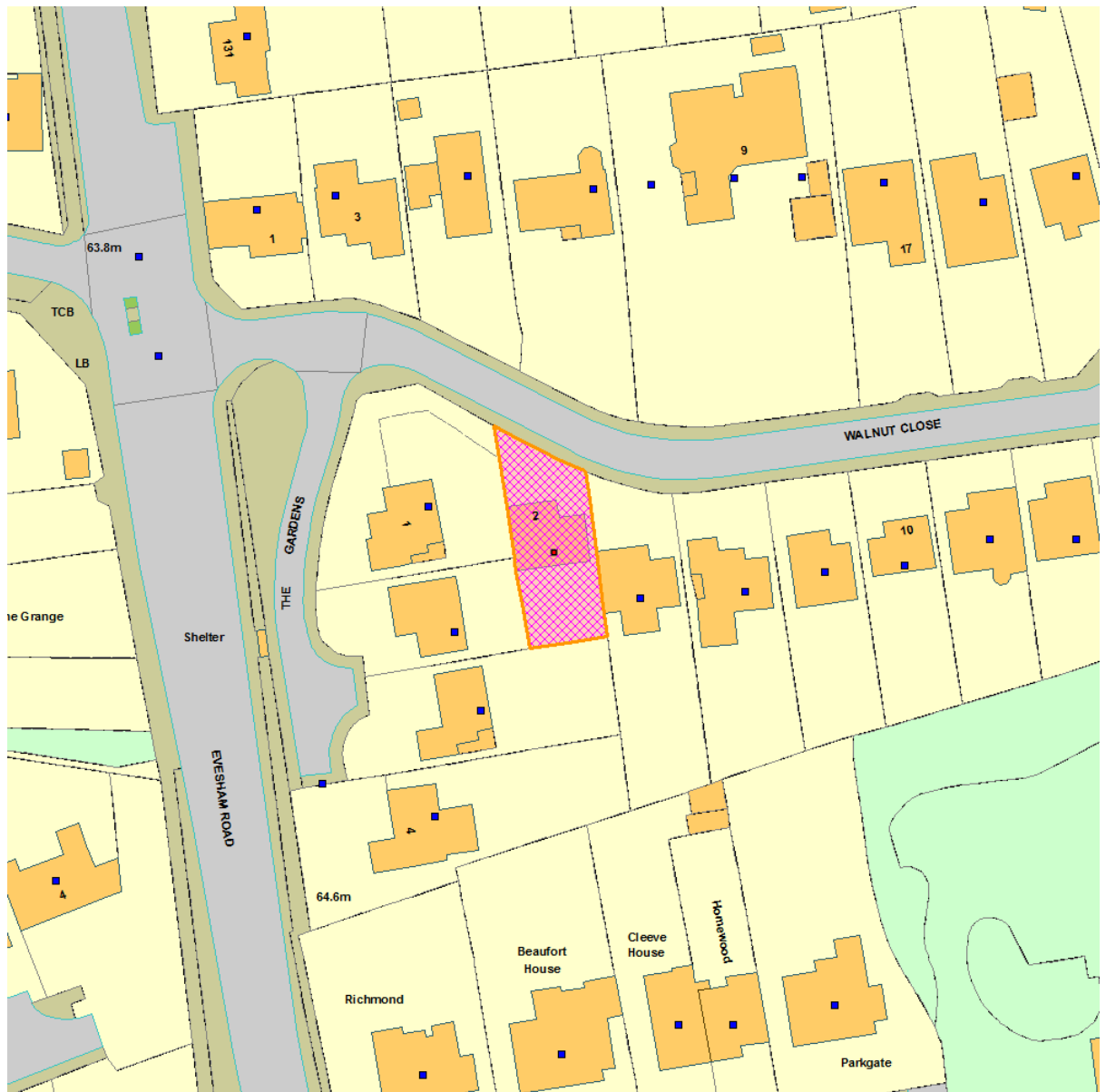


Officer Report

APPLICATION NO: 24/00318/FUL	OFFICER: Mr Ben Warren
DATE REGISTERED: 24th February 2024	DATE OF EXPIRY: 20th April 2024
DATE VALIDATED: 24th February 2024	DATE OF SITE VISIT:
WARD: Pittville	PARISH:
APPLICANT: Mr and Mrs J Cox	
AGENT: SE Architecture	
LOCATION: 2 Walnut Close Cheltenham Gloucestershire	
PROPOSAL: Single and two storey extensions and remodelling works.	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a detached two storey property located within a residential area on Walnut Close.
- 1.2 The applicant is seeking planning permission for single and two storey extensions and remodelling of the property.
- 1.3 The application is at planning committee at the request of Councillor Fifield who wishes members to consider the impact on neighbouring amenity.
- 1.4 During the course of the application revised plans have been submitted in response to officer's concerns regarding a loss of privacy resulting from the upper floor rear elevation windows within the two storey rear extension.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Principal Urban Area

Relevant Planning History:

None

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

Gloucestershire Centre For Environmental Records - 1st March 2024

Report available to view in documents tab.

Building Control - 6th March 2024

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

5. PUBLICITY AND REPRESENTATIONS

- 5.1 6 letters were sent to neighbouring land users, 3 letters of representation have been received in response to this neighbour notification process. The comments have been summarised below:

Objections:

- Loss of privacy, loss of outlook, loss of light resulting from proposed two storey rear extension.

Support:

- Good design

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 Site and context.

