

## TEWKESBURY BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT

<b>Committee:</b>	Planning
<b>Date:</b>	17 August 2021
<b>Site Location:</b>	10 Carrant Road Mitton Tewkesbury
<b>Application No:</b>	21/00736/FUL
<b>Ward:</b>	Tewkesbury North and Twyning
<b>Parish:</b>	Tewkesbury
<b>Proposal:</b>	Erection of a two storey side and rear extension
<b>Report by:</b>	Gemma Smith
<b>Appendices:</b>	Site location plan Existing Block Plan Proposed Block Plan Existing Ground Floor Plan Existing First Floor Plan Existing Elevations Proposed Ground Floor Plan Proposed First Floor Plan Proposed Elevations
<b>Recommendation:</b>	Permit

### 1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site relates to the right-hand side of a pair of modern brick built semi-detached dwellings within a residential estate of similar dwellings. The dwelling benefits from off-road parking to the front and a large elongated plot. A garage is located to the rear accessed by the open-sided driveway.
- 1.2 Part of the site to the rear is located within Flood Zones 2 and 3.
- 1.3 Planning permission is sought for the erection of a two-storey side and rear extension. The proposal would be constructed out of materials to match the existing dwelling.
- 1.4 A Committee determination is required as the Town Council have raised an objection to the proposal.

## 2.0 RELEVANT PLANNING HISTORY

### 2.1 Relevant Site History

Application Number	Proposal	Decision	Decision Date
08/00591/FUL	Single storey front extension to provide larger living room.	PER	27.05.2008
58/00113/FUL	Outline application for residential development.	PER	24.04.1958

### 2.2 Other Relevant Site History

Application Number	Proposal	Decision	Decision Date
21/00014/FUL	Erection of a two storey side and rear extension – 100 Carrant Road	PER	18.03.2021
19/00520/FUL	Erection of a two storey side and rear extensions with ground floor car port at side – 20 Carrant Road	PER	28.01.2020
19/00282/FUL	Demolition of existing garage, erection of a two storey side extension and single storey rear /side extension, front elevation to be partially rendered – no 58 Carrant Road	PER	16.07.2019
16/00098/FUL	Two storey extension to side and single storey extension to rear (renewal of 12/01233/FUL) – 36 Carrant Road	PER	18.03.2016
10/01259/FUL	Two storey side extension to provide garage, shower room, study and conservatory to rear with enlarged bedroom, en-suite and bedroom 4 to rear over. – 48 Carrant Road	PER	20.01.2011

## 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) and National Design Guidance (NDG).

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

3.3 Policy SD4 (Design Requirements)

Policy SD14 (Health and Environmental Quality)

Policy INF1 (Transport Network)

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

3.4 Policy HOU8 (Domestic Extensions)

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

3.5 Policy RES10 (Alteration and Extension of Existing Dwellings)

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

3.7 The First Protocol, Article 1 (Protection of Property)

**4.0 CONSULTATIONS**

4.1 **Tewkesbury Town Council** – Objection for the following reasons:

- Concerned with the potential impact of a large extension would have on the amenity of the neighbouring property which has two windows facing the boundary in close proximity and would lose natural light.
- Concerned that the car port is extremely narrow and cannot be used as there would be insufficient width to open the door of a car that would be parked within it.

**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. There have been no representations received by interested parties in response.

**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 Tewkesbury Borough Plan (TBP) has reached an advanced stage. The Examination in Public was held in February/March 2021 and the Inspector's post hearings Main Modifications letter was received on 16th June 2021. In this letter the Inspector provided his current view as to what modifications are required to make the Plan 'sound'.

6.4 Those policies in the Pre-submission version of the TBP which are not listed as requiring main modifications may now attract more weight in the consideration of applications, with those policies which do in the Inspector's view require main modifications attracting less weight depending on the extent of the changes required. The TBP remains an emerging plan and the weight that may be attributed to individual policies will still 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 the degree of consistency with the NPPF (the closer the policies to those in the NPPF the greater the weight that may be given).

6.5 Other material policy considerations include the National Planning Policy Framework (NPPF) and its associated Planning Practice Guidance (PPG) and the National Design Guidance (NDG).

