

# TEWKESBURY BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT

<b>Committee:</b>	Planning
<b>Date:</b>	19 October 2021
<b>Site Location:</b>	8 Keriston Avenue Churchdown
<b>Application No:</b>	21/01008/FUL
<b>Ward:</b>	Churchdown St Johns
<b>Parish:</b>	Churchdown
<b>Proposal:</b>	Erection of a two storey side extension.
<b>Report by:</b>	Pippa Brown
<b>Appendices:</b>	Block plan Site location plan, existing plans and elevations Proposed plans and elevations
<b>Recommendation:</b>	Permit

## 1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 This application relates to 8 Keriston Avenue, a semi-detached, chalet bungalow style dwelling, located on a road of similar style dwellings, in Churchdown. The dwelling is located within a spacious plot and is bordered to the South by a public footpath.
- 1.2 This proposal seeks to erect a two-storey side extension to the dwelling, in the same style as the existing property, continuing the ridge height and box dormers on the front and rear of the dwelling.
- 1.3 **A Committee determination is required as Churchdown Parish Council has objected to the proposal, as it considers the proposed extension to be out of proportion with the existing dwellings in the area. It also considers that the proposal would represent overdevelopment of the site.**

## 2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
67/00061/FUL	Residential development on approx. 6.8 acres of lane. Construction of estate roads.	PER	17.02.1967
68/00065/FUL	Erection of 3 detached and 21 pairs of semi-detached dwellings. Construction of an estate road. Scheme of landscaping as required by condition (c) of consent ref. G.2485/Z.	PER	12.02.1968

## 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 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 - Churchdown and Innsworth Neighbourhood Development Plan – 2011-2031

- Policy CHIN2 (Layout and Appearance of Residential 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** Churchdown Parish Council – Objects to the application, as they consider that the proposed development would represent overdevelopment of the site and would be out of proportion with the dwellings in the area.

### **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 and one letter of representation was received, with a neutral stance on the application. Comments were made raising concerns over the potential impact of the proposal on surface water drainage, at times of heavy rainfall.

### **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** Policy CHIN2 of the Churchdown and Innsworth neighbourhood Development Plan outlines how proposals for the redevelopment of existing buildings should contribute towards the local distinctiveness of the area and demonstrate high quality, sustainable design and architecture that respects and responds positively to the best examples of the neighbourhood area's character.

**7.3** Whilst it is noted that the proposed extension would increase the living area in the dwelling by a considerable amount, notwithstanding the objection raised by Churchdown Parish Council, it is considered that the proposed side extension would be proportionate, considering the scale of the plot and orientation of the dwelling.

**7.4** The proposed extension would increase the width of the two storey element of the dwelling by around 4 metres. The proposed development would involve the removal of a single storey element on the south side of the dwelling. Therefore, whilst the overall bulk of the dwelling would significantly increase as a result of the proposal, the width of built form on the site, would only be increasing by around 1 metre.

**7.5** Despite the scale of the proposed extension, a significant amount of garden area would be maintained. For this reason, officers do not consider the proposal to represent overdevelopment.

**7.6** The extension would comprise two storeys (chalet bungalow style), reflecting the existing design and proportions of the host dwelling. The ridge line would continue and the box dormers on the front and rear would also be continued to the south. By virtue of this, the proposed extension would be in keeping with the style of the dwelling and others in the street scene and would not appear incongruous in the setting.

**7.7** In addition, by virtue of the location of the dwelling, at the south end of Keriston Avenue and its orientation, in relation to neighbouring dwellings, the proposed extension would not appear visually prominent in the street scene. It would therefore not have an adversely harmful impact on the street scene and would be considered by officers, an acceptable addition.

**7.8** Whilst no other properties on Kerison Avenue have been extended in this way, the host dwelling, benefits from a unique position at the end of the road, not bordered to the south by another property. As such, the proposed extension would appear an appropriate addition and would not be harmful to the character of the street scene.

**7.9** For these reasons, it is considered that the proposed extension would be in keeping with the character and appearance of the dwelling and wider area and would conform with the requirements of the relevant local and neighbourhood plan policies.

### *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.
- 7.11** By virtue of the location of the proposed extension and the orientation of the dwelling, there would be no adverse impact on the residential amenity of neighbouring dwellings in terms of overbearing, overshadowing or overlooking.
- 7.12** Whilst the site is bordered to the south by a public footpath, there would be a gap of at least 3.6 metres (measured from the south east rear corner) maintained between the edge of the proposed extension and the boundary fence. Therefore, there would not be a significant or adverse overbearing or overshadowing impact on users of the public footpath.
- 7.13** Due to the factors outlined above, it is considered that the proposed extension would not have an undue impact on the residential amenity of local residents and would comply with the requirements of JCS Policy SD14 and Local Plan Policy HOU8.

### *Other Matters*

- 7.14** Concerns were raised by a local resident around the potential impact the proposed development could have on the surface water drainage in the immediate vicinity.
- 7.15** This has been noted; however, it is considered that the proposed development would not have a great impact on surface water run off over and above the existing situation. The issues currently experienced would therefore be unlikely to be exacerbated to any significant degree by the proposed extension.

## **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 A371P/242/20 REV B – Block plan @A2 (received 09.08.2021)
  - Drawing A371P/242/01 REV A – Existing elevation & site location plan & ground/first floor plan @A1 (received 18.08.2021)
  - Drawing A371P/242/10 REV A – Proposed elevations & ground/ first floor plan & section A-A @A1 (received 18.08.2021)

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 used in the existing dwelling.

Reason: To ensure that the proposed development is in keeping with the exiting 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.