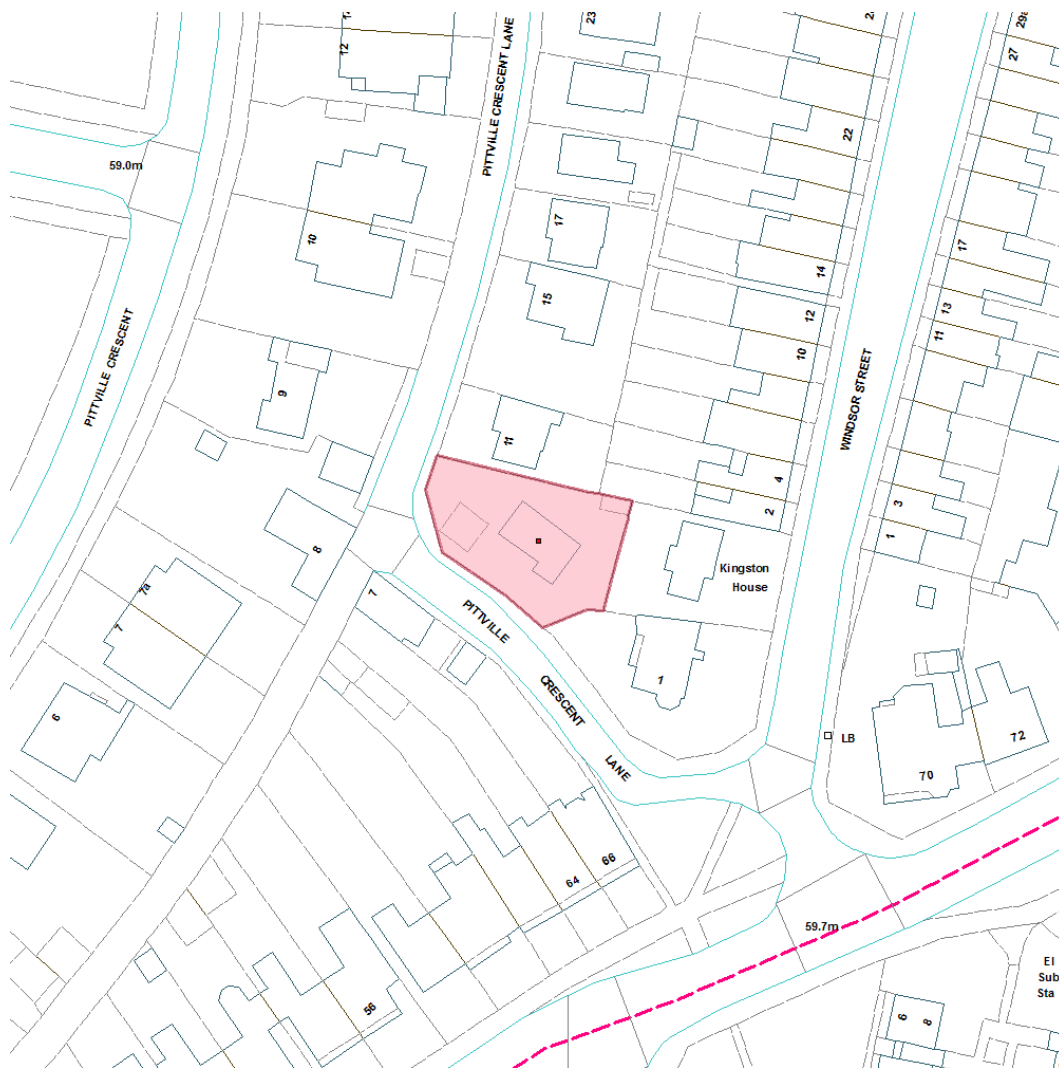


APPLICATION NO: 23/00359/FUL		OFFICER: Michelle Payne
DATE REGISTERED: 3rd March 2023		DATE OF EXPIRY: 28th April 2023
DATE VALIDATED: 3rd March 2023		DATE OF SITE VISIT:
WARD: Pittville		PARISH:
APPLICANT:	Mr Brad Jacklin	
AGENT:	Homeplan Drafting Services	
LOCATION:	3 Pittville Crescent Lane Cheltenham Gloucestershire	
PROPOSAL:	Two storey/single storey side and rear extensions and new vehicular entrance with dropped kerb (revised scheme following grant of planning permission ref. 22/02122/FUL)	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is located on the eastern side of Pittville Crescent Lane and comprises a detached, modern, two storey dwelling, and detached garage, within a reasonably sized, irregular shaped, corner plot. Both the dwelling and garage are faced in red brick, with stone quoin detailing, and pitched tiled roofs. Vehicular access to the site is currently provided from the south.
- 1.2 Planning permission (ref. 22/02122/FUL) was recently granted in February this year for the erection of two storey side and rear extensions, and a new vehicular entrance with dropped kerb. It was also proposed to render the entire property and install replacement windows throughout. The scheme was amended during the course of the application to reduce the width of the side extension at first floor.
- 1.3 This application now proposes an amended scheme for a two storey side extension and a single storey rear extension, together with the new vehicular access with dropped kerb, and replacement windows. Works have commenced on site since the previous grant of planning permission, and this application is therefore, in part, retrospective.
- 1.4 The application is before the planning committee at the request of Cllr Tooke due to *“the creeping scope of the project and changes in the specifications.”*
- 1.5 This report should be read in conjunction with the officer report which accompanies the original decision (Appendix 1).

