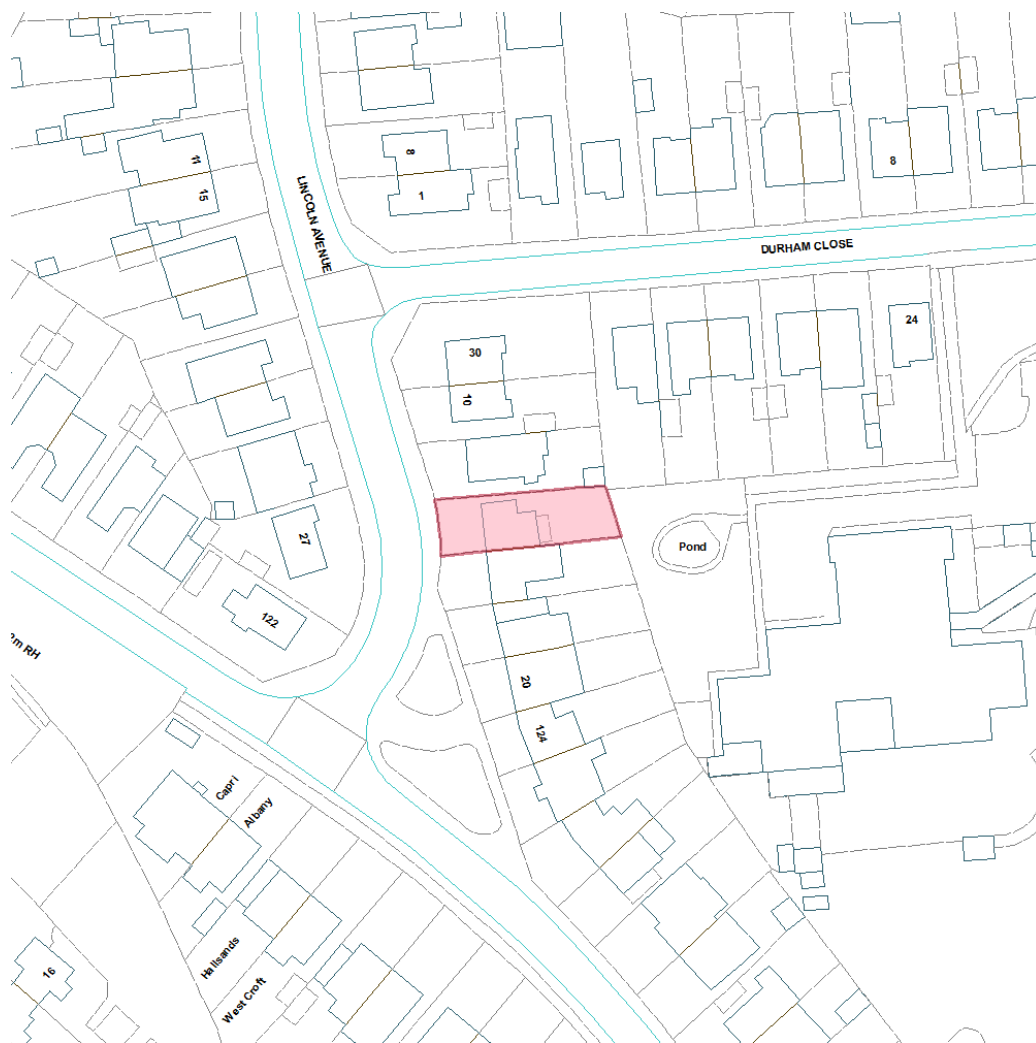


APPLICATION NO: 23/00860/FUL		OFFICER: Michelle Payne
DATE REGISTERED: 24th May 2023		DATE OF EXPIRY: 19th July 2023 (extension of time agreed until 21st July 2023)
DATE VALIDATED: 24th May 2023		DATE OF SITE VISIT:
WARD: Warden Hill		PARISH: Leckhampton With Warden Hill
APPLICANT:	Mr Peter Ballinger	
AGENT:	Space Genie Design	
LOCATION:	14 Lincoln Avenue Cheltenham Gloucestershire	
PROPOSAL:	Two storey side and single storey rear extension	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is located on the eastern side of Lincoln Avenue within Leckhampton with Warden Hill parish, and comprises a semi-detached, two storey dwelling with an attached garage to the side. The property is largely faced in brick, with sections of render and hanging tile at first floor, and has a pitched tiled roof and white uPVC windows and doors.
- 1.2 The neighbouring property to the north is a bungalow and sits at a lower level, approximately 300mm lower than the application property.
- 1.3 The applicant is seeking planning permission for the erection of a two storey side extension and a single storey rear extension, following the removal of the existing attached garage and rear conservatory.
- 1.4 The application is before the planning committee at the request of Cllr Beale due to concerns relating to a reduction in daylight and the potential impact on the quality of life for the neighbours in the bungalow. An objection has also been received from the Parish Council as they consider the proposals to be an overdevelopment of the site that would result in a loss of light.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport safeguarding over 15m
Principal Urban Area

Relevant Planning History:

None

3. POLICIES AND GUIDANCE

National Planning Policy Framework 2021 (NPPF)

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

Adopted Cheltenham Plan 2021 (CP) Policies

D1 Design
SL1 Safe and Sustainable Living

Adopted Joint Core Strategy 2017 (JCS) Policies

SD4 Design Requirements
SD9 Biodiversity and Geodiversity
SD14 Health and Environmental Quality

Supplementary Planning Guidance/Documents

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

4. CONSULTATION RESPONSES

Gloucestershire Centre for Environmental Records

30th May 2023

Report available to view in documents tab.

