

TEWKESBURY BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT

Committee:	Planning
Date:	22 June 2021
Site Location:	Rudge Villa The Rudge Maisemore Gloucester Gloucestershire GL2 8HY
Application No:	20/00199/FUL
Ward:	Highnam With Haw Bridge
Parish:	Maisemore
Proposal:	Erection of a side car port/ garage (retrospective).
Report by:	Sarah Barnes
Appendices:	Site location plan Block plan Elevations Floor plans
Recommendation:	Permit

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1. The application site relates to Rudge Villa, a detached dwelling located in Maisemore (site plan attached). The site falls within flood zone 3.
- 1.2. The proposal is for the retention of the side car port / garage (plans attached).
- 1.3. A committee determination is required as the Parish Council object to the application on the grounds of the impact on the adjacent property and inappropriate materials.

2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
03/00147/FUL	Two storey extension to dwelling and erection of a detached double garage.	PER	02.04.2003
03/00977/FUL	Two storey extension to rear of building.	PER	22.08.2003
08/01451/FUL	Conversion and extension of existing detached garage to form granny annex.	PER	16.12.2008

09/00935/FUL	Continued use of ancillary granny annex as separate self contained student let accommodation	PER	09.03.2010
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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. The reasons for objection are summarised as follows:

- The unauthorised extension has substantially altered the appearance of the property. It is alien with none of the materials used being sympathetic to the house itself.
- Loss of light to the adjacent building.
- Flooding issues.
- Loss of parking.
- Inaccuracies on the application forms.

Full copies of all the consultation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>

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 local residents.
- 5.3. Full copies of all the representations responses are available online at Insert text <https://publicaccess.tewkesbury.gov.uk/online-applications/>

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 Parish Council have objected on the grounds that the car port / garage has substantially altered the appearance of the property and the materials used are unsuitable.
- 7.3. The Parish Council's concerns have been noted, however, in terms of the materials, reclaimed tiles were used on the roof of the carport in order to blend in with the Public House's roof next door.
- 7.4. The carport was built with oak beams and reclaimed tiles, as a metal garage door and brick pillars would have been unsympathetic to the character of this old style property.
- 7.5. There is a huge variation in house styles along 'The Rudge' so the proposal is not considered to be out of keeping with the street scene.
- 7.6. Overall, it is considered that the carport/garage is of an acceptable size and design in keeping with the character and appearance of the property. Therefore, the proposal has an acceptable impact on the character of the existing street scene 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

- 7.7. 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.
- 7.8. 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).
- 7.9. The Parish Council have raised concerns that there would be a loss of light to the building to the south's closest window. The closest building to the South is a Public House (The White Hart). The closest window at first floor level is obscure glazed and is understood to serve a kitchen area. As can be seen from the photographs which will be included in the committee presentation, the garage roof does not come any higher than the bottom of this window. The loss of light / outlook is therefore not considered to be harmful / adverse. Finally, no objections have been received from the Owners / Landlord of the Public House. The impact of the proposal upon neighbouring properties has therefore carefully been assessed and it is considered that there is not an undue impact upon their amenity in accordance with Policy HOU8 of the Local Plan and Policy SD14 of the JCS.

8.0 FLOODING

- 8.1. The site falls within flood zone 3. The applicant has confirmed that the floor level of the garage / car port is not any lower than the existing levels and they are aware of flood prevention measures. The risk of flooding would not therefore be any worse than at present.

9.0 PARKING

- 9.1. The Parish Council have also raised concerns about the loss of parking at the site. There would however still be space for about four cars to park on the existing front driveway and this is considered to be acceptable.

10.0 CONCLUSION AND RECOMMENDATION

- 10.1 Whilst the concerns of the Parish Council are noted, it is considered that the car-port as constructed is not harmful to the appearance of the existing dwelling nor the surrounding area and it has not resulted in an unacceptable loss of residential amenity to neighbouring dwellings. The development is also of an acceptable size and design. It therefore accords with relevant policies as outlined above. Therefore, it is recommended the application be permitted.

CONDITIONS:

1. Nil

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.