- 6.4 The existing building is a detached two storey dwelling with pitched roof and includes a projecting single storey flat roof element to the front and side. The existing building is finished in buff coloured brick, concrete roof tiles, white windows and doors and first floor tile hanging to the front elevation.

- 6.5 In terms of context, the surrounding properties are all detached two storey dwellings. As originally constructed, the properties immediately to the west would have been of a similar form and design to that of the application site, however, nearby properties have recently been the subject of various extensions and modernisation works, resulting in a more varied street scene. Of particular note is the immediate property to the east of the application site, number 4 Walnut Close, which has recently undergone significant extensions and alterations to the front, rear and side of the property. The property has also been modernised, which resulted in the rendering of the whole property. Other nearby properties have also been extended in various forms and include two storey front extensions and additions to the rear.

6.6 Design

- 6.7 Policy SD4 of the JCS notes how 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.’

- 6.8 The application proposes a two storey front extension, first floor side extension and part two storey, part single storey rear extension. The proposed works also include the modernisation of the property by proposing a rendered and clad finish to the external elevations, with grey powder coated aluminium windows and doors and a slate roof.

- 6.9 The proposed extensions are reasonably modest additions in terms of their footprint and are considered to sit comfortably within the plot. The proposed extensions and

alterations result in a significant change in the design and appearance of the dwelling. However, the design is not out of context given works undertaken at neighbouring properties. Officers consider the scale and form of the proposed extensions to be acceptable for this site, and consider the resulting design and appearance to be appropriate for a modernised property in this location.

