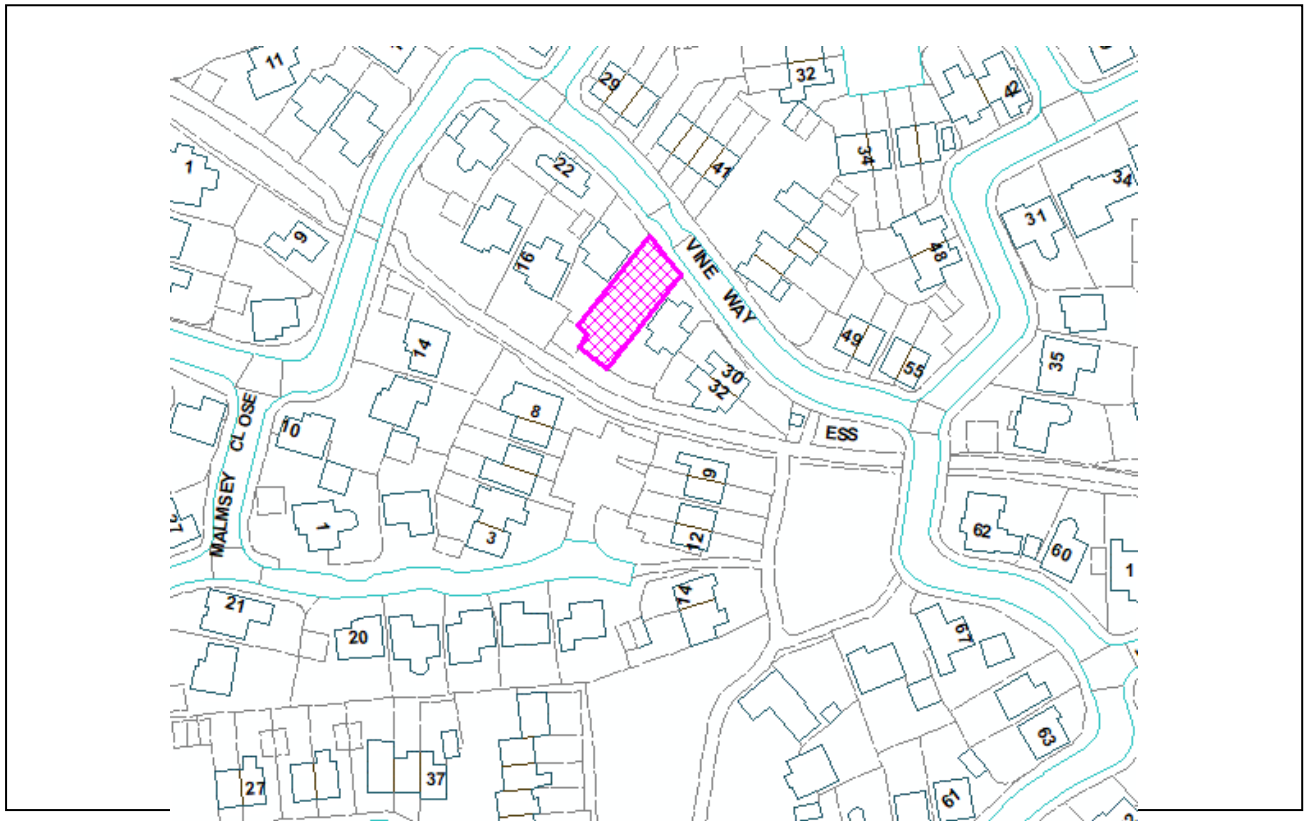


## Planning Committee

<b>Date</b>	20 December 2022
<b>Case Officer</b>	James Stanley
<b>Application No.</b>	22/01020/FUL
<b>Site Location</b>	26 Vine Way, Tewkesbury
<b>Proposal</b>	Single storey rear and two storey side extension
<b>Ward</b>	Tewkesbury Town South
<b>Parish</b>	Tewkesbury
<b>Appendices</b>	Site Location Plan and Existing Elevations Proposed Block Plan and Proposed Elevations Proposed Floor Plan
<b>Reason for Referral to Committee</b>	The applicant is an employee of Tewkesbury Borough Council
<b>Recommendation</b>	Permit

### Site Location



## 1. The Proposal

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Full application details are available to view online at:

<http://publicaccess.tewkesbury.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RIJVM5QDLRA00>

- 1.1 This application seeks to erect a two-storey side extension and a single storey rear extension to be constructed out of matching materials.

