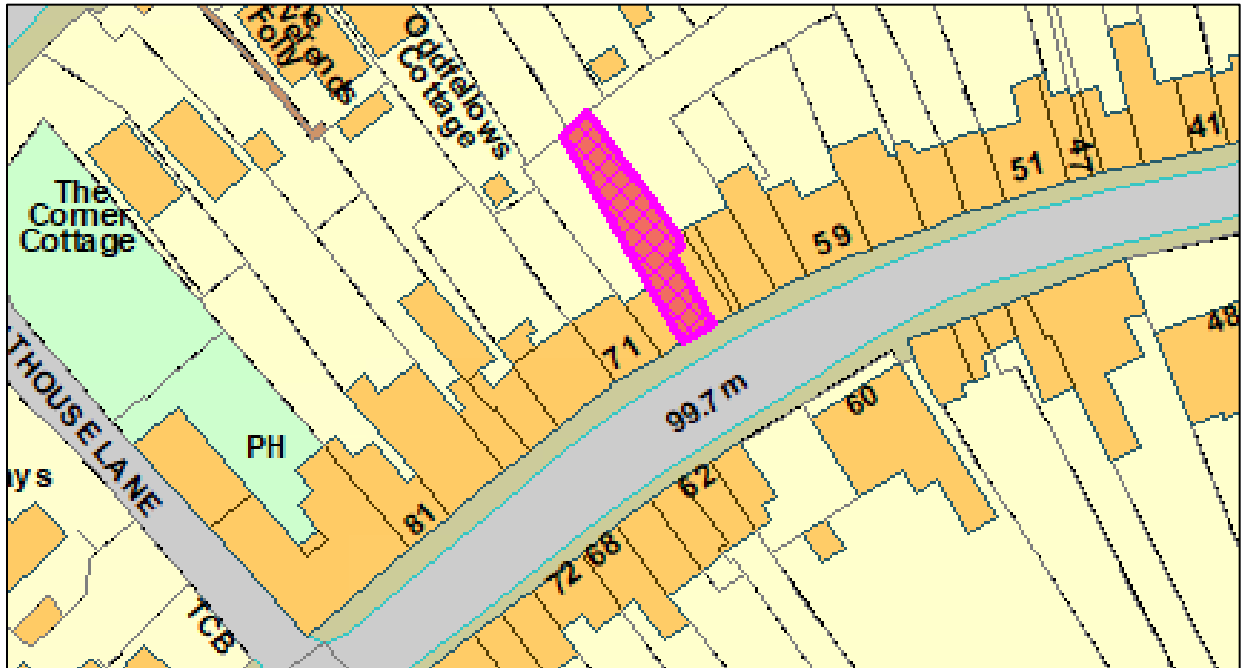


Planning Committee

Date	18 July 2023
Case Officer	Chloe Buckingham
Application No.	23/00111/FUL
Site Location	Wisteria Cottage 67 Gloucester Street Winchcombe
Proposal	Erection of a single storey rear extension.
Ward	Winchcombe
Parish	Winchcombe
Appendices	Location Plan Proposed Block Plan Existing Plans and Elevations Proposed Plans and Elevations
Reason for Referral to Committee	Parish Council Objection
Recommendation	Permit

Site Location



1. The Proposal

Full application details are available to view online at:
<https://publicaccess.tewkesbury.gov.uk/online-applications>

- 1.1 The application seeks full planning permission for the erection of a new single storey rear extension. The extension would infill the side of the existing single storey extension and will be level with the rear of the existing single storey extension. The rear wall of the extension would be re-built and the wall raised in height from 2.7m to 3m.

2. Site Description

- 2.1 Wisteria Cottage 67 Gloucester Street is a Grade II listed, mid-terrace building located within the Winchcombe Conservation Area and located amongst numerous other Listed Buildings. The site is also within the Cotswolds AONB.

3. Relevant Planning History

Application Number	Proposal	Decision	Decision Date
75/00256/FUL	Internal alterations and extension to existing dwelling house to provide kitchen/dining room.	PERMIT	20.05.1975

4. Consultation Responses

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

- 4.1 **Winchcombe Town Council** - Objection - the revised single-storey extension, as proposed, would be significantly negatively impacting on neighbours, with the box like design, which would deny daylight and enjoyment of their gardens.
- 4.2 **Conservation Officer** – No objection subject to 2 conditions.
- 4.3 **Building Control**- The application will require Building Regulations approval.

