

# TEWKESBURY BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT

<b>Committee:</b>	Planning
<b>Date:</b>	20 July 2021
<b>Site Location:</b>	Wellcroft Farm The Leigh Gloucester Gloucestershire GL19 4AG
<b>Application No:</b>	21/00101/FUL
<b>Ward:</b>	Severn Vale North
<b>Parish:</b>	Leigh
<b>Proposal:</b>	Erection of side, rear and front extensions
<b>Report by:</b>	Mr Paul Skelton
<b>Appendices:</b>	Site location plan Existing floor plans and elevations Proposed floor plans and elevations x2
<b>Recommendation:</b>	Permit

## 1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application relates to a modest one and a half storey dwelling at the Leigh (see attached location plan and existing elevations).
- 1.2 The current proposals involve the remodelling of the property with single storey extensions to the side and rear, an extension of the two-storey wing to the rear and a porch to the front elevation (see attached elevations and floor plans). Dormer windows would be added either side of the rear projecting roof slope.

## 2.0 RELEVANT PLANNING HISTORY

<b>Application Number</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
10/00166/CLP	Construction of two storey rear extension and single storey side extension.	CLPCER	17.03.2010

## 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) - 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)

### **Neighbourhood Plan**

- 3.7. An NDP for the Leigh is currently being prepared however it is at a relatively early stage and it's policies attract little weight in the decision making process. Policy H2 of the NDP relates to conversions and extensions to existing dwellings. The policy requires proposals, inter alia, to demonstrate how they are in keeping with the area; to be subservient to the main building; and to protect the privacy of neighbours.
- 3.8. Human Rights Act 1998 - Article 8 (Right to Respect for Private and Family Life)
- 3.9. The First Protocol, Article 1 (Protection of Property)

## **4.0 CONSULTATIONS**

**Parish Council** – Objection, summarised as follows:

- the revised scheme is smaller and more sympathetic;
- the proposal will bring the property closer to the neighbour and it is suggested the height will partially block their light;
- recognised that some like contemporary design but surrounding houses are of a more traditional design and the proposals will not fit in with the character of the area;
- first floor balcony is not in keeping with other houses in the area;
- the balcony allows intrusion over neighbouring gardens and makes it easier for noise to travel;
- the mix of materials is not appropriate.

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. Seven letters of objection from 5 properties have been received and are summarised as follows:
- Acknowledge the property needs to be updated but the change in character proposed by the original scheme is unacceptable;
  - The original scheme is too big for the site;
  - There would be overlooking from the proposed balcony;
  - Light from the large windows would be visible from Church Lane;
  - The side extension would overlook and result in loss of light to the neighbouring property;
  - The proposals are contrary to the draft NDP in that they do not reflect the character of the area;
  - The amended plans still include a large balcony which is not wholly fitting with the village.
- 5.2. Full copies of all the representations responses are available online at <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. Emerging Policy RES10 largely reflects existing policy HOU8 and is considered to be consistent with the NPPF. The Borough Plan Inspector has not suggested any Main Modifications to this policy following the EiP and it is therefore considered that Policy RES10 attracts substantial weight.

## **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 proposals have been reduced significantly since the original submission to attempt to address officer concerns, as well as those of the local community. The original proposal sought to change the character of the property significantly from a one and a half storey property to full two storey, with a more contemporary design. The current scheme retains the one and a half storey form with the previous two-storey side extension removed and the rear extension simplified, maintained as one and a half storey and reduced in length. The proposed porch would add some definition to the front elevation.
- 7.3. The concerns of the Parish Council and local residents are noted however it is considered that the existing proposals do not have an undue impact on the character and appearance of the area and meet the requirements of the Development Plan in this regard.

## **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. 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).
- 7.5. As set out above the proposals have been reduced significantly since the original submission. The previously proposed two storey side extension has been reduced to single storey to address local concerns regarding overlooking and loss of light. Indeed, the current proposal would result in the removal of an existing window on the first floor side elevation of the existing building.
- 7.6. The only remaining first floor element proposed is directly off the back of the existing rear projection. This extension of the existing one and a half storey projection would not have any undue impact on the neighbouring property. The proposed dormer window in this elevation would serve a bathroom and a condition is proposed to ensure this window would be fitted and retained in obscure glazing and fixed shut/fitted with a restrictor.
- 7.7. The proposed balcony would infill the area to the west of the one and a half storey rear projection and there could be no overlooking of the neighbouring property which lies to the east. To the west is an agricultural field. The concerns raised about noise are noted but it is not considered that this would create any additional undue noise and disturbance.
- 7.8. In light of the above, it is considered that the proposals would not have an unacceptable impact on the living conditions of neighbouring property.

## **8.0 CONCLUSION AND RECOMMENDATION**

- 8.1. 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. 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:

- Drawing number 2028 – 02 Revision D (Proposed Plans and Elevations)

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. No work above ground floor level shall be carried out until samples of the facing materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the materials so approved.

Reason: To protect the character and appearance of the area.

4. The proposed dormer window on the east facing elevation shown on drawing number 2028-02 Revision D shall be fitted with obscure glazing (Pilkington Level 4 or equivalent) and the individual window frames permanently fixed shut unless fitted with a restrictor, details of which shall first be submitted to and approved in writing by the Local Planning Authority. The dormer window shall be maintained as such for the lifetime of the development.

Reason: to safeguard the privacy of the neighbouring 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.