## 2. Site Description

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- 2.1 This application relates to 26 Vine Way, a two-storey, detached dwelling constructed out of facing brickwork. The dwelling is located on an estate on the edge of Tewkesbury which comprises of similar build types and uses. The site is not affected by any restrictive constraints but is located in an area for potential archaeological recoding.

## 3. Relevant Planning History

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Application Number	Proposal	Decision	Decision Date
05/01208/FUL	Conservatory to rear	PER	08.11.2005

## 4. Consultation Responses

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Full copies of all the consultation responses are available online at

<https://publicaccess.tewkesbury.gov.uk/online-applications/>.

- 4.1 Tewkesbury Town Council – No objection.
- 4.2 County Archaeologist – No objection or conditions required.
- 4.3 Building Control - The application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

## 5. Third Party Comments/Observations

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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 neighbour notification letters for a period of 28 days.
- 5.2 Two letters of representation have been received, both are from the same household and are letters of objection on the following grounds:
- 5.3
- The proposed first floor rear window would have a clearer view of the neighbouring garden, reducing privacy.
  - The extension would result in a brick wall extending along the boundary of the neighbouring dwelling which would restrict light and the feel of the garden.
  - Extension is intrusive and may affect the value of the neighbouring dwelling.
  - The extension would result in noise and disruption.

## **6. Relevant Planning Policies and Considerations**

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### **6.1 Statutory Duty**

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise

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

### **6.2 National guidance**

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

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

- Policy SD4 (Design Requirements)
- Policy SD14 (Health and Environmental Quality)

### **6.4 Tewkesbury Borough Local Plan to 2011-2031 (TBLP) – Adopted 8 June 2022**

- Policy RES10 (Alteration and extension of existing dwellings)

### **6.5 Neighbourhood Plan**

None

## **7. Policy Context**

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**7.1** 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.

**7.2** The Development Plan currently comprises the Joint Core Strategy (JCS) (2017), the Tewkesbury Borough Local Plan to 2011-2031 (June 2022) (TBLP), and a number of 'made' Neighbourhood Development Plans.

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

**7.4** Other material policy considerations include national planning guidance contained within the National Planning Policy Framework 2021 and its associated Planning Practice Guidance (PPG), the National Design Guide (NDG) and National Model Design Code.

## **8. Evaluation**

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### **Design and Visual Amenity**

**8.1** JCS Policy SD4 of the Joint Core Strategy sets out requirements for high quality design while Tewkesbury Borough Plan Policy RES10 provides that development must respect the character, scale and proportion of the existing dwelling and the surrounding development.

**8.2** By virtue of the proposed two-storey side extension being set back from the principal elevation and set down from the ridge height, the proposed extension would be subservient the host dwelling when viewing the dwelling from the street scene.

- 8.3 The proposal would be of an appropriate size and design in keeping with the character and appearance of the property. Therefore, the proposal would have an acceptable impact on the character of the surrounding area and complies with the requirements of Policy RES10 of the Tewkesbury Borough Plan and Policy SD4 of the JCS.

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

- 8.4 Policy SD14 of the JCS requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants. Policy RES10 of the Tewkesbury Borough Plan provides that extensions to existing dwellings should not have an unacceptable impact on adjacent property and residential amenity.
- 8.5 The proposed addition of a third first floor rear window would increase the potential for overlooking but due to the current windows that are in situ, the proposal would not result in an unacceptable level of overlooking to the neighbouring dwellings private amenity space.
- 8.6 The proposed single storey rear extension would breach the 45-degree rule from the neighbouring dwellings ground floor rear window at 28 Vine Way. Due to the height of the proposed extension and the orientation of the site, there would be a small loss of light in the latter part of the day. This would not have an unacceptable impact on the living conditions of the occupiers of 28 Vine Way with particular regard to loss of light.
- 8.7 Environmental Health have regulations in place to control the levels of noise, and the construction would be subject to building regulations.
- 8.8 The impact that the proposal would have upon house prices is not a material planning consideration.
- 8.9 The impact of the proposal upon neighbouring properties has carefully been assessed and it is considered that there would not be an undue impact upon their amenity in accordance with Policy RES10 of the Tewkesbury Borough Plan and Policy SD14 of the JCS.

## **9. Conclusion**

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- 9.1 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.

## **10. Recommendation**

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- 10.1 The proposal accords with relevant policies as outlined above, it is therefore recommended the application be **permitted**.

## **11. Conditions**

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- 1 The works hereby permitted shall be begun before the expiration of three 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 Numbers 10058/01 (Site Location Plan), 10058/03 (Proposed Block Plan and Elevations), and 10058/04 (Proposed Floor Plans) received by the Local Planning Authority on 21.09.2022

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.

## **12. Informatives**

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**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.