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 Neighbour notifications were posted, and a consultation period of 21 days was carried out and 3 objection comments were received in relation to the two-storey rear extension. The main points being:

- Drastic reduction in light to no.65's kitchen window and removal of sunlight to the dining room and bedroom.
- The existing single storey extension on 67 has a flat roof with a parapet surrounding it and there has no drainpipes on top of no.65. By making a new flat roof and a sloping roof, no.65 will be getting the rainwater draining into the garden, which with no sunlight would remain permanently wet.
- significant effect on privacy for no.69, with regard to the position of the extension being right up against the boundary line, thus also causing a complete overshadowing of the kitchen window and also a significant overshadowing of the bedroom window.
- Unsympathetic design with regard towards the overall character and appearance of all the buildings in the row of houses which have a unique character which should be preserved.

During the course of the application revised plans were received changing the scheme to a single storey rear extension. Neighbour notifications were posted, and a consultation period of 14 days was carried out, and no further comments were 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.

Planning (Listed Buildings and Conservation Areas) Act 1990 – Section 66 of the Act prescribes a general duty that, in considering whether to grant planning permission, special attention be given to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

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

SD4 (Design Requirements)
SD6 (Landscape)
SD7 (Cotswolds AONB)
SD8 (Historic Environment)
SD10 (Residential Development)
SD14 (Health and Environmental Quality)
INF1 (Transport Network)

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

RES10 (Alteration and Extension of Existing Dwellings)
HER1 (Conservation Areas)
HER2 (Listed Buildings)
ENV2 (Flood Risk and Water Management)
TRAC9 (Parking Provision)
COM4 (Neighbourhood Development Plans)
LAN2 (Landscape Character)

6.5 Neighbourhood Plan; Winchcombe and Sudeley Neighbourhood Development Plan 2011-2031

1.1 Protecting the Distinctive Character of the Area
5.3 Winchcombe Conservation Area
5.5 Extensions and alterations to existing buildings

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** Paragraph 126 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 8.2** Paragraph 130 of the NPPF states that planning policies and decisions should ensure that developments (amongst other criteria):
- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
- 8.3** JCS Policy SD4 provides that new development should respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality in terms of street pattern, layout, mass and form. It should be of a scale, type, density and materials appropriate to the site and its setting.
- 8.4** Policy SD8 of the JCS states that: Development should make a positive contribution to local character and distinctiveness, having regard to valued and distinctive elements of the historic environment. The policy also states that: Designated and undesignated heritage assets and their settings will be conserved and enhanced as appropriate to their significance, and for their important contribution to local character, distinctiveness and sense of place.
- 8.5** Policy HER1 of the TBLP states that proposals for development in or within the setting of conservation area will need to have particular regard to the potential impact on its character and setting. New development will be expected to preserve or enhance the character and appearance of conservation areas through high quality design and use of appropriate materials. Proposals will be required to demonstrate a thorough understanding of the significance, character and setting of conservation areas and how this has informed proposals, to achieve high quality new design which is respectful of historic interest and local character.

- 8.6** Policy RES10 states that proposals for the extension and alteration of existing dwellings, and the erection of domestic outbuildings and annexes, will be permitted providing that (amongst other criteria):
1. The detailed design reflects or complements the design and materials of the existing dwelling
 2. The scale of the proposal is appropriate to the character and appearance of the existing dwelling and its surrounding area
 5. The proposal respects the character and appearance of surrounding development
- 8.7** Policy 5.1 of the Neighbourhood Plan states that development should reflect the character of its surroundings. Where appropriate, planning applications will need to demonstrate an understanding of those qualities and features that make up this character and show how their proposals will respect and complement what is already there. The design of new development will be expected to: a. Complement and enhance, where appropriate, the prevailing size, height, scale, materials, layout, density and access of any surrounding development; b. Demonstrate that the amenities of neighbouring residential occupiers are not unduly affected through overlooking, loss of light, over-dominance or disturbance; and c. Provide landscaping, where necessary, to complement and enhance the characteristics of the surrounding area.
- 8.8** Policy 5.5 of the Neighbourhood Plan states that proposed extensions and alterations should normally be: a. subservient in size and scale to the existing “host” building; b. constructed of complementary materials; and c. while possibly innovative or modern, nevertheless reasonably accord with the character and appearance of nearby existing buildings. New roofs are to be pitched unless this is out of character with the existing roofscape of the immediate area, or where a flat roof would complement or enhance the character of the original or nearby building.
- 8.9** The property is grade II listed and is also within the Winchcombe Conservation Area. As such when determining planning applications this authority has a duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have regard to the desirability of preserving or enhancing the character or appearance of the area.
- 8.10** The original scheme was for a two-storey rear extension but during the course of the application the applicant was advised that the scale, size and design of the extension was not in-keeping with the host property and would have a harmful impact on the grade II listed building. Therefore, the applicant submitted a revised application for a single storey rear extension.
- 8.11** The revised details demonstrate that the single storey extension would not project any further into the garden than the existing extension and would have a 5.2m projection to the rear to match the existing. However, the extension would increase approx. 1m to the side to infill the space between the boundary and the existing extension. The rear wall of the existing extension would be re-built raised in height from 2.7m to 3m. The applicant has suggested that the extension would be either brick to match or imperial gauge Victorian style clay brick. Here it is considered that the 1970s LBC common bricks should not be used externally. It is also noted that a timber window and French doors are also proposed to the rear to match the host property, which is considered acceptable.