Building Control

26th May 2023

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

Ward Councillor

5th June 2023

Councillor Graham Beale

I am writing with regards to the planning application at 14 Lincoln Avenue, reference 23/00860/FUL.

I have just returned from a site visit at the neighbour's property (12 Lincoln Avenue) to review the impact of this application. I hold concerns about this proposal – specifically the likely reduction of daylight plus the potential impact on quality of life for the neighbours.

The plans include an additional floor to an adjacent garage which will increase the buildings height to two stories. However, next-door (number 12) is a one-story bungalow and will almost certainly be in perpetual shadows throughout most of the day. I can well understand the concerns raised at number 12 Lincoln Avenue.

If you are minded to approve this application, I request that you call in this application to the planning committee for further scrutiny.

Parish Council

15th June 2023

The Parish Council objects to this application due to loss of light caused by the overdevelopment of the site

5. PUBLICITY AND REPRESENTATIONS

5.1 Letters of notification were sent to five neighbouring properties. In response to the publicity, two representations have been received in objection to the development; the comments have been circulated in full to members but, in summary, the concerns relate to:

- Loss of light
- Loss of outlook
- Drainage/sewerage

6. OFFICER COMMENTS

6.1 Determining issues

6.1.1 The main considerations when determining this application relate to design; and neighbouring amenity.

6.2 Design

6.2.1 Adopted CP policy D1 requires alterations and extensions to existing buildings to avoid causing harm to the architectural integrity of the building; and the unacceptable erosion of open space around the existing building. The policy is generally consistent with adopted JCS policy SD4 and advice set out within Section 12 of the NPPF. Further guidance in relation to domestic extensions is set out in the Council's adopted 'Residential alterations and extensions' SPD.

6.2.2 As a whole, the proposed extensions are considered to be acceptable. The two storey side extension would be set back from the principal elevation, with a reduced ridge height, to ensure a suitably subservient addition to the existing building. All materials used in the

external construction of the extension would match existing to ensure that the overall character of the property within the street scene is maintained; and a revised plan, to include a brick pier detail to the front elevation, has been secured during the course of the application.

6.2.3 To the rear, a slightly more contemporary design approach is proposed, with bi-folding doors to the rear, and a flat roof with roof lantern. This single storey addition would extend the full width of the dwelling, to include the new side extension, but would again read as a subservient later addition; extending to a depth of 3.5 metres. The use of a flat roof to the rear of the property is considered to be acceptable, where only limited views are available from the public realm.

6.2.4 Overall, the proposals are therefore considered to be wholly acceptable from a design perspective.

6.3 Neighbouring amenity

6.3.1 Adopted CP policy SL1 advises that development would only be permitted where it would not cause unacceptable harm to the amenity of adjoining land owners or the locality; these requirements are reiterated in adopted JCS policy SD14. In addition, NPPF paragraph 127 highlights the need to secure a high standard of amenity for existing and future users.

6.3.2 The property that has the most potential to be affected by the proposed extension is the neighbouring bungalow, no. 12 Lincoln Avenue; and their concerns have been duly noted. Their main concerns relate to a loss of light to windows in their side elevation which serve the hallway, bathroom and kitchen; however, the kitchen appears to be served by an additional window in the rear elevation which would be unaffected by the development. Moreover, by virtue of the side kitchen window being a projecting bay window, it would still receive light from its rear aspect. Windows serving hallways and bathrooms are not generally afforded any protection. Outlook from the rear of the property would not be affected.

6.3.3 As such, whilst the proposed extensions would undoubtedly have some impact on this neighbouring property, officers are satisfied that there are no significant amenity concerns arising from the proposed development in terms of privacy, outlook or daylight and certainly not to such an extent that planning permission could be reasonably withheld on amenity grounds.

6.4 Other considerations

Climate change

6.4.1 The adopted Cheltenham Climate Change SPD (2022) provides guidance on how applicants can successfully integrate a best-practice approach towards climate change and biodiversity in all new development proposals. In this regard, the application is supported by a brief Sustainability Statement which outlines the sustainability measures proposed; the statement confirms that “*Whilst not incorporating all measures recommended in the CBC Chelt Zero SPD, the extensions would be extremely well insulated and all sources and appliances would be significantly more efficient, so minimising the CO2 output of the buildings.*” The measures include new low-E coated, inert gas filled, double-glazed windows in the extensions, new efficient electric appliances in the kitchen, and water efficient fittings; and are considered to be proportionate to the scale of development proposed.

Drainage / sewerage

6.4.2 Concern has been raised by the neighbours in relation to drainage and existing problems with the main sewer; however, sewerage proposals are not relevant to the consideration of this application but rather a matter for Building Regulations. Severn Trent have been consulted on the application but have not provided a response. Any building over or close to (within 3 metres) of a public sewer would require permission from Severn Trent.

Protected species

6.4.3 Whilst records show that important species or habitats have been sighted on or near the application site in the past, notably a bat in 2017, given the scale and nature of the proposals, it is not considered that the development would have any harmful impact on these species.

Public Sector Equalities Duty (PSED)

6.4.4 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.

6.4.5 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.

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

7. CONCLUSION AND RECOMMENDATION

- 7.1 Officers are satisfied that the proposed development accords 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.

INFORMATIVE

- 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.