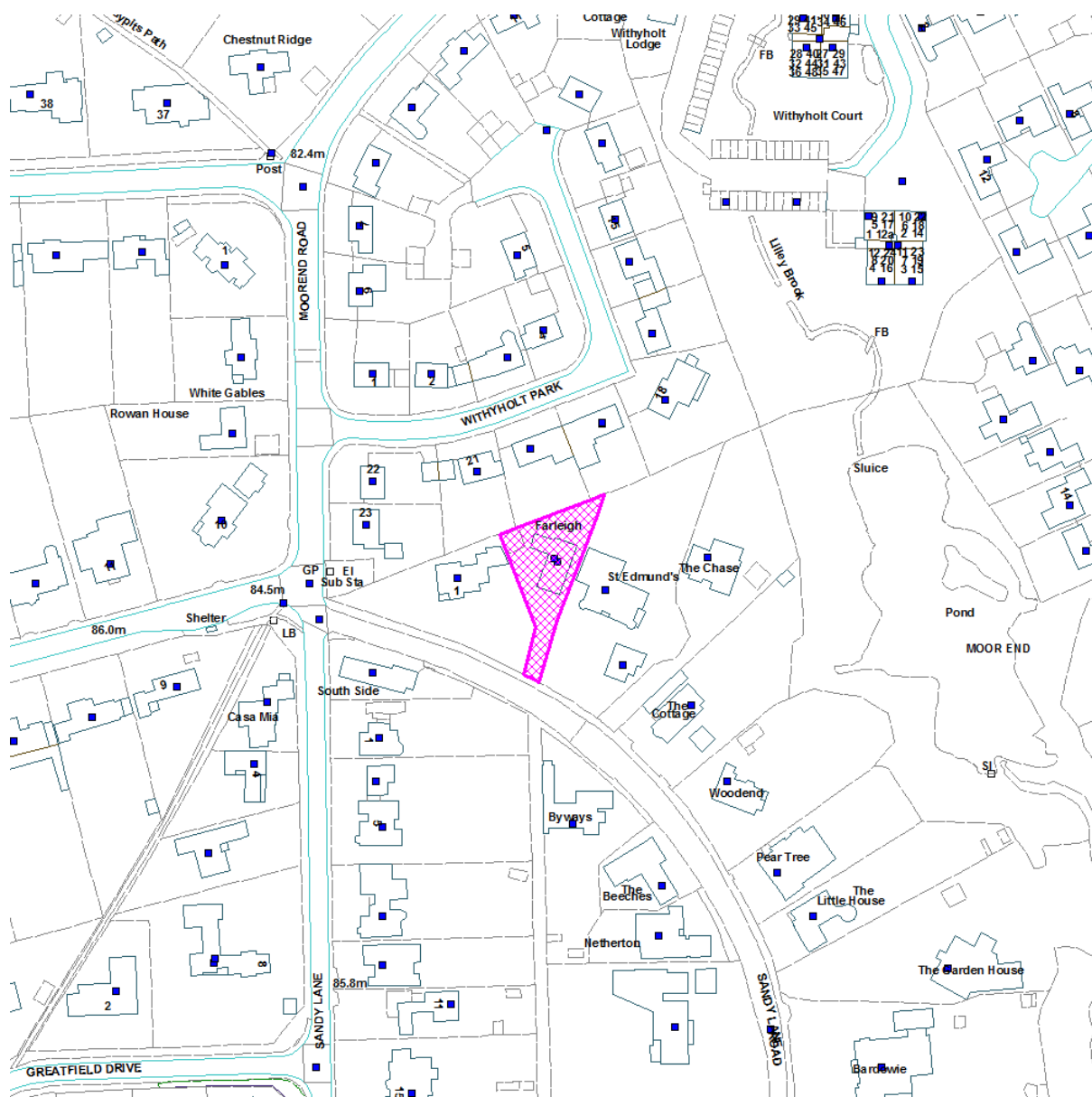


APPLICATION NO: 25/00457/FUL		OFFICER: Mrs Victoria Harris
DATE REGISTERED: 20th March 2025		DATE OF EXPIRY: 15th May 2025 Extension of time: 23rd May 2025
DATE VALIDATED: 20th March 2025		DATE OF SITE VISIT: 6th May 2025
WARD: Charlton Park		PARISH: Charlton Kings
APPLICANT:	Mr And Mrs O'Neill	
AGENT:	Edge Architectural and Building Consultants Ltd	
LOCATION:	Farleigh Sandy Lane Road Cheltenham	
PROPOSAL:	Raising of existing roof to facilitate first floor extension, alterations to existing elevations.	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application relates to Farleigh, Sandy Lane Road within Charlton Kings parish and comprises a detached residential bungalow located within a residential private road. The application property is set back into the site with limited views of the property from the road and therefore is not prominent within the street scene.
- 1.2 The site is located outside the Central Conservation Area.
- 1.3 The applicant is seeking planning permission to raise the roof to create a first-floor level within the new roof. Associated external alterations are also proposed which include new windows and doors, metal clad canopy, render and composite cladding.
- 1.4 Councillor Harvey has requested this application is determined by Committee, for the reasons he has explained in his Ward Councillor comments.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Principal Urban Area
Smoke Control Order

Relevant Planning History:

87/01163/PO 17th December 1987 PER

Land Adj. St Edmunds Cheltenham Gloucestershire - Outline Application For Detached House And Garage

88/00143/PF 25th February 1988 REF

Land Adjoining St Edmunds Sandy Lane Cheltenham Gloucestershire - Erection Of 1 Dwelling

88/00550/PF 26th May 1988 REF

Land Adjoining St. Edmunds Cheltenham Gloucestershire - Construction Of A Bungalow

83/01137/PF 27th October 1983 PER

Erection of dwelling and garage

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

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)

Climate Change (2022)

4. CONSULTATIONS

See appendix at end of report

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	10
Total comments received	3
Number of objections	3
Number of supporting	0
General comment	0

5.1 The application has been publicised by way of letters sent to 10 neighbouring addresses. Following the public consultation period 3 responses have been received from the neighbouring properties at no. 19, no. 20 and 21 Withyholt Park objecting to the proposal.

5.2 The main objections raised have been summarised below:

- Impact on privacy and visual impact,
- previous two-storey dwelling was refused on the site,
- overdevelopment,
- overshadow and loss of light.

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The application proposes extensions and alterations to the existing dwelling to create a new first-floor level within a new roof; the key considerations for this application are design, impact on neighbouring amenity and sustainable development.

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 sets out five main design principles. It emphasises that an extension should not dominate or detract from the original building to achieve a level of subservience.

6.6 The proposed development includes the creation of a first-floor above the existing ground floor, the height of the existing roof will be increased. The roof extension will be increased in two parts; the central gable end ridge height will be increased by 3.2m and the eaves height increased by 800mm, the side wing ridge height will be increased by 1.1m with no increase in eaves height. The ground floor will maintain the reconstructed stone finish and the first floor will have an off-white painted render finish with composite cladding detailing

