

<b>APPLICATION NO:</b> 23/00430/FUL	<b>OFFICER:</b> Mr Ben Warren
<b>DATE REGISTERED:</b> 15th March 2023	<b>DATE OF EXPIRY:</b> 10th May 2023
<b>DATE VALIDATED:</b> 15th March 2023	<b>DATE OF SITE VISIT:</b>
<b>WARD:</b> Charlton Kings	<b>PARISH:</b> Charlton Kings
<b>APPLICANT:</b>	Mr And Mrs Lucking
<b>AGENT:</b>	Steve Mitchell Building Design
<b>LOCATION:</b>	82 East End Road Charlton Kings Cheltenham
<b>PROPOSAL:</b>	Part single and part two storey rear extension (revised submission to 22/01656/FUL)

**RECOMMENDATION:** Permit



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a two storey semi-detached dwelling located within a residential area on East End Road in Charlton Kings.
- 1.2 The applicant is seeking planning permission for a part single storey and part two storey rear extension to replace an existing single storey rear extension and conservatory. This application is a revised submission to a scheme previously refused at planning committee under planning reference 22/01656/FUL.
- 1.3 This new application is at planning committee at the request of Councillor McCloskey who also called the original application to planning committee and would like members to again have the opportunity to consider the impact of the proposal on neighbouring amenity, specifically the impact on 84 East End Road.
- 1.4 This report should be read in conjunction with the officer report for the previous application (ref: 22/01656/FUL). This is attached as Appendix 1.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### **Constraints:**

Principal Urban Area  
Smoke Control Order

### **Relevant Planning History:**

**85/01155/PF 12th December 1985 PER**  
Erection Of Two Storey Extension To Side

**88/01540/PF 15th December 1988 PER**  
New Bedroom And Shower Room

**90/00465/PF 24th May 1990 PER**  
Erection Of Single-Glazed Conservatory

**22/01656/FUL 18th November 2022 REF**  
Part single and part two storey rear extension

## 3. POLICIES AND GUIDANCE

### **National Planning Policy Framework**

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

### **Adopted Cheltenham Plan Policies**

D1 Design  
SL1 Safe and sustainable living

### **Adopted Joint Core Strategy Policies**

SD3 Sustainable Design and Construction  
SD4 Design Requirements  
SD14 Health and Environmental Quality

### **Supplementary Planning Guidance/Documents**

Residential Alterations and Extensions (2008)  
Climate Change (2022)

## 4. CONSULTATIONS

### **Building Control - 24th March 2023**

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

### **Parish Council - 6th April 2023**

With the original application, the Committee noted concerns as to loss of light to the neighbouring property's windows and asked that this be assessed.

The scheme was subsequently revised to step back the first floor extension and resultingly the Case Officer's recommendation was to permit.

The application was refused and the proposal has been further reduced in size. Accordingly, the Committee would ask that the level of light to the neighbouring windows again be formally assessed.

Other than the query as to possible excessive loss of light, the Committee has no objection.

### **Gloucestershire Centre For Environmental Records - 24th March 2023**

Report available to view in documents tab.

## 5. PUBLICITY AND REPRESENTATIONS

- 5.1 4 letters were sent to neighbouring land users, a total of 6 letters of representation have been received, 4 in objection to the application and 2 in support.
- 5.2 The concerns raised in the letters of objection have been summarised but are not limited to the following points:
  - Unacceptable scale / over development
  - Loss of light
  - Visual impact

The 2 letters of support suggest the extension is of an acceptable scale and will not result in any unacceptable impact on neighbouring amenity.

## 6. OFFICER COMMENTS

### 6.1 **Site location and context**

- 6.2 The application site relates to a two storey semi-detached dwelling, located within a wholly residential area. Many of the properties in the immediate locality have been extended and altered, additions include both single and two storey side and rear extensions.
- 6.3 The application site has previously been extended with a two storey side extension, single storey rear extension and rear conservatory. The adjoining property at number 80 East End Road has an existing single storey rear extension and the neighbouring property at number 84 East End Road has been extended with a two storey rear wing.

#### 6.4 **Determining Issues**

6.5 As with the previous application, the main considerations in relation to this application are the design and the impact of the proposal on neighbouring amenity.

6.6 This application is for a similar scheme of works to the previous application (ref: 22/01656/FUL) which includes the proposal of a part two storey and part single storey rear extension. The previous application was refused at planning committee, the refusal reason being:

*'By virtue of the scale, form and position of the proposed extension, the development would result in an unacceptable loss of light and unacceptable loss of outlook to the ground floor side elevation window within number 84 East End Road. As such, the proposed development would result in an unacceptable loss of amenity to this adjacent land user and is therefore contrary to policy SL1 of the Cheltenham Plan (2020) and policies SD4 and SD14 of the Joint Core Strategy (2017).'*

6.7 This new application proposes some changes from the scheme previously considered, these include:

- A reduction in the width of the extension resulting in the extension being set in from the existing side elevation by 225mm
- A reduction in the eaves height of the two storey extension by approximately 400mm
- A reduction in the ridge height of the proposed two storey extension by approximately 600mm

6.8 In addition to the changes to extension itself, the application has been supported by an independent sunlight/daylight assessment/statement.

