

## TEWKESBURY BOROUGH COUNCIL – DEVELOPMENT CONTROL

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| <b>Committee:</b>      | Planning  |
| <b>Date:</b>           | 18 August 2020  |
| <b>Site Location:</b>  | 14 Jennings Orchard<br>Woodmancote<br>Cheltenham<br>Gloucestershire<br>GL52 9HL                                 |
| <b>Application No:</b> | 20/00387/FUL  |
| <b>Ward:</b>           | Cleeve Hill   |
| <b>Parish:</b>         | Woodmancote   |
| <b>Proposal:</b>       | Erection of a two storey side and rear extension  |
| <b>Report by:</b>      | Mrs Sarah Barnes  |
| <b>Appendices:</b>     | Site location plan<br>Site layout plan<br>Existing and Proposed Elevations<br>Existing and proposed floor plans |
| <b>Recommendation:</b> | Permit  |

### 1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1. This application relates to 14 Jennings Orchard, a detached dwelling located in Woodmancote (site location plan attached).
- 1.2. The current application is for a two storey side and a single storey rear extension (plans attached). It would create a garden room plus utility room at ground floor level and a larger bedroom at first floor level.
- 1.3. A committee determination is required as the Parish Council have objected on the grounds of the size and scale of the proposal.

### 2.0 RELEVANT PLANNING HISTORY

- 2.1 There is no recent planning history.

### 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 Pre-Submission Version (October 2019)**

- 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 - object due to the size and scale of the extensions on what is a relatively small plot. The original three storey townhouse has been previously extended with a modest white conservatory that would now be replaced with a single storey extension across the entire rear of the house. The infilling of the space over the existing single garage would adversely affect the street scene and overshadow the neighbouring property, number 12. We would like the planning officer to consider:-

- Whether the proposal represents over-development – especially when compared to the character of the rest of Woodmancote.
- Seek assurances that there will be no later subdivision to increase the number of bedrooms and therefore no risk of additional vehicles at the property.
- In relation to the side extension, can the planning officer consider if there are any issues relating to loss of light and therefore harmful impacts on the neighbour's amenity.

**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.
- 5.2. No letters of representation have been received from neighbours / 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 concerns regarding the size and scale of the proposal and the 'overdevelopment' of the site, their concerns have been noted. However, it is not considered that the size of the extensions would be excessive or out of scale / proportion with the existing dwelling. The first floor extension would have a lower ridge line than the main dwelling so it would read as subservient. Whilst the single storey rear extension would be larger than the existing conservatory, it would not be out of keeping with the size of the plot and there would be sufficient garden space left free from additions.
- 7.3. The neighbouring dwelling at no 12 also has a similar side extension (see photographs) so the proposal would be in-keeping with the existing street scene. It is therefore considered that the proposal would be of an acceptable size / design and would have an acceptable impact on the character of the surrounding area. The proposal would therefore comply with the requirements of Policy HOU8 of the Local Plan and Policy SD4 of the JCS.

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

- 7.4. 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. 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.
- 7.5. 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.
- 7.6. The immediate neighbours to the west at no 12 have a blank side elevation so there would not be an adverse loss of light or outlook. As explained in paragraph 7.3, the neighbours already have a similar first floor extension above the garage. The proposed rear extension would only be single storey so it would not create any overlooking issues nor loss of light to the neighbouring dwellings.
- 7.7. The impact of the proposal upon neighbouring properties has therefore 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 Overall, whilst the Parish Council's comments are noted, it is considered that the proposal would not be harmful to the appearance of the existing dwelling nor the street scene 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 Policy HOU8 of the Local Plan, Policies SD4 and SD14 of the Joint Core Strategy and the NPPF 2019. The application is therefore recommended for permission.

### **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, proposed elevations dated 4th May 2020 and proposed floor plans dated 29th May 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 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.