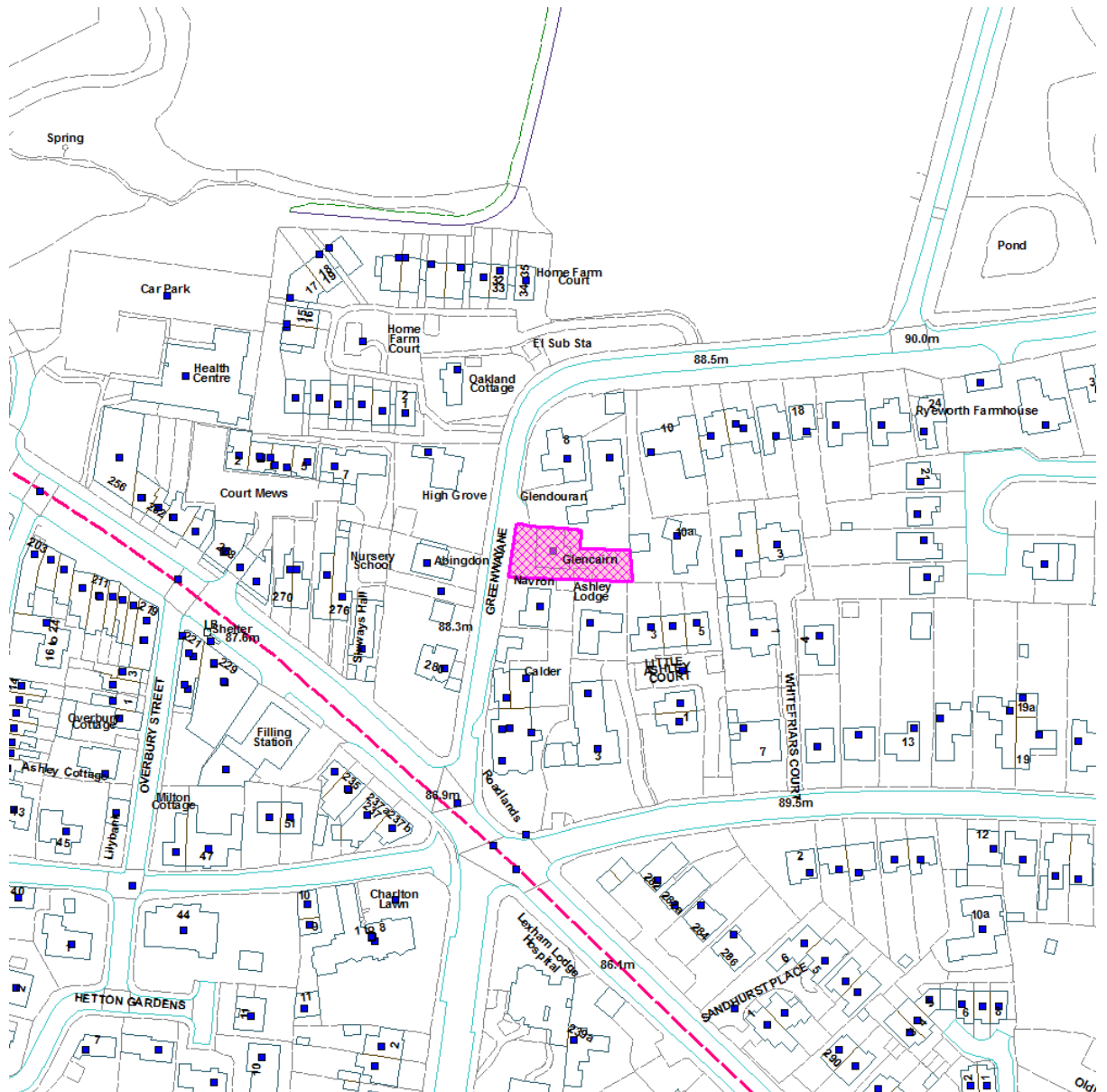


Delegated Officer Report

APPLICATION NO: 22/01581/FUL		OFFICER: Mrs Victoria Harris
DATE REGISTERED: 9th September 2022		DATE OF EXPIRY: 4th November 2022
DATE VALIDATED: 9th September 2022		DATE OF SITE VISIT:
WARD: Battledown		PARISH: Charlton Kings
APPLICANT:	Mr John Rowles	
AGENT:	AJ Architects Ltd	
LOCATION:	Glencairn Greenway Lane Charlton Kings	
PROPOSAL:	Proposed single storey rear extension, proposed dormers to create loft conversion, porch, new front pier and proposed electric gate (revised scheme following grant of application ref. 22/00874/FUL)	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a detached bungalow located within the Battledown Ward.
- 1.2 Planning permission was recently granted in March and July this year for a front pier, front porch, front and rear dormer windows, single storey rear extension and a detached home office.
- 1.3 This application is now seeking permission for a revised scheme. The scheme is almost identical but the front dormer windows now have a flat roof instead of a pitched roof and the middle dormer window has been increased in size. Also, part of the internal layout of the rear dormer window has been amended and now a clear glazed bedroom window is proposed to the rear instead of an obscure glazed ensuite window.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Principal Urban Area

Relevant Planning History:

22/00060/FUL 11th March 2022 PER

Proposed single storey rear extension, dormers to create loft conversion, porch, a detached home office and new front pier

22/00874/FUL 8th July 2022 PER

Proposed single storey rear extension, proposed dormers to create loft conversion, porch, a detached home office, new front pier and proposed electric gate (revised scheme following grant of application ref. 22/00060/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 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

4. CONSULTATIONS

Building Control

15th September 2022 - This application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

Parish Council

3rd October 2022 - No Objection.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	7
Total comments received	3
Number of objections	3
Number of supporting	0
General comment	0

- 5.1 Letters of notification were sent out to 7 neighbouring properties. In response to the publicity, 3 representations have been received objecting to the proposed development. The main concerns relate to loss of privacy from the first floor bedroom window.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2 The principle of the front pier, front porch, front and rear dormer windows, single storey rear extension to this property has been established as part of the previous applications, as such the key considerations for this application are acceptability of the proposed changes, and the resultant design and impact on neighbouring amenity as a result of these proposed changes. This report should therefore be read in conjunction with the officer report that accompanies the original decision.