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Principal Urban Area
Residents Association

Relevant Planning History:

99/50290/FUL Single storey domestic extension	PERMIT	18th November 1999
22/02122/FUL Two storey side and rear extensions and new vehicular entrance with dropped kerb	PERMIT	10th February 2023

3. POLICIES AND GUIDANCE

National Planning Policy Framework 2021 (NPPF)

Section 2 Achieving sustainable development
Section 4 Decision-making
Section 9 Promoting sustainable transport
Section 12 Achieving well-designed places

Adopted Cheltenham Plan 2020 (CP) Policies

D1 Design
SL1 Safe and Sustainable Living

Adopted Joint Core Strategy 2017 (JCS) Policies

SD3 Sustainable Design and Construction
SD4 Design Requirements
SD14 Health and Environmental Quality
INF1 Transport Network

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)

Cheltenham Climate Change SPD (2022)

4. CONSULTATION RESPONSES

Building Control

14th March 2023

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

GCC Highways Development Management

30th March 2023

Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure) (England) Order, 2015 has no objection subject to conditions.

The justification for this decision is provided below.

This is a similar revision of the previously permitted 22/02122/FUL proposal therefore the comments remain unchanged. The extension is not considered to significantly increase the traffic generation of the site within Cheltenham. The site is located within walking distance of regular bus services to the town centre and other amenities as well as the rail station and wider national connections with footways and suitable roads for cyclists reducing vehicle dependency.

The new vehicular access is sought to include a low 0.6m maximum high solid boundary treatment with visibility 2m from the boundary with number 11 to the north and south of the driveway edge to ensure pedestrian visibility for emerging vehicles with vehicle crossover aligned accordingly. There is a gully drain on the carriageway edge adjacent to the drop kerb which may require relocations as part of highway works agreement for the required vehicle crossover subject to separate Local Highway Authority application process.

Emerging vehicle visibility from the proposed new access is acceptable.

The existing vehicle access must be stopped up and vehicle crossover restored as full height footway to avoid unnecessary hazard to highway and footway users.

Garage parking is not counted toward parking provision due to possible conversion to habitable rooms and Manual for Streets surveys the majority are not used for vehicle parking. However it would provide secure covered cycle storage space and as 3 off-road spaces are indicatively shown it is considered parking is sufficient.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

Conditions

Provision of Pedestrian Visibility Splays

The Development hereby approved shall not be occupied/brought into use until pedestrian visibility splays of 2m x 2m measured perpendicularly back from the back of footway shall be provided on both sides of the access. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above the adjoining ground level.

Reason: To ensure motorists have clear and unrestricted views of approaching pedestrians when pulling out onto the adopted highway, in the interest of highway safety according to INF1 of the Local Core Strategy, Local Transport Plan and NPPF paragraphs 110, 111 and 112.

Completion of Vehicular Access

The development hereby approved shall not be occupied or brought into use until the means of access for vehicles, pedestrians and cyclists shown on Proposed Block Plan drawing AE-05(900491)001 has been reduced by 2m from the northern site boundary but otherwise completed in accordance with the plan.

Reason: In the interest of highway safety according to INF1 of the Local Core Strategy, Local Transport Plan and NPPF paragraphs 110, 111 and 112.

Reinstatement of Redundant Access

The vehicular access hereby permitted shall not be brought into use until the existing vehicular access to the site (other than that intended to serve the development) has been permanently closed and reduced to pedestrian only access gateway up to 1 metre width with vehicle crossover reinstated as full height footway. Reason: In the interests of highway safety according to INF1 of the Local Core Strategy, Local Transport Plan, and NPPF paragraphs 110, 111 and 112.

Informatives

Alterations to Vehicular Access

The Local Highway Authority has no objection to the above subject to the applicant obtaining a section 184 licence. The construction of a new access will require a footway crossing from the carriageway under the Highways Act 1980 - Section 184 and reinstatement of redundant crossover to full height footway and the Applicant is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or highways@gloucestershire.gov.uk before commencing any works on the highway. Full Details can be found at www.gloucestershire.gov.uk.

5. PUBLICITY AND REPRESENTATIONS

5.1 Letters of notification were sent to eight neighbouring properties. In response to the publicity, an objection has been received from the neighbour to the north (Laburnum Cottage). The comments have been circulated in full to members but the objections relate to:

- The addition of new first floor windows to the rear of the property
- The use of brickwork to match existing
- The installation of Anthracite grey windows and doors
- Impact on the adjacent conservation area
- Proximity to a tree

6. OFFICER COMMENTS

6.1 Determining issues

6.1.1 The main considerations when determining this application relate to design, impact on neighbouring amenity, and highway safety.

