

TEWKESBURY BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT

Committee:	Planning
Date:	20 April 2021
Site Location:	Farringdon Stockwell Lane Woodmancote Cheltenham Gloucestershire GL52 9QB
Application No:	20/01252/FUL
Ward:	Cleeve Hill
Parish:	Woodmancote
Proposal:	Pitched roof extension over existing garage, erection of a side and rear extension, rear dormer extension and replacement doors and windows.
Report by:	Pippa Brown
Appendices:	Existing ground/first floor plan Proposed ground/first floor plan Existing elevations & site location plan Proposed elevations & block plan Design & access statement
Recommendation:	Permit

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1. The application relates to Farringdon, a one and a half storey 1950s built dwelling, constructed of reconstituted stone, with a part rendered finish. The dwelling is located on a road with a range of dwelling styles in Woodmancote. The site sits within the Woodmancote Conservation Area and within 50m of three listed buildings (Pigeon House, Pear Tree Cottage and King's Farm).
- 1.2. The proposal seeks to extend the property to increase living space both in the roof space, where there are two existing bedrooms, and on the ground floor, including pitched and flat roofed elements and two balconies at the rear. The proposal includes changes to fenestration at the front of the property and the addition of a rendered finish to the whole dwelling.
- 1.3. A Committee determination is required as the Parish Council is objecting to the proposal on the grounds of concerns that the extension would take the dwelling too close to the boundary, which would be detrimental to the open character of the area.
- 1.4. The application was DEFERED at planning committee on 16 March 2021 (see UP-DATE below).

2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
20/01247/TCA	Leylandii Tree. Remove/fell a row of 10 tree closest to the house and initially cut the tops out of the 11 in seconds row. With a view to fell the row inside the boundary mid 2021. The trees felled along the boundary will be replaced with a native species such as beech of similar. Remove and replace the Leylandii due to their height and position in the garden, they block out light most of the year. Losing sunlight during later and early months of the year. Hopefully replace the Leylandii will hopefully encourage wildlife to our garden	NOOBJE	22.01.2021

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).

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

3.4. The First Protocol, Article 1 (Protection of Property).

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

3.5. Policy SD4 (Design Requirements).

3.6. Policy SD8 (Historic Environment).

3.7. Policy SD14 (Health and Environmental Quality).

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

3.8. Policy HOU8 (Domestic Extensions).

3.9. Policy HEN2 (Conservation Area: Setting and Impact).

Tewkesbury Borough Plan 2011-2031 Pre-Submission Version (October 2019)

3.10. Policy RES10 (Alteration and Extension of Existing Dwellings).

3.11. Policy HER1 (Conservation Areas).

Neighbourhood Plan

- 3.12. The proposal lies within the designated Woodmancote Neighbourhood Area. The Woodmancote Neighbourhood Development Plan is at an early stage, and as such, does not carry any weight in the decision-making process at this current time.

4.0 CONSULTATIONS

- 4.1. Woodmancote Parish Council – Objection based on the proximity of the proposed extension to the boundary and the potential detrimental impact it would have on the open character of the area. The parish Council also mentioned the recent flood event in December 2020, in relation to the loss of permeable area involved in the proposed development.
- 4.2. Conservation Officer – No objection but raised points over the addition of the balconies to the rear, being an incongruous feature in the Conservation Area.

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 one letter of representation was received, objecting to the proposal on amenity grounds. The main points of the written objection relate to the original scheme and include:
- The proposed balcony on the west side would be very close to the boundary with the complainant's property and would provide an outlook onto the whole of their garden. This would not be alleviated by the addition of side screens.
 - The proposal seeks to extend around a metre from the rear boundary of Farrington, which is already at a higher level than the complainant's property. The scale of extensions would be over dominant and would further exacerbate the overlooking issues.
 - There would be an overlooking impact on all neighbouring properties – there has been a recent application to remove some trees to the South.
 - The concept of a balcony would be an alien feature in a rural village garden location.
 - The balconies could be used for social and entertaining purposes which could cause issues of noise and artificial light.
 - The proposal would devalue the complainants recently purchased property.
 - The proposal could set a precedent for other balcony extensions.
 - The complainant's property has a balcony, which was part of the original construction of the dwelling in 1957, which they feel has an overlooking impact. They are prepared to remove this as part of their own application.
- 5.2. An additional letter of representation has been received from the agent of the aforementioned adjacent neighbour, providing further analysis of the potential impacts of the proposed development (revised scheme) and raising a strong objection to the proposal, with particular reference to the addition of a balcony on the western side of the dwelling. In addition to the comments outlined above, these include:

- The proposed rear extensions would result in overlooking, the perception of overlooking and have an overbearing impact on the garden of Cleeve Mount. The glazed screens would not adequately protect neighbouring amenity.
- The proposed balconies and glazed screens would not reflect the character, form and appearance of development of the residential context.
- The level of obscurity of glazing would be difficult to control in the future and the perceived overlooking would remain an issue regardless.
- Farringdon is already located higher than Cleeve Mount and the glazed screens will exacerbate the overbearing impact.
- There will be a loss of outlook towards Cleeve Hill as a result of the proposal.
- The site lies within the Cotswolds AONB and Woodmancote Conservation Area – These are protected landscapes.
- Extensions and balconies would be visible from a variety of vantage points, including Stockwell Lane and the garden of Cleeve Mount. – The introduction of glazed screens would appear alien and uncharacteristic of the area. Flat roofed elements are not features that would normally be associated with the Conservation Area.
- Specific reference made to the Conservation Officer's comments – harm caused would outweigh the public benefit of the development.

5.3. These concerns have been given significant consideration in the analysis of the proposal and a site visit conducted on 26.02.2021.

5.4. It is important to note that the site does not lie within the Cotswolds AONB.

5.5. Plans, as revised (Drawing 4 REV B & Drawing 3 REV B), omit the balconies discussed by the objector.

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. The proposed alterations to the front of the dwelling would not appear incongruous or have an adverse impact on the character or appearance of the area. Whilst the changes to the fenestration would appear more modern than some other properties in the area, the dwelling itself is of a 1950s style and presently includes numerous features differing from the adjacent neighbouring properties. Therefore, the changes would be acceptable.
- 7.3. As the dwelling currently has a mix of reconstituted Cotswold Stone and render, and a variety of material finishes can be seen along Stockwell Lane, the proposed use of render for the whole dwelling would not appear out of keeping with the area. A condition requiring details of the finish and colour of the proposed render would ensure an acceptable appearance. Therefore, it would not be considered to have an adverse impact on the character or appearance of the area and would be acceptable.
- 7.4. The proposed extension to the front element of the dwelling, over the existing garage, would include a pitched roof, a feature of the existing dwelling. The use of a pitched roof would be considered to visually enhance the appearance of the dwelling and be sympathetic to its location close to the Cotswolds AONB.
- 7.5. The proposed rear extensions would consist of the addition of a central two storey rear gable over the existing single storey element, with a large single storey flat roofed extension to either side of the gable and wrapping around the eastern side. Box dormers would also be introduced into the rear roof slope either side of the central gable which would open up onto the flat roof extensions (**see proposed elevations**).
- 7.6. Whilst the proposed two storey rear gable would not reflect the single storey nature of the existing building, it would be seen in the context of the overall changes to the rear elevation which includes the rear dormers. The rear gable would not extend above the roofline of the existing dwelling and would not have any adverse impacts on the street scene, making no change to the front elevation of the dwelling. The flat roofed elements, by virtue of their height, would appear subservient additions to the dwelling and would similarly not be visible from the street scene.
- 7.7. As referred to above, the proposal also includes a balcony over the flat roofed rear extension which include 1.8 glazed panels to the side. Despite the fact that the proposed balcony on the West side of the dwelling would be partially visible from the street, between the dwelling and the neighbouring property, it would set well back from the lane at the rear of the dwelling. Views of it would therefore be limited and it would not appear visually prominent in the street scene. Officers concluded therefore that it would not have an unacceptable impact on the character or appearance of the dwelling.

- 7.8. The Parish Council objected to the proposal on the basis that the proposed extensions would be too close to the boundary with the neighbouring property, stating that they would like to see a gap created around the dwelling behind the garage. Whilst this has been taken into account, it is not considered that the extension to the rear of the garage would have a harmful impact on the openness of the area, nor would it be considered too close to the boundary, with access to the garden maintained on the West side of the Dwelling. It was therefore considered that adjusting the proposal to bring it further from the Boundary on the East side would not be necessary, as the harm it would cause would be less than substantial.
- 7.9. The proposed extensions and alterations would be of an appropriate 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