6.3 Design

- 6.4 The change to the front dormer windows is acceptable; the dormer windows will still be subservient additions that will sit comfortably within the roof. In addition, there is a mixture of architectural designs within the locality and therefore the flat roof front dormer windows will not harm the character of the locality.

6.5 Impact on neighbouring property

- 6.6 It is acknowledged that the clear glazed window within the rear dormer window will impact on a small number of residential properties; however, officers are satisfied that any such impact will not be so detrimental as to warrant a refusal on amenity grounds. The properties that will be most affected are Ashley Lodge Ryeworth Road, Glendouran Greenway Lane and The Villa 10A Greenway Lane and their objections have been duly noted.
- 6.7 The first floor window to the rear of the dormer will be well in excess of the 10.5 metre minimum distance normally sought to the rear boundary and in excess of the 21 metre minimum distance normally sought between dwellings which face each other where both have windows with clear glazing.
- 6.8 When considering a proposal an important material consideration is what can be built under permitted development in the General Permitted Development Order (GPDO). The applicant could construct a rear dormer window with unrestricted openings along the entire rear elevation under PD that would have a similar effect if not greater impact on the amenity of the neighbouring properties. This is an important material consideration and a fall-back position that needs to be taken into account when considering the design and impact on the neighbours.
- 6.9 Therefore, given that the window is well in excess of the minimum distance as suggested by Cheltenham Plan policy SL1 and the PD fall-back position; a clear glazed window within this position is considered acceptable and will not cause unacceptable overlooking and loss of privacy.

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 rear 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).

- 5 Notwithstanding the approved plans, the entrance gates shall at all times be hung so that they only open inwards into the site.

Reason: To ensure that the highway is not obstructed in the interests of highway safety, having regard to adopted policy INF1 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
21/753.	OS Extract	1st September 2022	
21/753 200 M.	Drawing	13th September 2022	
21/753 210 M.	Drawing	13th September 2022	

CASE OFFICER:

Mrs Victoria Harris

AUTHORISING OFFICER:

Ben Warren

DATE:

14.10.22