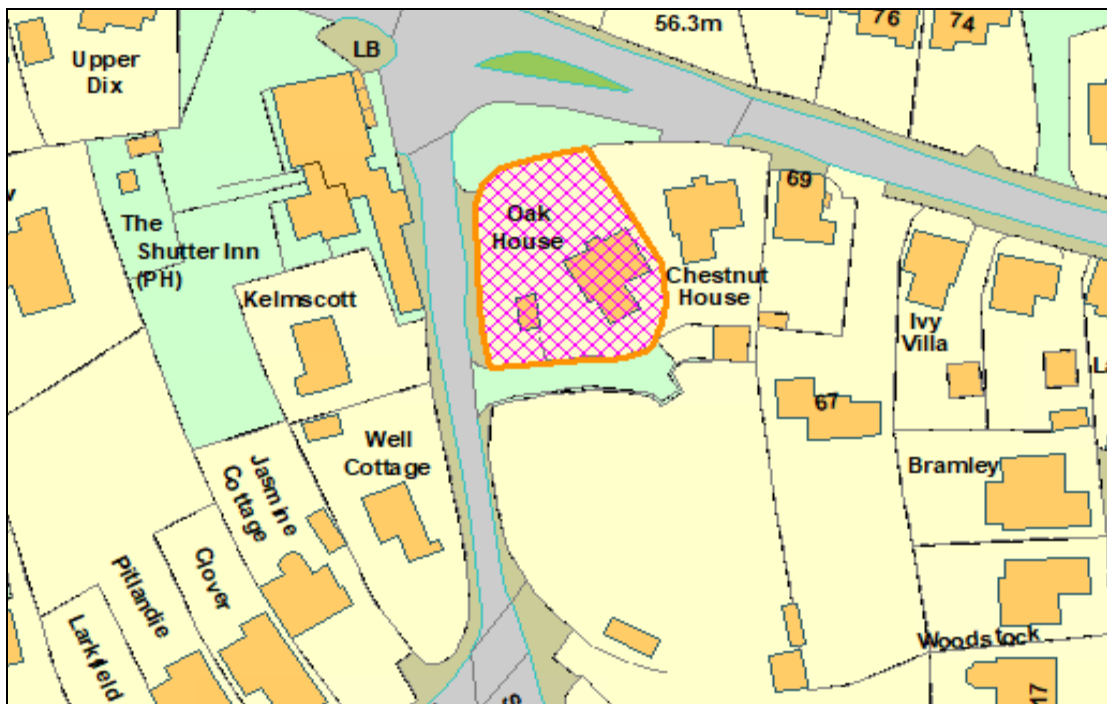


Planning Committee

Date	25 May 2023
Case Officer	James Stanley
Application No.	22/00083/FUL
Site Location	Oak House, Malleson Road, Gotherington
Proposal	Erection of a two storey side extension, a single storey rear extension and a side extension to the detached garage.
Ward	Cleeve Hill
Parish	Gotherington
Appendices	Site location plan Site plan Existing and Proposed Floorplans Existing and Proposed Elevations
Reason for Referral to Committee	Objection from Gotherington Parish Council.
Recommendation	Permit

Site Location



1. The Proposal

Full application details are available to view online at:

<http://publicaccess.tewkesbury.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R69LF0QDIQX00>

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

2. Site Description

- 2.1 This application relates to 'Oak House' Malleson Road, a two-storey, detached dwelling constructed out of stone. The dwelling is situated upon a corner plot between Malleson Road and Shutter Lane. Part of the site is located within an area designated in local plan policy as Important Open Space, however, the site is not subject to any other restrictive constraints or designations.

3. Relevant Planning History

Application Number	Proposal	Decision	Decision Date
08/00214/FUL	Erection of 2 detached houses and garages (Revised Scheme)	PER	30.06.2008

4. Consultation Responses

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

- 4.1 **Gotherington Parish Council** – Objection on the grounds that the proposal would remove the open aspect of the view south from Malleson Road towards Whites farm and that the 50% increase in the size of Oak House would be disproportionate in this area.
- 4.2 **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

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 and a site notice for a period of 21 days and no letters of representation have been received.