to the front and grey anthracite colour framed aluminium windows would replace the existing windows.

- 6.7** The design approach and materials palette would add a contemporary feel to the remodelling and extension of this property. Existing residential development within the surrounding wider area is fairly mixed in terms of age, style and type, and includes both single storey dwellings and two storey dwellings, the surrounding neighbouring properties around the application site are two storey dwellings. It is therefore considered that the principle of a roof extension is acceptable as it would not significantly alter or harm the character or appearance of the wider street scene.
- 6.8** With regards to the proposed materials; whilst they are modern in design, that in itself is not reason to withhold planning permission. The application property is set back into the site with limited views of the property from the road and therefore is not prominent within the street scene. Also, the proposed palette of materials has been used in other dwellings along Sandy Lane Road.
- 6.9** It is therefore considered that the proposed extensions and alterations are considered to be acceptable and would result in a dwelling that is of an appropriate scale and form for its location. The proposal would comply with the relevant planning policies and guidance in terms of design.

6.10 Impact on neighbouring property

- 6.11** Policy SD14 of the JCS and policy SL1 of the Cheltenham Plan require development not to cause unacceptable harm to the amenity of adjoining land users; this echoes section 12 of the NPPF which requires development to be of a high standard of amenity for existing and future users.
- 6.12** It is acknowledged that the proposals 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 nos. 19, 20 and 21 Withyholt Park and St Edmunds, Sandy Lane Road.
- 6.13** In terms of daylight and/or sunlight, and outlook, the proposed development will impact on one window serving a utility room at St Edmunds, Sandy Lane Road. This window is for a non-habitable room and the room also has a door with a window to the rear that will be unaffected. Apart from this window the extension passes the 45° light test set out within the 'Residential alterations and extensions' SPD. It is also noteworthy that the development will not be any closer to the site boundary than existing, the gap between properties will be maintained and the rear elevation is over 24 metres to the rear elevations of the neighbouring properties at Withyholt Park.
- 6.14** With regard to overlooking and loss of privacy, no windows are proposed to the rear elevation and a suitably worded condition has been used to ensure any new windows require planning permission. Rooflights are proposed in the north side elevation but will be well in excess of the 10.5 metre minimum distance normally sought to the boundary. 3 rooflights are proposed in the side east elevation that fail the 10.5 metre minimum distance normally sought to a boundary. The large first floor bedroom window could result in overlooking given the position of the neighbouring property and therefore we would suggest this is obscurely glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor level of the room that the window serves, this can be secured by way of a suitably worded condition. The other 2 windows will not cause harm given their position within the roof and their relationship to the neighbouring property's side elevation.

