

TEWKESBURY BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT

Committee:	Planning
Date:	19 October 2021
Site Location:	Tresco Langley Road Winchcombe
Application No:	21/00277/FUL
Ward:	Winchcombe
Parish:	Winchcombe
Proposal:	Erection of a single storey rear extension, first floor extension and dormer windows.
Report by:	Pippa Brown
Appendices:	Site location plan/existing ground floor plan Site plan/block plan Proposed floor plans Existing elevations Proposed elevations
Recommendation:	Permit

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 This application relates to Tresco, a detached bungalow constructed in the 1950s, located on the southern site of Langley Road in Winchcombe. The site lies within the Cotswolds Area of Outstanding Natural Beauty (AONB) and within the Winchcombe and Sudeley Neighbourhood Development Plan area.
- 1.2 Permission was granted on the site in 2020 for the demolition of the existing dwelling and erection of a one and a half storey replacement dwelling and detached garage (20/00095/FUL).
- 1.3 **A committee determination is required as Winchcombe Town Council have objected to the proposal, as revised, on the basis of the scale of the extensions in relation to the site and the fact that it would not conform with the requirements of policy 3.3 of the Winchcombe and Sudeley NDP.**
- 1.4 **This application has been deferred from the committee meeting on 21 September 2021, for the purpose of a Planning Committee site visit, at the request of Members.**

2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
95/00282/FUL	Alterations and extension to provide kitchen	PER	30.05.1995
82/00006/FUL	Alterations and extension to existing dwelling to provide a conservatory.	PER	21.10.1982
81/00005/FUL	Alterations and extension to existing bungalow to provide an enlarged bedroom.	PER	14.04.1981
20/00095/FUL	Erection of a replacement dwelling and garage	PER	25.09.2020

3.0 RELEVANT POLICY

The following planning guidance and policies are relevant to the consideration of this application

3.1 National guidance

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG)

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

- Policy SD4 (Design Requirements)
- Policy SD7 (The Cotswolds AONB)
- Policy SD14 (Health and Environment Quality)

3.3 Tewkesbury Borough Local Plan to 2011 – March 2006 (TBPL)

- Policy HOU8 (Domestic Extensions)

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

- Policy RES10 (Alteration and Extension of Existing Dwellings)

3.5 Neighbourhood Plan

Winchcombe and Sudeley Neighbourhood Development Plan – 2011-2031

- Policy 1.1 (Protecting the Distinctive Character of the Area)
- Policy 3.3 (Bungalow Development)
- Policy 5.1 (Design of New Development)

3.6 Other relevant policy

- Human Rights Act 1998 - Article 8 (Right to Respect for Private and Family Life)
- The First Protocol - Article 1 (Protection of Property)

4.0 CONSULTATIONS

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

- 4.1** Winchcombe Town Council – Objects to the proposal on the basis that the proposed extension is too great for the site and is not compatible with policy 3.3 of the Winchcombe and Sudeley NDP (Bungalow Development).

5.0 PUBLICITY AND REPRESENTATIONS

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

- 5.1** The application has been publicised through the posting of a site notice for a period of 21 days.
- 5.2** 3 letters of representation were received, 2 objecting to the original proposal and 1 objecting specifically to the proposal as revised. Issues raised include:
- Loss of light to adjacent dwelling (The Birches).
 - Overlooking from proposed Velux window.
 - Potential overbearing impact on adjacent dwelling (The Birches).

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 16 June 2021. In this letter the Inspector provided his current view as to what modifications are required to make the Plan 'sound'. 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).
- 6.4** The relevant policies are set out in the appropriate sections of this report.
- 6.5** 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).

7.0 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 proposal would involve raising the ridge height of the existing dwelling, resulting in a one and a half storey dwelling. Whilst this would be a clear change from the existing dwelling and would increase the bulk of the dwelling, this would not appear out of keeping with the area as there are a range of dwelling styles with varying ridge heights on this part of Langley Road.
- 7.3** The adjacent dwelling, known as 'The Birches', comprises two storeys and therefore the additional height proposed to Tresco would not appear visually prominent or incongruous in the context.
- 7.4** The dwelling as existing, is set back from the highway by around 9 metres (measured from the front building line of the gable). This set back would remain unaltered as a result of the proposal, meaning the alterations to the front of the dwelling would not appear visually prominent in the street scene.
- 7.5** In addition, the use of render for the external surfaces of the dwelling would be appropriate in the context, as there are a number of rendered properties within the street scene, meaning the proposed would not appear wholly incongruous.

