

## TEWKESBURY BOROUGH COUNCIL – DEVELOPMENT CONTROL

<b>Committee:</b>	Planning
<b>Date:</b>	16 June 2020
<b>Site Location:</b>	1 Juniper Close Innsworth Gloucester Gloucestershire GL3 1FB
<b>Application No:</b>	20/00239/FUL
<b>Ward:</b>	Innsworth
<b>Parish:</b>	Innsworth
<b>Proposal:</b>	Erection of single storey side and rear extension - revised scheme
<b>Report by:</b>	Mrs Sarah Barnes
<b>Appendices:</b>	Site location plan Block plan Existing & Proposed Elevations Existing & Proposed Floor plans.
<b>Recommendation:</b>	Permit

### 1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1. This application relates to 1 Juniper Close, a detached dwelling located in Innsworth (site location plan attached).
- 1.2. The current application is for a single storey side and rear extension (plans attached). This is a revised scheme to the 2019 (19/00586/FUL) application which was permitted on the 19<sup>th</sup> September 2019 (plans attached). The difference is that the proposal would now have a lean-to roof rather than a flat roof. The floor area would be the same as approved in 2019.
- 1.3. The application has been brought to the planning committee because of an objection raised by the Parish Council.

## 2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
08/00364/FUL	Demolition of 2 No. garage blocks, redevelopment to comprise 2 pairs of 3 bed semi-detached houses, parking and accessway.	REF	02.05.2008
08/01040/FUL	Demolition of 2 no. garage blocks, redevelopment to comprise 2 pairs of 3 bed semi-detached dwellings, parking and new access way.	PER	09.09.2008
11/00521/FUL	Demolition of 2 no. garage blocks, redevelopment to comprise 2 pairs of 3 bed semi-detached dwellings, parking and new access way. (Extension of time limit for implementation of planning permission 08/01040/FUL)	PER	07.07.2011
11/01146/OUT	Outline application for the erection of five dwellings to include access, appearance, layout and scale (landscaping to be reserved for future consideration) (Revised scheme Ref: - 11/00800/OUT)	PER	21.12.2011
19/00586/FUL	Erection of a single storey side and rear extension.	PER	19.09.2019

## 3.0 RELEVANT POLICY

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

### **National guidance**

3.2. National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG)

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

3.3. Policy SD4 (Design Requirements)

3.4. Policy SD14 (Health and Environmental Quality)

### **Tewkesbury Borough Local Plan to 2011 - March 2006 (TBLP)**

3.5. Policy HOU8 (Domestic Extensions)

## **Tewkesbury Borough Plan 2011-2031 Submission Version (May 2020)**

- 3.6. Policy RES10 (Alteration and Extension of Existing Dwellings)
- 3.7. Human Rights Act 1998 - Article 8 (Right to Respect for Private and Family Life)
- 3.8. The First Protocol, Article 1 (Protection of Property)

### **4.0 CONSULTATIONS**

- 4.1. Parish Council – objection. These are new builds that have been thoughtfully constructed to match their surroundings. The proposed build would be out of proportion to this site and could dominate this area. As such, it would seem the proposed build would be built directly on a boundary and may also set a precedent for other houses in this new build street to extend.

### **5.0 PUBLICITY AND REPRESENTATIONS**

- 5.1. The application has been publicised through the posting of a site notice for a period of 21 days and the relevant neighbours notified.
- 5.2. There have been no letters of objection from local residents.

### **6.0 POLICY CONTEXT**

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the Local Planning Authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations.
- 6.2. The Development Plan currently comprises the Joint Core Strategy (JCS) (2017), saved policies of the Tewkesbury Borough Local Plan to 2011 (March 2006) (TBLP), and a number of 'made' Neighbourhood Development Plans.
- 6.3. The Pre-Submission Tewkesbury Borough plan was submitted to the Secretary of State for Housing, Communities and Local Government on 18 May 2020 for examination. On the basis of the stage of preparation it has reached it is considered that the plan can be afforded at least moderate weight. However, the weight to be attributed to individual policies will be subject to the extent to which there are unresolved objections (the less significant the unresolved objections, the greater the weight that may be given) and their degree of consistency with the NPPF (the closer the policies to those in the NPPF the greater the weight that may be given).
- 6.4. The relevant policies are set out in the appropriate sections of this report.

### **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. In relation to the Parish Council's comments regarding the size of the proposed extension, their concerns have been noted. Whilst the floor area of the proposal would be the same as the 2019 permission, the inclusion of a lean-to style roof at the rear, rather than a flat roof would add to the overall bulk of the dwelling. The overall ridge height of the extension would also be higher than previously approved (4 metres rather than 3.2 metres) but given the height of the existing dwelling (7.2 metres) it would not appear out of proportion and would read as subservient. Also, the property has not been previously extended, the extension would only be single storey and there would be adequate garden area left free from extensions / additions. Overall, it is considered that the proposal would be of an acceptable size and design in keeping with the character and appearance of the property. Therefore, the proposal would have an acceptable impact on the character of the surrounding area and complies with the requirements of Policy HOU8 of the Local Plan and Policy SD4 of the JCS.

### **Effect on the Living Conditions of Neighbouring Dwellings**

- 7.3. 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. In this regard, Policy 5.1 states that the amenities of neighbouring residential occupiers should not be unduly affected by overlooking, loss of light, over-dominance or disturbance.
- 7.4. Other material policy considerations include national planning guidance contained within the National Planning Policy Framework 2018 and the emerging Tewkesbury Borough Local Plan (Preferred Options Consultation) 2011-2031.
- 7.5. This is a detached dwelling with the nearest neighbours about 12 metres to the north of the site and 13 metres to the east. The proposed lean-to roof would have a ridge height of about 4 metres rather than the previously approved flat roof (3.2 metres). However, given the distance between the dwellings, it is considered that there would not be a detrimental loss of light nor outlook. As the proposal is solely for single storey extensions, there would also not be any overlooking issues. Overall, the impact of the proposal upon neighbouring properties has carefully been assessed and it is considered that there would not be an undue impact upon their amenity in accordance with Policy HOU8 of the Local Plan and Policy SD14 of the JCS.

## **8.0 CONCLUSION AND RECOMMENDATION**

- 8.1. Whilst the Parish Council's concerns are noted, it is considered that the proposal would not be harmful to the appearance of the existing dwelling nor the surrounding area and it would not result in an unacceptable loss of residential amenity to neighbouring dwellings. The proposal would also be of an acceptable size and design. It would therefore accord with relevant policies as outlined above. Therefore, it is recommended the application be permitted.

### **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:

- Site plan, block plan and 198302 dated 9th March 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.

**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 by offering pre-application advice, publishing guidance to assist the applicant, and publishing 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.