6.2 Design

6.2.1 The principle of erecting a two storey side extension has been established by the recent grant of planning permission in February this year. The width of the extension at

first floor was reduced during the course of the previous application to 4 metres; and the extension now proposed is the same width as that previously approved. As such, the only consideration is whether a brick finish to match the existing building is now acceptable; the extension previously proposed to be rendered together with the main dwelling. In this regard, whilst it is acknowledged in the previous officer report that the application dwelling currently stands out within the street scene, as many of the surrounding buildings are rendered or faced in a lighter brick, officers consider the use of facing brick to match existing to be wholly appropriate. Planning permission was not previously granted only on the basis that the extension and property be rendered.

6.2.2 In addition, the insertion of grey uPVC replacement windows in lieu of aluminium is considered to be acceptable; the principle of inserting replacement windows throughout the dwelling having again been established through the recent grant of planning permission.

6.2.3 The single storey rear extension now proposed could, in isolation, be constructed as permitted development, thereby not requiring planning permission; however, it is shown on the plans for completeness. The extension does not exceed 4 metres in depth and has an overall height of 3 metres. Furthermore, new rear facing, first floor windows could also be installed within the existing building as permitted development; and it would therefore be unreasonable to require these windows to be obscurely glazed, albeit one window will serve an en-suite shower room.

6.2.4 From a design perspective, the alterations and extensions now proposed are considered to be wholly acceptable. The proposals will not result in any harmful impact on the adjacent conservation area.

6.3 Neighbouring amenity

6.3.1 Adopted CP policy SL1 advises that development will only be permitted where it will not cause unacceptable harm to the amenity of adjoining land owners or the locality; these requirements are reiterated in adopted JCS policy SD14. CP paragraph 14.4. states that *"In assessing the impacts of a development including any potential harm, the Council will have regard to matter including loss of daylight; loss of outlook; loss of privacy..."*

6.3.2 The scale and massing of the side extension has been previously found to be acceptable in terms of its impact on the property to the north, no. 11 Pittville Crescent Lane. The use of facing brick in the external alterations does not result in any additional impact; and no additional windows are proposed within the extension.

6.3.3 Whilst the single storey rear extension will sit in relatively close proximity to the boundary within this neighbour property, as previously noted, this extension could be constructed as permitted development. No first floor rear additions are now proposed.

6.3.4 As such, officers are satisfied this revised scheme will not result in any additional overlooking or loss of privacy. A condition has been added to restrict the insertion of any additional windows, doors or openings within the side extension without the benefit of planning permission.

6.4 Highway safety

6.4.1 The provision of an access in the proposed location has also been previously agreed; the Local Highway Authority raising no objection subject to conditions. The proposals continue to be acceptable on highway grounds.

6.5 Other considerations

Climate change

6.5.1 In response to the recently adopted Cheltenham Climate Change SPD, a brief Sustainability Statement has been submitted which sets out the measures proposed as part of this development; whilst limited, the measures are considered to be appropriate to the scale of development proposed.

Tree in neighbour's garden

6.5.2 Whilst the neighbour has raised concern in relation to the proximity of the rear extension to a tree within their garden, as previously noted, the rear extension could be built as permitted development. As such, it is not considered necessary to secure any additional tree-related information.

Public Sector Equalities Duty (PSED)

6.5.3 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.

6.5.4 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.

6.5.5 In the context of the above PSED duties, this proposal is considered to be acceptable.

7. CONCLUSION AND RECOMMENDATION

7.1 With all of the above in mind, the proposals are considered to be in accordance with all relevant national and local planning policy, and the recommendation is to grant planning permission subject to the following conditions:

8. SUGGESTED CONDITIONS

- 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 with or without modification), no additional windows, doors or openings shall be formed in the side extension without express planning permission.

Reason: Any further openings require detailed consideration to safeguard the privacy of adjacent properties, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

- 4 The new vehicular access shall not be brought into use until pedestrian visibility splays of 2m x 2m measured perpendicularly back from the back of footway have been provided on both sides of the access. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above the adjoining ground level.

Reason: To ensure motorists have clear and unrestricted views of approaching pedestrians when pulling out onto the adopted highway, having regard to policy INF1 of the Joint Core Strategy (2017) and paragraphs 110, 111 and 112 of the National Planning Policy Framework (2021).

- 5 The new vehicular access hereby permitted shall not be brought into use until the existing vehicular access to the site (other than that intended to serve the development) has been permanently closed and the vehicle crossover reinstated as full height footway.

Reason: In the interests of highway safety, having regard to policy INF1 of the Joint Core Strategy (2017) and paragraphs 110, 111 and 112 of the National Planning Policy Framework (2021).

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.

- 2 The applicant is advised that the construction of the new vehicular access will require a footway crossing from the carriageway under Section 184 of the Highways Act 1980, and the reinstatement of the redundant crossover to full height footway. The applicant is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or highways@gloucestershire.gov.uk before commencing any works on the highway. Full details can be found at www.gloucestershire.gov.uk.