6.9 The merits of this revised scheme are discussed in detail below.

#### 6.10 **Design**

6.11 Policy SD4 of the JCS sets out that 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.’

6.12 Cheltenham’s Supplementary Planning Document – Residential Alterations and Extensions sets out that rear extensions should be subservient in height and width, as well as identifying other necessary design aspects.

6.13 The form of the proposed part two storey and part single storey rear extension is broadly the same as that proposed within the previous application, the proposal is a typical form of development for an extension to a residential property and is considered to be acceptable. The proposed materials are to match that of the existing building which is wholly appropriate and acceptable.

6.14 Officers consider the extension to be of an acceptable scale, form and design and will not result in any unacceptable harm to the design or character of the existing building or its surroundings. The proposal is therefore 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).

#### **6.15 Impact on neighbouring property**

- 6.16 It is necessary to consider the impact of development on neighbouring amenity. JCS Policy SD14 and Cheltenham Plan Policy SL1 state that 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.
- 6.17 As noted above, the previous application was refused at planning committee, the reason relating to an unacceptable loss of light and loss of outlook to the ground floor side elevation window of number 84 East End Road which serves a kitchen. Concerns from this neighbouring land user have again been raised with regards to a loss of light and a loss of outlook.
- 6.18 When considering the impact of the proposed development on the neighbour at 84 East End Road, the main issue was the impact on the kitchen. The kitchen is served by a side facing window and a set of French doors in the rear/south elevation. In the comments received from 84 East End Road in response to this current application, it is suggested that the French doors in rear/south elevation are opaque and therefore do not provide light to the kitchen. It should be noted that these doors were clearly glazed at the time of considering the original application. The neighbour has provided photos of the French doors as they are now and it would appear that some form of covering/opaque film has been applied to the glazing in these doors. It would appear that this is a temporary measure and has not been a permanent replacement of the glass. Whilst officers accept that light entering the space from the French doors is currently compromised, given the temporary nature of the window treatment, officers would continue to consider this opening as though it is a permanent light source to this space.
- 6.19 As noted in the previous officer report, with regards to the kitchen window, the proposed two storey extension would fail the basic 25 degree light test to this window, officers therefore acknowledge that light to this window will be impacted by the development. However, as noted above, this kitchen space is also served by an additional light source in the form of a French doors in the rear elevation of the two storey wing. This opening will not be affected by the proposed two storey extension as it will be of a similar depth to the neighbours existing rear wing.

Where a proposal will have an impact on light to an opening, due consideration is given to whether the room is also served by any additional light source, and whether any such additional light source would be affected by the proposed development. In this instance, the French doors in the rear elevation of the neighbours kitchen are the largest opening that serves the kitchen, this opening also provides a view and outlook of this neighbours private south facing garden. Given the size and position of these doors, officers consider this to be the main source of light and outlook for the kitchen. Whilst officers acknowledge that light to the side facing window will be affected by the development, as the larger opening to the rear will not be affected, it is not considered that any loss of light will be to an unacceptable level. The assessment officers have made on this application and the previous application is the same as that in the independent daylight and sunlight assessment which accompanies this current application.

- 6.20 The previous refusal reason also referenced an unacceptable loss of outlook from the neighbour's side facing kitchen window. Officers acknowledge that outlook will be impacted as a result of the proposed development, however, as mentioned above, the

rear elevation French doors provide an uninterrupted view of the applicants private south facing garden. Officers therefore do not consider that any loss of outlook will be unacceptable.

- 6.21 In terms of impact on the attached neighbour at number 80 East End Road, this property has a single storey rear extension, and whilst the proposed single storey extension will extend beyond this, it will not fail the light test to any window within this neighbours extension.
- 6.22 It is also noted that the changes to the plans which include a reduction in the width of the two storey extension and a reduction in its eaves and ridge height will result in a lesser impact than that of the previous application in terms of outlook and light.
- 6.23 In terms of privacy, as before, one new upper floor side facing window is proposed to serve a bathroom, this is high level and is annotated on the plans to be obscurely glazed and will therefore not result in any loss of privacy. Officers have suggested a condition which requires this window to remain as obscure glazing and high level. The new first floor window in the rear elevation will overlook the applicant's private rear garden and is therefore acceptable in terms of privacy.
- 6.24 Whilst noting the concerns of the neighbouring land user, officers do not consider that the revised proposal will result in any unacceptable loss of light, loss of outlook or loss of privacy and is therefore 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.