6.15 As such, it is considered that as a result of the development, the amenity of adjoining land users would be suitably protected to accord with the relevant policies and guidance.

6.16 Sustainability

6.17 Section 14 The NPPF prescribes that the planning system should support the transition to a low carbon future in a changing climate. This is a key theme and objective of the Cheltenham Local Plan. This aim is recognised in Policy SD3 of the JCS, which sets out an expectation that all development should be adaptable to climate change.

6.18 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.

6.19 In this instance a sustainability statement has not been submitted which details key measures, however, that in itself is not reason to withhold planning permission.

6.20 Environmental Impact

6.21 Whilst records show that important species or habitats have been sighted on or near the application site in the past, it is not considered that the proposed development will have any impact on these species.

6.22 Public Sector Equality Duty (PSED)

6.23 As set out in the Equality 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.

6.24 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.

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

6.26 Other considerations

6.27 Objectors raised concerns with the loss of a bungalow and an overdevelopment of the site as a result of the development. When determining an application of this type, officers must consider the acceptability of the scheme in terms of design, and impact on amenity and the wider area. As such, the type of dwelling proposed or lost, is not a consideration as there is no policy relating to extensions of existing dwellings. Officers are also mindful of paragraph 125(e) of the NPPF which sets out that planning decision should ‘*support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions – including mansard roofs – where the development would be consistent with the prevailing form of neighbouring*

properties and the overall street scene, is well- designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.'

- 6.28** Objectors have referred to a previous refused permission. In 1988 a dwelling was refused on the site. Given the decision was made in 1988, details of the application are unclear, however each application should be assessed on their own merits in line with current policy and guidance.

7. CONCLUSION AND RECOMMENDATION

- 7.1** For the reasons set out above, the proposed development resulting in the extensions of the existing bungalow to accommodate a first-floor is considered to be acceptable and would be in accordance with the relevant policies and guidance. The objectors' concerns have been noted and considered throughout the application process, however it is considered that the proposed development is appropriate when assessed against relevant planning policies.
- 7.2** As such, the recommendation is to permit this 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 No external facing or roofing materials shall be applied unless in accordance with:
a) a written specification of the materials; and/or
b) physical sample(s) of the materials.
The details of 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).

- 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 large first floor bedroom window within the side east elevation; 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).

- 5 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 first floor rear elevation; 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).

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.

Consultations Appendix

Gloucestershire Centre For Environmental Records

1st April 2025 - Report in documents tab.

Ward Councillors

7th April 2025 - I summarise my reasons.

Please note the planning history which certainly appears to be relevant in refusing this application, whilst each application must be judged on its merits I think previous history an agreement is pertinent as previous, similar application, was refused by the LPA

I think this is over development contrary to the adopted Local Plan as has been stated.

" The conversion of the exiting bungalow to a two-storey building would be totally inappropriate for the area". I agree,

" The plot on which the existing bungalow sits is quite small and the conversion of the bungalow into a two-storey building would be over-development of the plot". Not only do I agree but there is a high demand for bungalows, we should preserve them wherever possible..

" Visual Impact and Loss of Privacy The existing bungalow is approximately just 2.5 meters (8 feet) from the boundary of a our property. A two-storey building would overlook our property and lead to a loss of privacy ((loss of Amenity - Cllr Harvey so again, I agree))

The loss of amenity to a neighbour is the key issue for me here, although the windows in the new upper floor are in a sloping roof it would still be possible to look out of these windows into the neighbours home.

"A two-storey building would overshadow our property and lead to a loss of natural light". I agree, an unacceptable loss of Amenity resulting from a possibly over developed site.

Building Control

26th March 2025 - This application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

Parish Council

4th April 2025 - No objection.