8.12 It is considered that should permission be granted conditions could be attached to ensure that prior to installation, samples/details of external materials including bricks, coping stones are to be agreed in writing by the LPA. A further condition could be attached to ensure that prior to installation, of windows and external doors, details including scaled cross-sectional drawings are also to be agreed in writing by the LPA.

8.13 Overall, subject to the conditions as explained above, the scheme is considered to be in-keeping with the host dwelling and will preserve the setting of this part of the conservation area in compliance with paragraphs 126 and 130 of the NPPF, policies SD4 and SD8 of the JCS, and HER1 and RES5 of the TBLP, as well as 5.1 and 5.5 of the WNP.

Impact of the listed building and setting of neighbouring listed buildings.

8.14 Sections 16 (2) 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possess.

8.15 Paragraph 199 of the NPPF states that: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

8.16 Paragraph 200 of the NPPF states that: Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

8.17 Policy SD8 states that: Development should make a positive contribution to local character and distinctiveness, having regard to valued and distinctive elements of the historic environment. The policy also states that: Designated and undesignated heritage assets and their settings will be conserved and enhanced as appropriate to their significance, and for their important contribution to local character, distinctiveness and sense of place.

8.18 Policy HER2 of the emerging Local Plan states that: Alterations, extensions or changes of use to Listed Buildings, or development within their setting, will be expected to have no adverse impact on those elements which contribute to their special architectural or historic interest, including their settings.

8.19 Officers agree that the overall appearance of the extension would remain similar and as such it is not considered that the proposal would have an adverse impact upon heritage considerations.

8.20 Subject to the proposed aforementioned conditions in section 8.13 – 8.14 of this report, the infill single storey side extension to the existing single storey extension is considered in-keeping with the design, size, scale and materials in the existing building and as such will preserve the listed building, as well as the setting of the nearby listed properties.

Landscape Impact upon Cotswolds AONB

- 8.21** Section 15 of the NPPF relates to "Conserving and Enhancing the Natural Environment" and, at paragraph 174, specifies that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, and by recognising the intrinsic character and beauty of the countryside.
- 8.22** As set out above, the application site is located within the Cotswolds AONB. Paragraph 176 of the NPPF sets out that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs which, along with National Parks and the Broads, have the highest status of protection in relation to these issues. Paragraph 176 further states that the scale and extent of development within these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on designated areas.
- 8.23** Policy SD7 of the JCS sets out that all development proposals in or within the setting of the Cotswolds AONB will be required to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities.
- 8.24** Policy SD6 development will seek to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social well-being.
- 8.25** The proposals are relatively minimal in scale and would be located on the rear of the property. The site is in a well-established residential area in the heart of Winchcombe and it is considered that it would be read in the context of the existing surroundings. With this in mind it is considered that the proposal would have a neutral impact on this part of the Cotswold AONB. The scheme is compliant with policies SD6 and SD7 of the JCS and policy RES5 of the TBLP.