#### 6.25 **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.

The application is supported by a sustainability statement which discusses various key points highlighted in the Climate Change SPD. Specifically, it discusses water efficiency, surface water drainage, materials, insulation and waste. The statement also identifies that when the heating system within the property is next upgraded the applicant intends to consider further low carbon technologies including the installation of solar panels and an air source heat pump. Officers consider the submitted information and measures to be acceptable for this scale of works.

##### *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, whilst officers accept that the proposal will have an impact on the amenity of the neighbouring land user at 84 East End Road, for the reasons discussed in the report, the impact is not considered to be of an unacceptable level. As such, officer recommendation is to approve the 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.

- 3 All external facing and roofing materials shall match those of the existing building unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to adopted policy D1 of the Cheltenham Plan (2020) and adopted policy SD4 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 new first floor south east elevation window shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the room that the window serves.

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.



<b>APPLICATION NO:</b> 22/01656/FUL		<b>OFFICER:</b> Mr Ben Warren
<b>DATE REGISTERED:</b> 14th September 2022		<b>DATE OF EXPIRY:</b> 9th November 2022
<b>DATE VALIDATED:</b> 14th September 2022		<b>DATE OF SITE VISIT:</b>
<b>WARD:</b> Charlton Kings		<b>PARISH:</b> Charlton Kings
<b>APPLICANT:</b>	Mr And Mrs Lucking	
<b>AGENT:</b>	Steve Mitchell Building Design	
<b>LOCATION:</b>	82 East End Road Charlton Kings Cheltenham	
<b>PROPOSAL:</b>	Part single and part two storey rear extension	

**RECOMMENDATION:** Permit



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a two storey semi-detached dwelling located within a residential area on East End Road in Charlton Kings.
- 1.2 The applicant is seeking planning permission for a part single storey and part two storey rear extension to replace an existing single storey rear extension and conservatory.
- 1.3 The application is at planning committee at the request of Councillor McCloskey due to concerns regarding the scale of the extension and the proximity to the neighbouring property at 84 East End Road.
- 1.4 During the course of the application revised plans have been submitted for consideration.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### **Constraints:**

Airport Safeguarding over 45m  
Principal Urban Area  
Smoke Control Order

### **Relevant Planning History:**

**85/01155/PF 12th December 1985 PER**  
Erection Of Two Storey Extension To Side  
**88/01540/PF 15th December 1988 PER**  
New Bedroom And Shower Room  
**90/00465/PF 24th May 1990 PER**  
Erection Of Single-Glazed Conservatory

## 3. POLICIES AND GUIDANCE

### **National Planning Policy Framework**

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

### **Adopted Cheltenham Plan Policies**

D1 Design  
SL1 Safe and sustainable living

### **Adopted Joint Core Strategy Policies**

SD3 Sustainable Design and Construction  
SD4 Design Requirements  
SD14 Health and Environmental Quality

### **Supplementary Planning Guidance/Documents**

Residential Alterations and Extensions (2008)  
Climate Change (2022)

## 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 - 5th October 2022**

Comment:

The Committee is concerned about the level of loss of light to the side windows of No.84 and would ask that this be formally assessed. If the level of loss of light would be excessive then this concern would become an objection to the application.

We also note with concern that through the consultation period the Objection from No.84 has not been posted on the CBC website (although as at 5/10 it is available).

## **5. PUBLICITY AND REPRESENTATIONS**

- 5.1 Upon receipt of the application 3 letters were sent to neighbouring land users, one letter of objection and one letter of support were received in response to this neighbour notification process.
- 5.2 The concerns raised by the adjacent land user at number 84 East End Road have been summarised but are not limited to the following:
  - Loss of light
  - Loss of privacy
  - Design
- 5.3 Upon receipt of the revised plans, the neighbour at number 84 East End Road was re-consulted and a further objection from this neighbour has been received. The further comments suggest that the revised plans have not addressed the original concerns regarding a loss of light.

## **6. OFFICER COMMENTS**

- 6.1 **Determining Issues**
- 6.2 The main considerations in relation to this application are the design and the impact of the proposal on neighbouring amenity.
- 6.3 The neighbouring property and garden at 84 East End Road has been visited in order to fully assess the impact on this neighbouring property.
- 6.4 **Site location and context**
- 6.5 The application site relates to a two storey semi-detached dwelling, located within a wholly residential area. Many of the properties in the immediate locality have been extended and altered, additions include both single and two storey side and rear extensions.
- 6.6 The application site has previously been extended with a two storey side extension, single storey rear extension and rear conservatory. The adjoining property at number 80 East End Road has an existing single storey rear extension and the neighbouring property at number 84 East End Road has been extended with a two storey rear wing.
- 6.7 **Design**
- 6.8 Policy SD4 of the JCS sets out that 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.'

