

Delegated Officer Report

APPLICATION NO: 22/00060/FUL		OFFICER: Mrs Victoria Harris
DATE REGISTERED: 12th January 2022		DATE OF EXPIRY: 9th March 2022
DATE VALIDATED: 12th January 2022		DATE OF SITE VISIT:
WARD: Battledown		PARISH: Charlton Kings
APPLICANT:	Mr Rowles	
AGENT:	AJ Architects Ltd	
LOCATION:	Glencairn Greenway Lane Charlton Kings	
PROPOSAL:	Proposed single storey rear extension, dormers to create loft conversion, porch, a detached home office and new front pier	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a detached bungalow located within Battledown Ward.
- 1.2 The applicant is proposing to build a front pier, front porch, front and rear dormer windows, single story rear extension and a detached home office.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Parish Boundary
Principal Urban Area

Relevant Planning History:

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

Adopted Cheltenham Plan Policies

D1 Design
SL1 Safe and Sustainable Living

Adopted Joint Core Strategy Policies

SD4 Design Requirements
SD14 Health and Environmental Quality
INF1 Transport Network

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)

4. CONSULTATIONS

GCC Highways Planning Liaison Officer

8th March 2022 - 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. 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. The Highway Authority therefore submits a response of no objection.

Parish Council

15th February 2022 - Comment:

It is not known from the application documents if there are any windows to the southern side of 'Glendouran'. If there are, then given its proximity, the windows in the proposed rear loft conversion could create an unreasonable loss of privacy.

The Committee asks that this be checked. If there are not any windows to southern side of 'Glendouran' then this concern would be satisfied.

The front dormers, porch, widened highway access and home office do not create any concerns.

Building Control

27th January 2022 - 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	7
Total comments received	6
Number of objections	5
Number of supporting	1
General comment	0

- 5.1** Letters of notification were sent out to 7 neighbouring properties. 6 representations have been received in response to the publicity. The comments are available to view on the Documents tab, but in brief, the comments relate to loss of privacy and amenity.
- 5.2** Following revised plans, revised letters of notification have been sent out and 1 additional representation has been received. The comments are available to view on the Documents tab, but in brief, the comments relate to loss of privacy, amenity and design.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2** The main considerations in relation to this application are design and neighbouring amenity.

6.3 Design

- 6.4** Section 12 of the NPPF emphasises the importance of achieving well designed places that are visually attractive and sympathetic to local character and setting. In addition, policy SD4 of the JCS and policy D1 of the Cheltenham Plan require development to be of a high standard of architectural design that positively responds to and respects the site and its surroundings.

- 6.5** The Council's Supplementary Planning Document: Residential Alterations and Extensions set out five basic design principles; maintain character, subservience, ensure adequate daylight, maintain space between buildings and maintain privacy. The document emphasises the importance of later additions achieve subservience in relation to the parent dwelling setting out an extension should not dominate or detract from the original building, but play a supporting role.

- 6.6** As a whole, the alterations and extensions to the bungalow are considered to be acceptable.

- 6.7** The front porch, rear extension and detached home office would be appropriate in scale, form and design and clearly read as subservient additions which can be comfortably accommodated within the plot.

6.8 With regard to the rear dormer this could be constructed as permitted development if the external facing materials were to closely match the existing roofing materials and therefore the principle of a loft extension in this location must be acceptable. The ridge will sit lower than the main roof, it does not extend the full width of the original dwelling and is set in from the eaves and therefore will read as a subservient, later addition.

6.9 There is a mixture of architectural designs within the locality and therefore the principle of front dormer windows will not harm the character of this location. The front dormer windows are subservient additions that will sit comfortably within the roof.

6.10 All dormer windows will be finished in Polyroof GRP standing seam zinc effect with aluminium framed windows. The materials for the dormers and roof give a contemporary high standard of design that is in keeping with the design of the surrounding neighbouring properties.

6.11 The proposal is therefore considered to comply with the relevant policies and guidance in terms of achieving an acceptable design.

6.12 Impact on neighbouring property

6.13 Section 12 of the NPPF highlights that development should promote a high standard of amenity for existing and future users. This is further emphasised in policy SD14 of the JCS and Cheltenham Plan SL1 which set out the requirement for development not to cause unacceptable harm to the amenity of adjoining land users and the locality.

6.14 The plans have been revised following neighbouring properties concerns in regards to loss of privacy. Bedroom 3 rear window, the landing door and the side bedroom 2 window failed to meet the Councils recommended 10.5m distance between window and boundary and therefore would of cause unacceptable harm. All of the above openings have now been omitted from the proposal. To ensure no windows are formed within this part of the rear dormer, permitted development has been removed for additional openings.

6.15 2 windows are now proposed within the rear dormer window, a landing window and a obscured glazed ensuite window. The landing window is close to side/rear boundary and therefore could potentially overlook the rear amenity space of Glencairn, therefore a condition is proposed to ensure the window is non-opening and glazed with obscure glass. The ensuite window will be well in excess of the 10.5 metre minimum distance normally sought to the rear boundary; and, windows would be allowed in the rear of a dormer if constructed under permitted development rights.

6.16 The extension and detached home office will have little impact on the neighbouring amenity, there are no issues with regard to overlooking and the proposal will not affect light levels to neighbouring properties.

6.17 As such, the proposal is considered to comply with the relevant policies in terms of protecting neighbouring amenity.

6.18 Access and highway issues

6.19 Adopted JCS policy INF1 advises that all development proposals should provide for safe and efficient access to the highway network for all transport needs. The policy identifies that planning permission should be granted where the highway impacts of the development would not be severe.

6.20 The highway authority have been consulted and have no objection to the proposed new front pier.

6.21 Public Sector Equalities Duty (PSED)

6.22 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.

6.23 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.

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

7. CONCLUSION AND RECOMMENDATION

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

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 with or without modification), no additional windows, doors and openings shall be formed in the dormer window 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 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 first floor rear landing window; shall at all times be non-opening and 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.

Approved Plans

Reference	Type	Received	Notes
200 F.	Rev Drawing	1st March 2022	
210 F.	Rev Drawing	1st March 2022	
00060.1.	OS Extract	11th January 2022	

CASE OFFICER: Mrs Victoria Harris

AUTHORISING OFFICER: Emma Pickernell

DATE: 11/3/22