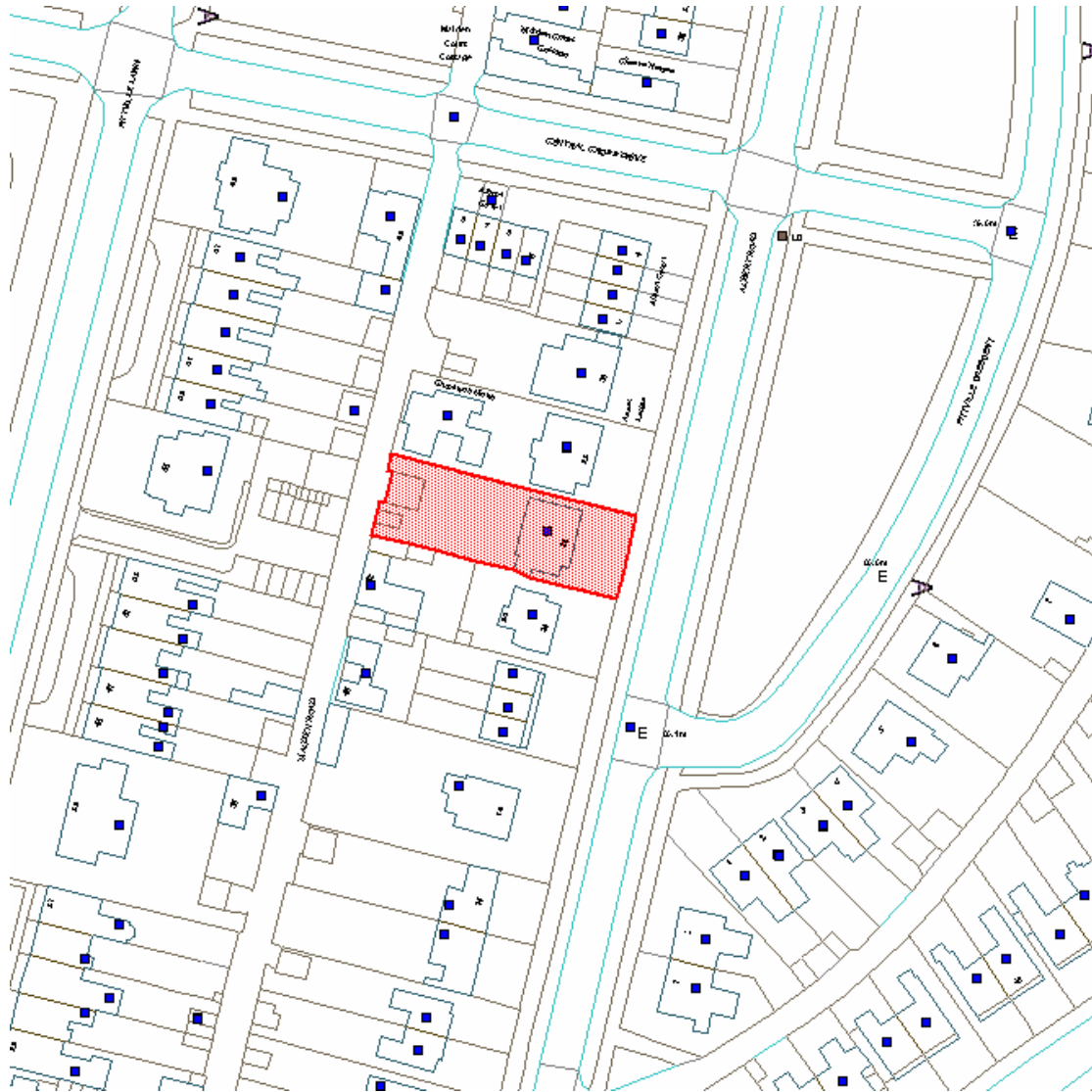


APPLICATION NO: 13/00921/FUL	OFFICER: Miss Michelle Payne
DATE REGISTERED: 6th June 2013	DATE OF EXPIRY: 1st August 2013
WARD: Pittville	PARISH: None
APPLICANT:	Mr A R E Overbury
AGENT:	Mr C Petch
LOCATION:	26 Albert Road, Cheltenham
PROPOSAL:	Ground and first floor extensions to existing detached garage to provide first floor ancillary accommodation in connection with existing dwelling, following demolition of existing single garage

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 26 Albert Road is a large detached villa, c1870, located on the west side of Albert Road within the Pittville Character Area, one of 19 character areas that together form Cheltenham's Central Conservation Area. The property has a stucco finish beneath a hipped roof and is two storeys with basement. The building is included on the Council's Index of Buildings of Local Importance as a good example of a well designed 19th Century detached house with details and building materials typical of Cheltenham's urban architecture. To the rear of the site, there is an existing double garage, with detached single garage alongside, which are accessed from Malden Road, a service lane which runs parallel to Albert Road.
- 1.2 This is a householder application for extensions and alterations to the existing double garage at the rear, following the demolition of the single garage. The proposals include a new first floor over the existing garage and a one and a half storey extension to the side; and would provide for additional garaging and a workshop at ground floor, and a home office, store and guest bedroom with en-suite at first floor.
- 1.3 The application is before planning committee at the request of Cllr Prince; Members will visit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints

Conservation Area
Locally Indexed Building
Residents Association

Relevant Planning History

CB18946/00	PERMIT	23rd February 1989
Erection of detached double garage		

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development
CP 3 Sustainable environment
CP 4 Safe and sustainable living
CP 7 Design
BE 6 Back lanes in conservation areas
TP 1 Development and highway safety

Supplementary Planning Guidance/Documents

Index of buildings of local interest (2007)
Residential alterations and extensions (2008)
Pittville character area appraisal and management plan (2008)

National Guidance

National Planning Policy Framework

4. CONSULTATION RESPONSES

GCER

2nd July 2013

The data search for this site is based on the grid reference supplied by CBC, which is assumed to be located at the centre of the planning application site. GCER searches for all data within 250m of the grid reference. The provision of this data shows that important species or habitats are present on or near the proposed development site; however it does not show that important species or habitats are not present or not affected by the development.

Trees Officer

5th September 2013

The Tree Section has no objection to this application.

5. PUBLICITY AND REPRESENTATIONS

- 5.1 Letters of notification were sent out to 15 neighbouring properties on 10th June 2013 giving 21 days to comment on the application. Following receipt of revised plans, further letters were sent out on 13th August 2013 giving an additional 14 days to comment on the revised scheme.
- 5.2 In response to the publicity, an objection has been raised by the neighbour at 42 Malden Road, and these comments have been circulated to Members in full but briefly, the objections relate to the use of the building, visual impact, parking and the party wall.

6. OFFICER COMMENTS

6.1 Determining Issues

6.1.1 The main considerations when determining this application are design and impact on the conservation area, and neighbouring amenity.

6.2 Design / impact on conservation area

6.2.1 Local plan policy CP7 (design) requires all new development to be of a high standard of architectural design and to complement and respect neighbouring development and the character of the locality.

6.2.2 In addition, policy BE6 (back lanes in conservation areas) advises that design should be appropriate to its location in height, scale and materials.

6.2.3 During the course of this application, the proposal has been significantly reduced in scale to better reflect the scale of the existing developments along the lane.

6.2.4 The ridge of the existing double garage will be increased in height by 1.6 metres, with the eaves increasing by approximately 2 metres. The existing 'Georgian' garage door will be replaced by a more traditional vertically boarded garage door and a central three light window will be inserted at first floor to the lane elevation; both with brick soldier courses over.

- 6.2.5 To the side of the double garage, following the demolition of the existing detached single garage, a one and a half storey extension is proposed beneath a hipped roof; a dormer to the front elevation would serve the guest bedroom. The materials used in the extensions would match those used in the existing garage, with facing brick to the elevations and natural slate to the roof. All new windows will be powder coated aluminium, with a mix of powder coated aluminium and timber doors.
- 6.2.6 Officers consider that the form, mass and general design of the resultant building is acceptable, and the building would respond well to neighbouring developments without causing harm to the character and appearance of the conservation area.
- 6.2.7 The proposal is therefore in accordance with the requirements of policies CP7 and BE6.

6.3 Impact on neighbouring amenity

- 6.3.1 Local plan policy CP4 (safe and sustainable living) advises that development will only be permitted where it would not cause unacceptable harm to the amenity of adjoining land users or the locality.
- 6.3.2 The concerns raised by the neighbour at no.42 Malden Road have been duly noted and whilst the neighbour suggests that there has been no material change in the revised plans, the extension has been moved a further 800mm from the boundary, the eaves height adjacent to the boundary has been reduced from 4.7 metres to 3.8 metres and the ridge has lowered by approximately 90mm.
- 6.3.3 There are no windows proposed to the side elevations of the development and therefore the proposal should not have any unacceptable impact on neighbouring amenity in terms of daylight, privacy or outlook; the fact that the building would be visible from neighbouring properties is not a reason to refuse planning permission.
- 6.3.4 The proposal therefore accords with policy CP4.

6.4 Other issues

- 6.4.1 The neighbour in objection to the proposal has also suggested that the future intended use of the building is for a three bedroomed dwelling however Members will be well aware that such speculation as to the applicant's future intentions cannot constitute a material planning consideration when determining this current application. Any future change of use of the building or independent occupation would require the benefit of planning permission and, for the avoidance of doubt, a condition is suggested to this effect.
- 6.4.2 Furthermore, issues relating to the Party Wall are a civil matter and not a material consideration when determining an application for planning permission.
- 6.4.3 The Trees Officer has been made aware of the removal of two trees within the site but has raised no objection to the proposal.
- 6.4.4 Finally, the proposal does not propose any reduction in parking levels within the site, and therefore would be extremely unlikely to increase traffic density within the lane or negatively impact on parking.

7. RECOMMENDATION

- 7.1 With all of the above in mind, the recommendation is to permit the application subject to the following conditions:

8. CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
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 development hereby permitted shall be carried out in accordance with Drawing No. 21314/02B received by the Local Planning Authority on 6th August 2013.
Reason: To ensure the development is carried out in accordance with the revised drawings, where they differ from those originally submitted.
- 3 The extension/building(s) hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 26 Albert Road, Cheltenham.
Reason: Planning permission is required for independent occupation and the Local Planning Authority will require a further planning application in accordance with statute.
- 4 The new garage doors shall have the appearance of vertically boarded timber and shall be maintained as such thereafter.
Reason: To ensure a satisfactory form of development in accordance with Local Plan Policy CP7 relating to design.

INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 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.