- 7.10. 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. A site visit was conducted, in order to gain a better understanding of the potential impacts of the proposal on the amenity of local residents.
- 7.11. Other material policy considerations include national planning guidance contained within the National Planning Policy Framework 2019 and the Tewkesbury Borough Plan 2011-2031 Pre-Submission Version (October 2019).
- 7.12. The front extension to the garage would not cause any issues of overlooking or overshadowing, due to its location within the site and proximity to the adjacent neighbours.
- 7.13. The proposed two storey rear gable extension would not have a harmful overbearing or overshadowing impact, affecting the amenity of the neighbouring dwellings.
- 7.14. One objection was received from a neighbour, living at the adjacent property to the West (Cleeve Mount), relating to the significant potential impact of overlooking that would be caused by the proposed balcony on the South West corner of the dwelling.
- 7.15. The proximity of this balcony to the boundary with the Cleeve Mount and its slightly elevated position was given significant consideration, with revised plans submitted including the use of 1.8m high obscure glazing on the outer sides of both balconies and obscure glazing to a slightly lower level on the fronts. In addition, the depth of the balconies was reduced by 900mm (around a third of their original proposed size), meaning any use of the raised areas would be limited in terms of number of people and activity. The proposed obscure glazing would extend beyond the front of each balcony, to the edge of the flat roofs, further reducing the potential for overlooking into the private amenity space of both adjacent dwellings and providing a predominant outlook to the South.
- 7.16. It has been considered that these measures would be sufficient in reducing the impacts of overlooking to an acceptable level, not far over and above the existing situation caused by the windows at first floor level on both the East and West elevations. Therefore, the proposal, as revised would not have an adverse impact on the private amenity space of the neighbouring residents.

- 7.17. Whilst the proposal would include three new windows at first floor level, the significant size of the garden and subsequent distance from the neighbouring properties to the South (located on Denham Close) would be over 27 metres. This means that any potential overlooking impacts affecting these dwellings would not be considered harmful.
- 7.18. 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.

Impact on Heritage Assets

- 7.19. 'Farringdon' is located within Woodmancote Conservation area and is within the setting of a number of Grade II Listed buildings (Kings Farm to the West and Pear Tree House and Pigeon House to the North). As such when determining planning applications this authority has a duty under Section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have regard to the desirability of preserving listed buildings and their settings and to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. The proposal will also be assessed against section 16 of the NPPF, Policy SD8 of the JCS and saved policy HEN2 of the Local Plan. The property is also within an Article 4 Direction.
- 7.20. The Council's Conservation Officer (CO) has been consulted with regard to the impact of the proposal on the Conservation area and the setting of listed buildings. With regard to the impact of the design in the Conservation Area, the CO comments that glazed balconies such as those proposed, are not commonly encouraged in conservation areas. The balconies would be located to the rear of the dwelling and there would only be glimpsed views of part of glazed panel on the western elevation from Stockwell Lane. Given that the immediate context of the conservation area either side of 'Farringdon' is that of modern bungalows and that views of the glazed balcony would be very limited, Officers concluded there would be no harm to the conservation area in this case.
- 7.21. Whilst Farringdon is located near to 3 grade II listed buildings, they are not adjacent to the property and as the dwelling is not itself listed, the alterations and extensions would not have a detrimental impact on their character or settings.
- 7.22. The proposal would therefore comply with the requirements of section 16 of the NPPF, Policy SD8 of the JCS and saved policy HEN2 of the Local Plan.

UPDATE

This application was presented to planning committee on the 16th March 2021 and was recommended for Permit. However, following debate Members were concerned about the proposed balcony on the West side of the rear elevation and the potential harm this would cause to residential amenity. The application was therefore DEFERRED to allow the applicant the opportunity to resolve this issue.

In response, the applicant has removed the balconies from the rear elevation on both sides of the gable, introducing windows to the proposed box dormers instead of doors (see revised elevations and floor plans). Box dormers are a feature present in the area, including on the adjacent dwelling to the East (Lapford), meaning they would not appear incongruous in the context.

The proposal, as revised, would address the concerns expressed by Members regarding the potential loss of privacy to the neighbouring property resulting from the balcony. Furthermore, the concerns raised by objectors regarding the harm to the Conservation Area would also be addressed as a result of the omission of the glazed balustrades.

In order to prevent potential use of the flat roof, a condition (4) has been added that would prevent its use for such purposes.

Therefore, the proposal, as revised would not have an adverse impact on the private amenity space of the neighbouring residents.

8.0 CONCLUSION AND RECOMMENDATION

- 8.1. It is considered that the proposal would not be harmful to the appearance of the existing dwelling or conservation area and, subject to conditions, 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:

- Revised drawing 3 REV B – Proposed ground/first floor plan @A3 (Received 22.03.2021)
- Revised drawing 4 REV B – Proposed elevations @A3 (Received 22.03.2021)
- Drawing 002 – Existing elevations & site location plan @A3 (Received 14.12.2020)

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 specified in the approved plans. The render to be used shall not be applied to the external surfaces until details of its colour and finish, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out according to the approved details.

Reason: To ensure that the finished appearance of the development will enhance the character and visual amenities of the area.

4. The flat roofed areas of the extensions hereby permitted shall not be used as a balcony, roof garden or similar amenity area, without the grant of further specific permission from the Local Planning Authority.

Reason: To satisfactorily protect the residential amenities of nearby occupiers.

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.