

<b>APPLICATION NO: 25/01043/FUL</b>		<b>OFFICER: Mrs Victoria Harris</b>	
<b>DATE REGISTERED:</b> 4th July 2025		<b>DATE OF EXPIRY:</b> 29th August 2025 <b>Extension of time:</b> 17th October 2025	
<b>DATE VALIDATED:</b> 4th July 2025		<b>DATE OF SITE VISIT:</b>	
<b>WARD:</b> St Marks		<b>PARISH:</b>	
<b>APPLICANT:</b>	Ashleigh Davies		
<b>AGENT:</b>	Agent		
<b>LOCATION:</b>	9 South Bank Cheltenham Gloucestershire		
<b>PROPOSAL:</b>	Proposed two storey side extension.		

**RECOMMENDATION:** Permit



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is located on South Bank, within St Marks Ward, and comprises an end-of-terrace, two-storey dwelling with a detached garage to the rear and off-street parking to the side.
- 1.2 The dwelling is constructed in brick, with a pitched concrete-tiled roof and white uPVC windows and doors.
- 1.3 The property is not listed, and the site is not situated within a Conservation Area.
- 1.4 The applicant is seeking planning permission for a two-storey side extension.
- 1.5 The scheme has been revised since the initial submission to address officers' concerns regarding design and parking. The changes made include:
  - The extension has been set back by 1 metre from the principal elevation.
  - One car parking space has been provided beneath the first-floor section of the extension.
  - A new side pedestrian gate has been added.
- 1.6 An extension of time has been agreed to enable full consideration and determination of the application.
- 1.7 The application has been referred to the Planning Committee because the applicant is Councillor Ashleigh Davies.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### **Constraints:**

Principal Urban Area

### **Relevant Planning History:**

**00/00055/REM 19th March 2001 APREM**

Construction of 60 dwellings and garages and associated highway works (in accordance with agents letter dated 18 October 2000)

**98/00312/OUT 30th April 1999 PER**

Redevelopment Of Existing Site For Housing (Outline)

**98/00380/PO 30th July 1998 REF**

Part Redevelopment Of Existing Site For Housing (Outline) (Revised Scheme)

## 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

**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	8
Total comments received	0
Number of objections	0
Number of supporting	0
General comment	0

#### **6. OFFICER COMMENTS**

##### **Determining Issues**

- 6.1** The key considerations for this application are design, impact on neighbouring amenity and sustainable development.

##### **Design**

- 6.2** 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.’
- 6.3** NPPF para 135 (c) states decisions should ensure that developments are sympathetic to local character and history...while not preventing or discouraging appropriate innovation or change.
- 6.4** The application proposes a two-storey side extension. The extension is set back by one metre from the front elevation, with a ridge height lower than that of the existing dwelling. Materials are proposed to match those of the existing property.
- 6.5** The extension represents a modest addition in terms of footprint and is considered to sit comfortably within the plot. It is appropriate in scale, form, and design, and clearly reads as a subservient addition.
- 6.6** Overall, the proposal achieves an acceptable form and design and is considered to comply with the requirements of Policy D1 of the Adopted Cheltenham Plan (2020), Policy SD4 of the Adopted Joint Core Strategy (JCS), and the Supplementary Planning Document – Residential Alterations and Extensions (adopted 2008).

## **Impact on neighbouring property**

- 6.7** 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.
- 6.8** It is acknowledged that the proposals will affect a small number of residential properties; however, officers are satisfied that the impact will not be so detrimental as to justify refusal on amenity grounds. The property most likely to be affected is 11 South Bank.
- 6.9** In terms of daylight, sunlight, and outlook, the proposal passes the 45° light test as set out in the 'Residential Alterations and Extensions' Supplementary Planning Document (SPD). Therefore, while the extension will be visible from neighbouring properties, it is not considered to cause unacceptable harm.
- 6.10** With regard to overlooking and loss of privacy, no first-floor windows are proposed in the side elevation. Additionally, the rear first-floor window will be more than 21 metres from the neighbouring dwelling to the rear, exceeding the minimum distance typically sought between directly facing properties.
- 6.11** For the reasons set out above, the proposed development would not cause any unacceptable loss of amenity in respect to privacy, light and outlook. As such, it would comply with policies SL1 of the Cheltenham Plan, policy SD14 of the JCS and the NPPF.

## **Access and highway issues**

- 6.12** Adopted JCS policy INF1 advises that all development proposals should provide for safe and efficient access to the highway network for all transport needs. The policy identifies that planning permission should be granted where the highway impacts of the development would not be severe.
- 6.13** The extension will result in the loss of several off-street parking spaces, including vehicular access to the existing detached garage. However, one off-street parking space will be retained beneath the first-floor section of the extension, and a pedestrian side gate is proposed to allow bicycle access to the garage.
- 6.14** Gloucestershire Highways, acting as the Local Highways Authority, have been consulted on the application and have raised no objection. A condition has been recommended to secure the provision of the pedestrian side gate.
- 6.15** The development is not considered to result in any unacceptable highway safety implications and therefore accords with JCS policy INF1.

## **Sustainability**

- 6.16** 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.
- 6.17** 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.

- 6.18** In this instance, a sustainability statement has been submitted outlining key measures. Given the scale of development proposed in this application, the statement is considered acceptable.

### **Public Sector Equality Duty (PSED)**

- 6.19** 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.

- 6.20** 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.

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

## **7. CONCLUSION AND RECOMMENDATION**

- 7.1** For the reasons outlined above, the proposed development resulting in the extension of the existing dwelling is considered acceptable and in accordance with the relevant policies and guidance. 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 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 Prior to first occupation of the development, the side pedestrian gate shall be provided in accordance with the approved plans. The side pedestrian gate shall thereafter be retained available for such use in accordance with the approved plans at all times.

Reason: 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.

## Consultations Appendix

### **GCC Highways Planning Liaison Officer**

*25th September 2025* – Gloucestershire County Council, the Highway Authority acting in its role as Statutory

Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure)(England) Order, 2015 has no objection subject to conditions and financial obligations.

The justification for this decision is provided below.

I am now content that the level of car parking for this extension is acceptable based on the revised plans received and forming part of this application, However, by removing the access to the existing garage, the ability to provide covered and secure bicycle storage facilities will also be removed, It is not desirable or practical to wheel a wet and muddy cycle through the ground floor of the dwelling. This can be remedied by the applicant providing a side pedestrian gate onto the footpath to the eastern boundary, which is a publicly maintained highway, to gain access to the rear garden. I will therefore recommend a condition to provide for this.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained

#### Conditions

Prior to any above ground works being commenced a pedestrian access gate along the eastern boundary of the site shall be provided and made available for use. The gate shall only be permitted to open inwards and not to open out over the highway.

Reason: In the interests of providing secure and covered bicycle storage facilities.

### **GCC Highways Planning Liaison Officer**

*30th July 2025* - Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure)(England) Order, 2015 has no objection subject to conditions.

The justification for this decision is provided below.

I have concerns that this proposal will cease the use of the garage and driveway so that any vehicle associated with this property will have to park on the street. However, I note that this is already occurring in the area also I could not justify a refusal for this development on that matter alone.

By removing the access to the garage, the ability to provide covered and secure bicycle storage facilities will also be removed, It is not desirable or practical to wheel a wet and muddy cycle through the ground floor of the dwelling. This can be remedied by the applicant providing a side pedestrian gate onto the footpath to the eastern boundary, which is a publicly maintained highway, so as to gain access to the rear garden. I will therefore recommend a condition to provide for this.

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