6.6 The relevant policies are set out in the appropriate sections of this report.

## **7.0 ANALYSIS**

7.1 The key issues in the determination of this proposal are:

- Design and Scale
- Impact on Neighbouring Amenity
- Highways and Parking Implications

### **Design and Visual Amenity**

7.2 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. Likewise, emerging Policy RES10 of the Tewkesbury Borough Plan 2011-2031 (TBP) states that proposals for the extension and alteration of existing dwellings will be permitted providing that, inter alia, the detailed design reflects or complements the design and materials of the existing dwelling, and the proposal respects the character and appearance of surrounding development.

7.3 The host dwelling is a two-storey, semi-detached dwelling of simple design. A detached garage is present in the rear garden which is accessed via an open side driveway.

7.4 Overall, it is considered that the proposal would be of an appropriate siting, scale and the design would be in-keeping with the character appearance of the property. The proposed materials would match those of the existing dwelling. There are a number of other similar developments within the immediate vicinity notably at No. 20 (planning reference 19/00520/FUL), No. 36 (planning reference 16/00098/FUL), No. 48 (planning reference 10/01259/FUL) and No. 100 (under planning reference 21/00014/FUL). Whilst the side extension would sit flush with the front elevation building line, given the similar consents in the area together with no adverse impacts it is not considered to warrant a refusal. It is not considered that the proposed two-storey side extension by way of scale would result in an overly dominant form within the street scene.

7.5 Therefore it is considered that the proposal would have an acceptable impact on the character of the existing street scene and would comply with the requirements of Policy HOU8 and Policy SD4 of the JCS together with emerging Policy RES10.

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

7.6 Policy SD14 of the JCS requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants. Saved Policy Local Plan Policy HOU8 and the emerging Policy RES10 of the TBP 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 and over-dominance.

7.7 Concerns have been raised by the Town Council on the impact of a large extension on the neighbouring property. It is noted that the proposal would be built up to the boundary shared with the neighbouring property at No. 8 and would be sited approx. 2.4m from the side elevation of the neighbouring property. There would be no window openings proposed to the side elevation. The side of the neighbouring property is used as a driveway and car port and the awning already provides limitations to light to the ground floor non-habitable windows. It is noted that there is a first-floor side window which is also non-habitable. It is not considered that the small two-storey rear extension would give rise to any detrimental impact on the neighbouring property.

7.8 There would be no further impacts of the proposal to the adjoining neighbour.

## Highway and Parking Implications

- 7.9 Although the extensions results in the loss of a small portion of the front driveway, a carport would be provided at single storey level leading to an existing garage in the rear garden. The development would not adversely impact on existing parking arrangements and the scheme is acceptable in terms of INF1 and advice contained within the Gloucestershire Manual for Streets.

## 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. The proposal would also be of an acceptable scale 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:

MRY21.01 01 entitled 'Location Plan'  
MRY21.01 02 entitled 'Existing Block Plan'  
MRY21.01 03 entitled 'Proposed Block Plan'  
MRY21.01 04 entitled 'Existing Ground Floor Plan'  
MRY21.01 07 entitled 'Proposed Ground Floor Plan'  
MRY21.01 08 entitled 'Proposed First Floor Plan'  
MRY21.01 09 entitled 'Proposed 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. 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.
2. Your attention is drawn to the Party Wall Act 1996. The Act will apply where work is to be carried out on the following:
  - Work on an existing wall or structure shared with another property.

- Building a free standing wall or a wall of a building up to or astride the boundary with a neighbouring property.
- Excavating near a neighbouring building.

The legal requirements of this Act lie with the building/ site owner, they must find out whether the works subject of this planning permission falls within the terms of the Party Wall Act 1996. There are no requirements or duty on the part of the local authority in such matters. Further information can be obtained from the DCLG publication Preventing and resolving disputes in relation to party walls - explanatory booklet.

3. Your attention is drawn to the requirements of the Building Regulations, which must be obtained as a separate consent to this planning decision. You are advised to contact the Building Control Team on [Buildingcontrol@cheltenham.gov.uk](mailto:Buildingcontrol@cheltenham.gov.uk).
4. This permission does not imply any rights of entry to any adjoining property nor does it imply that the development may extend into or project over or under any adjoining boundary.