

TEWKESBURY BOROUGH COUNCIL – DEVELOPMENT CONTROL

Committee:	Planning
Date:	06.03.2020
Site Location:	53 Wynyards Close, Tewkesbury, Gloucestershire, GL20 5QZ
Application No:	19/01205/FUL
Ward:	Tewkesbury Town South
Parish:	Tewkesbury
Proposal:	Erection of a two storey rear extension
Report by:	Emily Pugh
Appendices:	Block plan Floor plans Elevations
Recommendation:	Permit

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 This application relates to 53 Wynyards Close, an end of terrace property located within a residential estate comprised of dwellings varying in form and appearances. The terraced row are arranged back-to-front; with the rear elevation facing the road. The site is located within flood zone 2 but is not affected by further constraints or designations.

2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
93/00275/FUL	Erection of a porch	PER	21.04.1993

3.0 RELEVANT POLICY

The following planning guidance and policies are relevant to the consideration of this application:

3.1 National guidance

National Planning Policy Framework and Planning Practice Guidance

3.2 **Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) - Adopted 11 December 2017**

Policy SD4 (Design Requirements)
Policy SD14 (Health and Environmental Quality)

3.3 **Tewkesbury Borough Local Plan to 2011- Adopted March 2006 (saved policies not replaced by the JCS)**

Policy HOU8 (Domestic Extensions)

3.4 **Tewkesbury Borough Local Plan 2011 - 2031 - Pre-Submission version 2019**

3.5 Human Rights Act 1998 - Article 8 (Right to Respect for Private and Family Life)

3.6 The First Protocol, Article 1 (Protection of Property)

4.0 **CONSULTATIONS**

4.1 Tewkesbury Town Council - Objection. Concerns include:

- The proposal may impact to neighbouring amenity in terms of loss of sunlight
- The massing of the extension is of concern due to proximity to the boundary

5.0 **PUBLICITY AND REPRESENTATIONS**

5.1 Local Residents – The application has been publicised through the posting of a site notice for a period of 21 days and two letters of representation have been received. Concerns include:

- The drawings are not accurate
- There will be a loss of light
- Aesthetic issues
- Similar proposals have been refused in the area

6.0 **PROPOSAL**

6.1 The current application seeks the erection of a two storey gable extension which would extend across the entire rear elevation. It would project 1.6 metres beyond the rear (north) elevation into the rear curtilage and be set down from the ridge of the dwelling by 0.7 metres. The extension is proposed to be constructed using materials to match that of the main dwelling (red facing brick with concrete interlocking roof tiles and UPVC doors and windows).

7.0 **ANALYSIS**

Design and Visual Amenity

7.1 JCS Policy SD4 of the Joint Core Strategy sets out requirements for high quality design while Local Plan Policy HOU8 provides that development must respect the character, scale and proportion of the existing dwelling and the surrounding development.

- 7.2 The host dwelling is an end of terrace brick built property with no previous extensions. The application seeks to erect a two storey gable extension to project 1.6m beyond the rear elevation. The ridge height would be stepped down by some 0.7m from the original and the gable would be wide, covering the entire width of the dwelling.
- 7.3 The extension would be generally in keeping with the host dwelling and the residential surroundings. The proposal therefore complies with policies HOU8 and SD4.

Residential Amenity

- 7.4 Policy SD14 of the JCS requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants. Local Plan Policy HOU8 provides that extensions to existing dwellings should not have an unacceptable impact on adjacent property and residential amenity.
- 7.5 It is noted that concerns have been raised by neighbours and the Parish Council in terms of the impact that the proposal would have on light and overshadowing and as such, this has been carefully assessed.
- 7.6 The proposed, north-facing extension would comprise a modest rear projection of 1.6 metres off the rear elevation of the property. Whilst this would result in a degree of overshadowing and loss of light to the neighbouring dwelling in the morning, this would not be the case in the afternoon/ evening. The rooms which would be affected are a downstairs kitchen, and upstairs bathroom. It is judged that, whilst there would be some impact, it is considered the proposed extension would not give rise to an unacceptable level of overshadowing sufficient to warrant refusal.
- 7.7 Likewise, the massing of the extension is not considered to be overbearing in terms of bulk or size and neither would it result in a loss of privacy or overlooking issues.
- 7.8 In view of the above, the proposal is considered to have an acceptable impact upon neighbouring amenity in accordance with Policies HOU8 and SD14.

Impact upon Flooding

- 7.9 The site is located within flood zone 2 as defined by the Environment Agency, and as such the application is accompanied by a flood risk assessment. It is set out that the finished floor levels would not be set lower than existing, and floor proofing has been incorporated into the development. This is in accordance with EA advice and would not worsen the impacts of flooding on the locality. It is therefore judged that the proposal has an acceptable impact to flooding in accordance with policy INF2.

8.0 CONCLUSION AND RECOMMENDATION

- 8.1 It is considered that the proposal would accord with relevant policies as outlined above. Therefore it is recommended that planning permission be granted subject to conditions.

Conditions:

1. The works hereby permitted shall be begun before the expiration of five years from the date of this consent.

Reason: Required to be imposed by 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 the following approved documents:

- Proposed elevations; rear and side, received 29th January 2020
 - Proposed elevations; side, received 29th January 2020
 - Proposed floor plans, received 9th January 2020
 - Proposed block plan, received 6th January 2020
- ;except where these may be modified by any other conditions attached to this permission.

Reason: To ensure that the development is carried out in accordance with the approved plans

3. The materials to be used in the construction of the external surfaces of the proposed development shall match those used in the existing dwelling.

Reason: To ensure that the proposed development is in keeping with the existing dwelling

Informatives:

1. In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner offering pre-application advice, detailed published guidance to assist the applicant and published to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding. However, as a consequence of the clear conflict with Development Plan Policy no direct negotiation during the consideration of the application has taken place.

2. Your attention is drawn to the Party Wall Act 1996. The Act will apply where work is to be carried out on the following:

- Work on an existing wall or structure shared with another property.
- Building a free standing wall or a wall of a building up to or astride the boundary with a neighbouring property.
- Excavating near a neighbouring building.

The legal requirements of this Act lies with the building/ site owner, they must find out whether the works subject of this planning permission falls within the terms of the Party Wall Act 1996. There are no requirements or duty on the part of the local authority in such matters. Further information can be obtained from the DCLG publication Preventing and resolving disputes in relation to party walls - explanatory booklet.

3. Your attention is drawn to the requirements of the Building Regulations, which must be obtained as a separate consent to this planning decision. You are advised to contact the Building Control Team on Buildingcontrol@cheltenham.gov.uk.