addition.
- 6.6 The design of the extension is considered to be acceptable and appropriate for a modern flat roof addition to the rear of the property. The extension is finished in brickwork to match that of the existing building which is wholly appropriate and acceptable.
- 6.7 In terms of design, the proposal is considered to be compliant with the requirements of the Adopted Cheltenham Plan (2020) policy D1, adopted JCS policy SD4 and the Supplementary Planning Document – Residential Alterations and Extensions (adopted 2008).

6.8 Impact on neighbouring property

- 6.9 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.
- 6.10 Concerns raised in the adjoining neighbour’s letter of objection relate to a loss of light and an overbearing impact. The neighbour makes reference to the impact of this single storey rear extension on light to their living and dining room. Concerns have also been raised by this neighbour regarding an overbearing impact.
- 6.11 The following paragraph is copied from the previous officer report and is still relevant:

‘18 Southfield Rise has previously been extended with a single storey rear addition; this addition has created a large open plan ‘L’ shaped room across the rear of the property. The openings that provide light to this room include an original ground floor window in the rear elevation of the existing property, a ground floor window located within the side elevation of the extension, as well as a set of French doors located in the rear elevation of this extension.’

- 6.12 Light tests have been undertaken, this includes the 45 degree light test to the rear facing window closest to the extension, the proposal passes this test in both plan and elevation, therefore no unacceptable loss of light occurs. The 25 degree light test has also been undertaken for the side facing window located within the neighbour’s existing extension, the extension marginally passes this light test. Officers acknowledge that light may be impacted to this opening, however, it still passes the test. In addition, this space is also served by the patio doors located in the rear elevation of the extension, any loss of light is therefore not of an unacceptable level. It is also important to note that these three openings all serve one open plan living area. Officers do not consider the development to result in any unacceptable loss of light.

- 6.13 With regards to any potential for an overbearing impact and loss of outlook, whilst officers duly note that the extension will be visible from the rear and side windows of the neighbours property, the addition is a single storey extension, with a modest depth of 3 metres. Officers therefore do not consider that the extension results in an unacceptable overbearing impact, and due to its scale, any loss of outlook is not considered to be of an unacceptable level.
- 6.14 It is important to note that the previous consent which includes a two storey element to the rear is extant as the other parts of the scheme have been implemented. Therefore this is a realistic fall-back position for which this application should be assessed against. It is clear that the impact of a wholly single storey rear extension, albeit slightly higher than that of the single storey element previously approved, would still have a much lesser impact on this neighbour than the two storey element previously approved.
- 6.15 With all of the above in mind, whilst duly noting the concerns of the neighbour, the proposal is 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.

6.16 **Other considerations**

Climate change

The Cheltenham Climate Change SPD (adopted June 2022), sets out a strategy for decarbonising homes over the next decade. For residential alterations and extensions there is an opportunity to improve the environmental performance of a home through the inclusion of technologies and features such as photovoltaics, replacement windows, heat recovery, permeable (or minimal) hard surfaces, works to chimneys, insulation, replacement heating systems (heat pump) and thoughtful kitchen design.

In this instance, the original application and permitted scheme was considered at a time before Cheltenham's Climate Change SPD was adopted, given that the works in this retrospective application are of a similar scale and nature of those works, officers do not consider it necessary or reasonable to require the submission of a Sustainability Statement or the provision of any specific low carbon technologies. However, it is noted that the works will be completed in accordance with current building regulations which is considered appropriate for this level of works.

Environmental Impact

Whilst records show that important species or habitats have been sighted on or near the application site in the past, it is not considered that the proposed small scale development will have any impact on these species.

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, the proposal is considered to be acceptable in terms of design and impact on neighbouring amenity, therefore officer recommendation is to permit the retrospective application.

8. CONDITIONS / INFORMATIVES

- 1 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.