- 6.10 Due to the bend in the highway, number 2 Walnut Close is set further forward in the street scene than the neighbouring properties to the east. Officers acknowledge that the property's position will result in the extended and remodelled dwelling appearing relatively prominent in the street scene, especially when viewed from the east. However, given the sites context and the acceptable overall design approach, officers do not consider any impact on the street scene would result in harm that would warrant the refusal of planning permission.
- 6.11 Overall, the proposal achieves an acceptable form and design and is 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).
- 6.12 Whilst the principle of composite cladding is considered to be acceptable, specific details have not been provided. Given the extent of cladding proposed, officers consider it necessary for this material detail to be submitted. As such, a condition has been suggested.
- 6.13 Impact on neighbouring property**
- 6.14 It is necessary to consider the impact of development on neighbouring amenity. JCS Policy SD14 and Cheltenham Plan Policy SL1 state how 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.
- 6.15 The neighbouring properties that would be most affected by the proposed development are those to the west of the application site, and includes number 1, 2 & 3 the Gardens. The rear gardens of numbers 1 and 2 extend up to the side boundary of the application site. The rear garden of number 3 extends across the rear boundary of the application site.
- 6.16 In terms of impact on number 1, due to the position of this property in relation to the application site, the rear elevation windows of this property generally overlook the front of the application site. The proposed first floor side extension will be approximately 10 metres away from the rear elevation of number 1 and will be the same depth and height of the existing property. Whilst the proposed side extension would move the side wall closer to the boundary, due to this neighbouring property's position within its plot and its relationship with application site property, officers do not consider that any unacceptable loss of light or loss of outlook will occur to any rear elevation windows. Officers acknowledge that the proposed extensions will be visible from the rear garden of number 1, however given the sites relationship with the application site, with a significant portion of number 1's garden being unaffected by the proposed works, officers do not consider the development would result in an unacceptable overbearing impact or overshadowing. The application also proposes a new two storey front extension, however, given its position on the opposite side of the plot, and the distance away from number 1, no concerns are raised regarding its impact.
- 6.17 In terms of impact on number 2 The Gardens, the rear elevation of this property overlooks the rear garden of the application site, the existing window to boundary distance is approximately 9 metres. Concerns have been raised by this neighbouring land user with regards to a loss of light, loss of outlook and overbearing impact as a

result of the proposed two storey rear extension. No concerns have been raised in terms of the single storey part of the rear extension. The proposed two storey extension is set away from the shared boundary with number 2, by approximately 5 metres, as such, the extension is roughly 14 metres away from the rear elevation of number 2 the Gardens, this exceeds the minimum distance of 12 metres that is usually required for windows that face a new two storey wall. With this separation distance, officers do not consider this extension to result in any unacceptable loss of light or loss of outlook. Furthermore, given the reasonably modest depth of the extension of 3 metres, and its position within the plot, officers do not consider the extension to result in an overbearing impact. Officers are also mindful that this proposed development would be read in the context of the existing extensions to the rear of 4 Walnut Close.

- 6.18 Number 3 the Gardens will not be unduly affected in terms of light or outlook; however its rear garden runs along the rear boundary of the application site. Due to the limited depth of application sites rear garden, the first floor rear elevation windows within the new two storey extension would achieve a window to boundary distance of approximately 9 metres, this falls short of the minimum 10.5 metres usually required. As such, there is potential for an unacceptable loss of privacy to this neighbour's garden. Having raised these concerns, revised plans have been submitted, the rear elevation window design has been amended. The windows are now proposed to be obscurely glazed and include restricted opening mechanisms. Officers consider this response to be acceptable and will maintain appropriate privacy levels. A relevant condition has been suggested.
- 6.19 Due to the position of the proposed extensions within the plot and relationship with the neighbouring land user at number 4 Walnut Close, no concerns are raised regarding impact on this property.
- 6.20 It is the view of officers that the proposal is considered to be compliant with Adopted Cheltenham Plan (2020) policy SL1 and adopted JCS policy SD14.

Other considerations

6.21 *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. Officers consider the submitted information and measures to be acceptable for this scale of works.

6.22 *Environmental Impact*

Records show that important species have been sighted near the application site in the past and in particular bats recorded in 2019, the sightings recorded as 135-235 metres from the site. Given the distance from the site and the nature of the works which is additions to an existing residential building, it is not considered that this development would have any impact on these species.

6.23 *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 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 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 elevation windows within the new two storey rear extension; shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent) and shall incorporate a restricted opening mechanism as detailed on drawing number 03A.

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).

- 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 with or without modification), no additional windows, doors and openings shall be formed at first floor, in the rear elevation of the two storey rear 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).

- 5 No external cladding shall be applied unless in accordance with material details which shall have first been submitted to and approved 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).

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.