- 7.6** The proposed single storey rear extension would be significant in scale, covering a floor area of around 100 square metres, and representing an increase in floor area of around 69 square metres, when the existing single storey elements are taken into account. It would be located in the rear garden of the dwelling, meaning it would have a minimal impact on the character or appearance of the street scene, only being partly visible from the sides of the dwelling.
- 7.7** By virtue of the roof design, with two pitched gable elements, the proposed rear extension, as amended, would appear an acceptable addition to the dwelling, as it would avoid the addition of a large flat roofed element. The inclusion of the dual pitched roof shapes would be similar to the gable feature at the front of the property and would therefore appear in keeping with the style of the dwelling.
- 7.8** Whilst it is recognised that the proposed extensions do not wholly conform with Policies HOU8 or RES10, by virtue of their scale, relative to the existing dwelling, on balance, the proposal as revised would be considered acceptable in the context. It is considered that the current proposal would have a lesser visual impact in terms of scale and design than the replacement dwelling granted permission in 2020, with the alterations therefore appearing appropriate in the location.

Effect on the Living Conditions of Neighbouring Dwellings

- 7.9** 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.
- 7.10** The proposed alterations to the existing dwelling would include the raising of the ridge height of the main part of the dwelling by 450mm and the front gable by 650mm. Whilst this may have some impact on the amenity of the adjacent property (The Birches) in terms of overshadowing, this would be minimal due to the orientation of the properties and therefore would not be considered to cause any adverse harm.
- 7.11** Notwithstanding the points noted by the neighbouring residents, any impact of overbearing or overshadowing caused by the proposed rear extension would be less than substantial due to its single storey nature. In addition, the proposal, as revised would include two dual pitched roofs, sloping away from the East and West boundaries shared with adjacent properties, reducing the potential overbearing impact on the adjacent neighbouring properties.
- 7.12** In addition, the proposed extensions would lie solely within the residential curtilage of the host dwelling, with a gap of around 1 metre between the proposed rear extension and the shared boundary to the East. There would also be a gap of around 7 metres between the dwelling itself and the adjacent dwelling to the East (The Birches). This distance would not be altered from the existing situation and is considered to not have a detrimental impact on the residential amenity of the occupants of the neighbouring property.
- 7.13** The proposed additional skylight on the eastern roof slope at first floor level would serve a dressing area (not a habitable area) and would be a secondary window in the room set a minimum of 1.7m above floor level. Whilst there may be some potential of overlooking as a result, the harm this would cause would be less than substantial due to its location and likely use.

- 7.14** By virtue of their locations and the orientation of the dwelling and those nearby, there would not be any adverse impacts of overlooking resulting from the other proposed additional windows, over and above the existing situation. Therefore, it is not considered appropriate or necessary to apply a condition, requiring windows to be obscure glazed.

Policy 3.3 of the Winchcombe and Sudeley Neighbourhood Development Plan (Bungalow Development)

- 7.15** Winchcombe Town Council have objected to the proposal, as revised, on the basis of the scale of the proposed extensions and consider that the proposal would not conform with the requirements of Policy 3.3 of the Winchcombe and Sudeley NDP (Bungalow Development).
- 7.16** Policy 3.3 of the Winchcombe and Sudeley NDP outlines how proposals to extend existing dwellings into their roof space should be resisted in order to maintain single storey dwellings to suit the needs of people looking to live in single storey dwellings and the older population looking to live independently.
- 7.17** Officers acknowledge the fact that the current proposal would result in the loss of a bungalow, by adding additional habitable accommodation to the dwelling at first floor level, which would be contrary to Policy 3.3, outlined above.
- 7.18** Guidance set out in the GPDO allows for extensions into the roof space such as that proposed, to create habitable living space, subject to the fulfilment of other criteria. The application site benefits from Permitted Development rights and therefore it would be possible for some extension into the roof space, without the need for planning permission.
- 7.19** In addition, the site benefits from extant permission for the demolition of the existing bungalow and construction of a one and a half storey replacement dwelling (20/00095/FUL). Through this, the principle of a one and a half storey dwelling in the proposed location has been established.
- 7.20** Notwithstanding the fact that the scheme would not comply with the requirements of Policy 3.3 of the Winchcombe and Sudeley NDP, It is considered that, given the extant permission and permitted development rights which the property benefits from, the current proposal would be acceptable in the context.

Landscape Impacts (Cotswolds AONB)

- 7.21** JCS Policy SD7 outlines how development proposals within the Cotswolds AONB should conserve and where appropriate, enhance its landscape, scenic beauty and other qualities. Similarly, Policy 1.1 of the NDP outlines how development should respect local character and where relevant, protect and enhance the Cotswolds AONB.
- 7.22** Tresco lies within the Cotswolds AONB on the edge of an existing, built up area. The proposal would increase the overall scale of the dwelling, and would alter the street scene. However, the changes would not appear incongruous in the context, due to the range of dwelling styles in the area and would not have a harmful impact on the Character of the AONB.

8.0 CONCLUSION AND RECOMMENDATION

- 8.1 It is considered that the proposal would not be unduly 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 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 documents:

- Drawing T.W.PR. 02 REV B – Proposed elevations @A1 (received 14.07.2021)
- Drawing T.W.PR .01 REV B – Proposed floor plans @A1 (received 14.07.2021)
- Drawing T.W.PR.04 REV A – Proposed block & site plan @A1 (received 02.09.2021)

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.

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 the 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.