Highways

- 8.26** Policy INF1 'Transport Network' states that developers should provide safe and accessible connections to the transport network to enable travel choice for residents and commuters.
- 8.27** Policy TRAC9 of the TBLP states that proposals for new development that generate a demand for car parking space should be accompanied by appropriate evidence which demonstrates that the level of parking provided will be sufficient. The appropriate level of parking required should be considered on the basis of the following:
- 1) the accessibility of the development;
 - 2) the type, mix and use of development;
 - 3) the availability of and opportunities for public transport;
 - 4) local car ownership levels;
 - 5) an overall need to reduce the use of high emission vehicles; and
 - 6) a comparison of the forecast trip generation and resultant accumulation with the proposed parking provision.
- 8.28** The existing access and parking situation would remain unchanged, and the scheme does not plan to increase the number of bedrooms at the property. Therefore, the proposal is compliant with policy INF1 of the JCS and TRAC9 of the TBLP.

Residential Amenity

- 8.29** JCS policies SD4 and SD14 require development to enhance comfort, convenience and enjoyment through assessment of the opportunities for light, privacy and external space. Development should have no detrimental impact on the amenity of existing or new residents or occupants.
- 8.30** Policy RES10 states that proposals for the extension and alteration of existing dwellings, and the erection of domestic outbuildings and annexes, will be permitted providing that (amongst other criteria):
4. The proposal does not have an unacceptable impact on the amenity of neighbouring properties
- 8.31** Objection comments from the Town Council have explained that the extension would be significantly negatively impacting on neighbours, with the box like design, which would deny daylight and enjoyment of their gardens. However, as previously stated, the single storey side extension will not project any further into the garden, with a 5.2m projection to the rear to match the existing. The extension would increase approx. 1m to the side to infill the side space between the boundary and the existing extension. The rear wall of the extension shall be re-built and the wall will be raised in height from 2.7m to 3m.
- 8.32** The increase in height of the single storey rear extension by 0.3m which will be slightly higher than the existing close boarded fencing closer to the end of the extension and approx. 1m higher than the close-boarded fencing panel nearest to the properties. Whilst it is agreed that there may be some loss of light into the rear kitchen window and garden area of no.69 this loss of light would not be considered significant considering the existing extension and boundary treatment.
- 8.33** The applicant has submitted a solar analysis as part of the application which is considered accurate. As explained in the report, this analysis shows three images, the first of the three images show shadows thrice daily during the equinox, comparing existing and proposed situations. The models include a simple illustration of the main structures and the fence between the two properties. Figure 1 shows shadows at 9 AM, where the neighbouring garden is shadowed in the morning on both existing and proposed situations as a result of the casted shadows by the main long 2-storey structures comprising of 65, 67 and 69 Gloucester Street, whereas the proposed extension in Wisteria Cottage has limited effect on it. Figures 2 and 3 show that the proposed extension at Wisteria Cottage, located on the northeast of the neighbouring garden, does not affect shadows because the neighbouring garden is open and exposed to the sun. Due to the orientation of the extension and the positioning of the sun, the extension is not considered to have any more of an impact on no.69 than compared with the existing situation.
- 8.34** Due to the distances between the proposed dwelling and neighbouring occupiers, and the small-scale nature of the proposal there are not considered to be any significant residential amenity impacts for neighbouring properties nor any future occupiers of the host dwelling in terms of loss of privacy, loss of light etc. The resulting outdoor amenity space for the existing dwelling is also considered acceptable. Therefore, the scheme complies with policies SD4 and SD14 of the JCS and policy RES10 of the TBLP.

9. Conclusion

- 9.1 It is considered that the proposal would not be unduly harmful to the appearance of the existing listed building nor the surrounding area and it would not result in an unacceptable loss of residential amenity to neighbouring dwellings. Adequate parking would also be provided. In reaching this conclusion the general duty prescribed in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act has also been taken into account and discharged with regard to giving special attention to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

10. Recommendation

- 10.1 The proposal accords with relevant policies as outlined above, it is therefore recommended the application be **PERMITTED** subject to the following conditions:

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 plan references:

Location Plan, Proposed Block Plan and Existing Plans and Elevations (A1086P/559/01A) received 31st January 2023.

Proposed Plans and Elevations (A1086P-559-02D) received 28th June 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 Prior to installation, samples/details of external materials including bricks and coping stones shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure a high-quality finish to the development in the interest of the visual amenities of the area.

- 4 Prior to installation of windows and external doors, details including scaled cross-sectional drawings shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure a high-quality finish to the development in the interest of the visual amenities of the area.

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 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.