6. Relevant Planning Policies and Considerations

- 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)
- Policy LAN4 (Locally Important Open Spaces)

6.5 Neighbourhood Plan

Gotherington Neighbourhood Development Plan – 2011-2031

7. Policy Context

- 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

Design and Visual Amenity

- 8.1** JCS Policy SD4 of the Joint Core Strategy sets out requirements for high quality design while TBLP Policy RES10 provides that development must respect the character, scale and proportion of the existing dwelling and the surrounding development.
- 8.2** The application originally comprised of a single storey link to the existing garaging, this link would have been clad in timber with a flat roof and floor to ceiling panel glazing. Concerns were raised by officers as to the design and use of materials, given the prominence of the buildings location. As a result of this the applicant has submitted revised

- 8.3** drawings which now proposes a two storey extension and leaves the garaging detached from the main building.
- 8.4** The two-storey side extension is set back from the principal elevation and the ridge set lower than that of the existing dwelling. Due to this, the proposal would clearly read as an extension from the street scene which would be subservient to the existing dwelling.
- 8.5** It is considered that 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 TBLP and Policy SD4 of the JCS.

Effect on the Living Conditions of Neighbouring Dwellings

- 8.6** 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 TBLP provides that extensions to existing dwellings should not have an unacceptable impact on adjacent property and residential amenity.
- 8.7** The side extension is located an adequate distance from its nearest neighbouring property to the west, with a road (Shutter Lane) in between. 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 TBLP and Policy SD14 of the JCS.

Impact upon the Locally Important Open Spaces

- 8.8** Policy LAN4 of the TBLP states that Locally Important Open Spaces (as identified on the Policies Map) will be protected from new development that would adversely affect their open character and appearance. Development resulting in an adverse effect on the open character and appearance of a Locally Important Open Space will only be permitted where it would result in benefits to the community that would outweigh the importance of the open space.
- 8.9** The north-western corner of the application site is situated within an area designated as a locally important open space with approximately half of the dwelling being situated within the designated area. The single storey rear extension to the dwelling and single storey extension to the detached garage would be located outside of the designated area. Approximately just over half of the proposed two-storey side extension would be within the designated area.
- 8.10** As previously stated, the proposed two-storey extension would be set back from the principal elevation and the ridge set lower than the existing dwelling. The subservient nature of the proposal would reduce any impact upon this locally important space. A large open frontage to the property would remain, preserving the open feel of this corner of Shutter Lane. The proposal would be located to the side of the existing dwelling and not forward of the principal elevation. Given this, whilst it is accepted there would be some loss of openness it is considered that the proposal would not have an adverse effect on the open character and appearance of a Locally Important Open Space. The area is already designated as residential garden and much of this openness would remain, it is therefore considered that the proposal complies with Policy LAN4 of the TBLP.

9. Conclusion

- 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 which would not harm the locally important open space.

10. Recommendation

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

11. Conditions

- 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 Number #00701174-9ADFBA (Site Location Plan) received by the Local Planning Authority on 25.01.2022.
- Drawing Numbers OH-DWG-002(c) (Proposed Ground Floor Plan) and OH-DWG-002(f) (Proposed First Floor Plan) received by the Local Planning Authority on 03.02.2023.
- Drawing Number OH-DWG-SP1 (Proposed Site Plan) received by the Local Planning Authority on 28.02.2023.
- Drawing Numbers OH-DWG-BLKP (Proposed Block Plan) and OH-DWG-SP2 (Proposed Site Plan) received by the Local Planning Authority on 07.03.2023.
- Drawing Numbers OH-DWG-000(c) (Existing Plans and Proposed Plans) and OH-DWG-ELE (Existing Plans & Proposed Elevations) received by the Local Planning Authority on 09.05.2023.

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.

12. 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.