- 6.9 Cheltenham's Supplementary Planning Document – Residential Alterations and Extensions sets out that rear extensions should be subservient in height and width, as well as identifying other necessary design aspects.
- 6.10 The form of the proposed part two storey and part single storey rear extension is a typical form of development for an extension to a residential property. In this instance the proposal will replace an existing single storey rear extension and conservatory.
- 6.11 Whilst officers considered the principle of the proposed extensions to be acceptable, officers raised concerns regarding the depth of the two storey rear extension. At 6 metres deep the proposal was considered to be overly deep and resulted in a large and dominant addition to the property and did not read as a subservient addition to the existing building. Concern was also raised regarding the impact on neighbouring amenity which is discussed in later sections of this report.
- 6.12 In response to officer's comments, revised plans have been submitted for consideration, the revised plans show a reduction in the depth of the first floor by 1.5 metres resulting in an overall depth at first floor to 4.5 metres, with the ground floor element remaining the same. Whilst officers duly note that this proposal is a further addition to a property that has already been extended, the extensions are considered to sit comfortably within the plot and will appear as subservient additions to the existing building.
- 6.13 The form and design of the proposed additions are in keeping with the design and character of the existing building. The proposed materials are to match that of the existing building which is wholly appropriate and acceptable.
- 6.14 Overall, in its revised form, officers consider the extension to be of an acceptable scale, form and design and will not result in any unacceptable harm to the design or character of the existing building or its surroundings. The proposal is therefore 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).
- 6.15 **Impact on neighbouring property**
- 6.16 It is necessary to consider the impact of development on neighbouring amenity. JCS Policy SD14 and Cheltenham Plan Policy SL1 state that 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.
- 6.17 Concerns from the neighbouring land user at 84 East End Road have been raised regarding the impact of the proposed two storey rear extension on light to a number of side facing windows, and also raised concerns regarding a loss of privacy from the new upper floor windows within the proposed extension. These concerns are also reflected in the parish council's comment.
- 6.18 In terms of light, three windows located in the side of the neighbour's property would be impacted by the development, this includes a ground floor kitchen window, ground floor cupboard window and upstairs landing window. The cupboard and landing are not classed as habitable spaces and therefore do not warrant protection in terms of light.

With regards to the kitchen window, the proposed two storey extension would fail the basic 25 degree light test to this window, officers therefore acknowledge that light to this window will be impacted by the development. However, the kitchen space that this window serves is a functional kitchen space and does not include any form of seating area for dining etc, with this being the case, it is considered to be afforded less protection than if it was a fully habitable space such as a kitchen diner, dining room, living room or bedroom. Furthermore, this kitchen space is also served by an additional light source in the form of a clear glazed door in the rear elevation of the two storey wing, this opening will not be affected by the proposed development.

Given the use of the room and the fact that the space benefits from two light sources, one of which will not be impacted by the proposed development, officers do not consider that any loss of light would be to an unacceptable level. The revised plans which include a reduction in depth of the first floor extension will also reduce any impact on neighbouring amenity and will allow for more light to reach this kitchen window.

- 6.19 In terms of impact on the attached neighbour at number 80 East End Road, this property has a single storey rear extension, and whilst the proposed single storey extension will extend beyond this, it will not fail the light test to any window within this neighbour's extension.
- 6.20 In terms of privacy, one new upper floor side facing window is proposed, however this is to serve a bathroom, is high level and is annotated on the plans to be obscurely glazed and therefore will not result in any loss of privacy. Officers have suggested a condition which requires this window to remain as obscure glazing and high level. The new first floor window in the rear elevation will overlook the applicant's private rear garden and is therefore acceptable in terms of privacy.
- 6.21 Whilst noting the concerns of the neighbouring land user, officers do not consider that the revised proposal will result in any unacceptable loss of light and therefore is considered to be acceptable and 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.

## 6.22 **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.

The application is supported by a sustainability statement which discusses various key points highlighted in the Climate Change SPD. Specifically, it discusses water efficiency, surface water drainage, materials, insulation and waste. The statement also identifies that when the heating system within the property is next upgraded the applicant intends to consider further low carbon technologies including the installation of solar panels and an air source heat pump. Officers consider the submitted information and measures to be acceptable for this scale of works.

### *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 secured revised plans and for the reasons discussed above, officer recommendation is to permit the 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.

- 3 All external facing and roofing materials shall match those of the existing building unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to adopted policy D1 of the Cheltenham Plan (2020) and adopted policy SD4 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 new first floor south east elevation window shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the room that the window serves.

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, the authority sought revisions to the size of the rear extension to achieve a suitable level of subservience and to reduce impact on neighbouring amenity;

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