

## Planning Committee

<b>Date</b>	18 June 2024
<b>Case Officer</b>	Chloe Buckingham
<b>Application No.</b>	24/00323/FUL
<b>Site Location</b>	Bickford House, Leckhampton Lane, Shurdington
<b>Proposal</b>	Part two-storey and part single-storey side extension following demolition of existing single storey detached double garage
<b>Ward</b>	Shurdington
<b>Parish</b>	Shurdington
<b>Appendices</b>	Location Plan Existing Site Plan Existing Floor Plans Existing Elevations x2 Proposed Site Plan Proposed Floor Plans Proposed Elevations x2
<b>Reason for Referral to Committee</b>	Called in for a committee determination by Councillor Vines, to assess whether the proposal would result in proportionate additions to a residential property in the Green Belt and to assess the effect on its openness.
<b>Recommendation</b>	Refuse

### 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=SC2VTGQDJ1G00>

- 1.1 Part two-storey and part single-storey side extension following demolition of existing single storey detached double garage.

## 2. Site Description

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- 2.1 The application is in relation to Bickford House which is a detached rendered dwelling located in a rural location in Shurdington. To the southwest of the site is a paddock and a range of outbuildings which under the ownership of the applicants. However, these are not within the residential curtilage of the application site. A range of trees and hedges are located along the front and side boundaries. A watercourse runs adjacent to the northeast boundary of the site and intersects the front garden. The site is located within the Cotswolds National Landscape, Green Belt.

## 3. Relevant Planning History

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Application Number	Proposal	Decision	Decision Date
T.1710/D	Alterations and extension to existing dwelling to provide a porch with bedroom and landing over.	PERMIT	26.09.1983
97/00020/FUL	Two storey extension to provide additional living accommodation	PERMIT	16.04.1997
09/00610/FUL	Extension to provide enlarged hall, study and bathroom	PERMIT	19.08.2009

## 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 **Shurdington Parish Council** – No representations received

- 4.2 **Building Control** - The application will require Building Regulations approval.

## 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 notifications and a consultation for a period of 21 days and no letters of representation have been received.

## 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 SD5 (Green Belt)  
Policy SD6 (Landscape)  
Policy SD9 (Biodiversity and Geodiversity)  
Policy SD10 (Residential Amenity)  
Policy SD14 (Health and Environmental Quality)  
Policy INF1 (Transport Network)  
Policy INF2 (Flood Risk Management)

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

Policy RES10 (Alteration and Extension of Existing Dwellings)  
Policy NAT1 (Biodiversity, Geodiversity and Important Natural Features)  
Policy ENV2 (Flood Risk and Water Management)  
Policy LAN2 (Landscape Character)  
Policy TRAC9 (Parking Provision)  
Policy GRB4 (Cheltenham-Gloucester Green Belt)  
Policy NAT5 (Cotswold Beechwoods Development)

## 6.5 Neighbourhood Plan

None

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## 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**

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### ***Green Belt Impact***

- 8.1** Paragraph 142 of the Nation Planning Policy Framework (NPPF) states that the government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 8.2** Paragraph 143 of the NPPF states that the Green Belt serves 5 purposes:
- a) to check the unrestricted sprawl of large built-up areas;
  - b) to prevent neighbouring towns merging into one another;
  - c) to assist in safeguarding the countryside from encroachment;
  - d) to preserve the setting and special character of historic towns; and
  - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 8.3** Paragraph 152 of the NPPF, Policy SD5 of the JCS and Policy GRB4 of the TBLP states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 8.4** Paragraph 153 of the NPPF, Policy SD5 of the JCS and Policy GRB4 of the TBLP states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 8.5** Paragraph 154 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. One of the exceptions to this is:
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- 8.6** The NPPF defines '*original building*' to be '*a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.*'
- 8.7** In terms of proportionality, whilst there are no specific guidelines, a 50% increase in size is generally applied by officers at the Borough Council to determine what constitutes a proportionate addition to the original dwelling, with anything above this being considered disproportionate. Consequently, as the site is within the Green Belt, only limited extensions and additions are normally permitted.
- 8.8** It is noted that within the assessment for the 2009 application for a two-storey side extension, it was considered that the original floor area of the dwellinghouse was 155sqm, and the cumulative area of the dwellinghouse when combined with all previous extensions, as well as the proposed extension in 2009 was 73% over and above the original floor area. However, it was set out in the 2009 application that whilst this represented a cumulative

disproportionate addition to the original dwellinghouse, the proposed extension represented a relatively small addition. The previous officer explained that the extension would occupy the front corner of the existing dwelling and would be read against the front and side elevations. Therefore, the previous officer explained that consequently, the extension would not affect the openness of the Green Belt given the specific circumstances of the site, and it was in this instance that the extension was acceptable in Green Belt terms.

- 8.9** The applicant contends that as this application removes the existing detached garage, and the two-storey side extension would be built in a similar location on the northeastern side elevation, the floor area increase would therefore only be approx. 27sqm more than the existing. However, as a result of the proposal, the cumulative floor area would increase from 73% to 108% which is a 35% increase above the existing situation, and this is still a cumulative disproportionate increase of the original dwelling.
- 8.10** Furthermore, there are differences between the two applications, namely that the extension cannot be read against any other two-storey elements as was previously the case with the 2009 application, and as such the two-storey extension would be overly prominent and large. This is further compounded by the new proposed dormer windows being large and bulky in appearance and the size of the new garage door which would appear disproportionately large. It is considered that these elements would cumulatively appear awkward and bulky compared to the design and proportions of the existing dwelling.
- 8.11** It is therefore considered that the proposal would constitute disproportionate additions over and above the size of the original dwelling. As such it would not fall within the exceptions listed at para 149 of the Framework and would constitute inappropriate development in the Green Belt which is, by definition, harmful. In that regard the proposal would fail to accord with Policy SD5 of the JCS and the provisions of the Framework.

### ***Effect on Openness***

- 8.12** The Framework outlines that one of the essential characteristics of Green Belts is their openness. Openness has a spatial aspect as well as a visual aspect. Notwithstanding the presence of neighbouring residential properties, existing mature trees to the north and east of the site as well as the busy main road, the openness of the Green Belt is clearly evident around the property and the wider area.
- 8.13** The proposed two storey addition would result in an increase in the footprint of the dwelling, on part of the site which is largely contained by the existing built form and bound from the road by an existing tree belt. However, the proposal would result in the introduction of built form at first floor level into space where currently there is none and therefore, in spatial terms, the extension would reduce the openness of the Green Belt. Nonetheless, the reduction in the openness and subsequent harm to the Green Belt would be limited due to the net change when replacing the existing single storey garage.
- 8.14** Having regard to the visual aspect of openness, given the siting and orientation of the property within the street scene, the resulting height and massing to the flank elevation of the dwelling, as a consequence of the two-storey extension, would be apparent in gaps between the existing trees (potentially more prominent in the winter) on the side elevation of the property from Leckhampton Lane. However, due to the size and siting of the extension, which would be viewed within the context of the existing dwelling, it would have a limited effect on the Green Belt in visual terms.

**8.15** For these reasons in both spatial and visual terms the proposed development would result in harm, albeit limited, to the openness of the Green Belt. In accordance with the Framework substantial weight is given to any harm to the Green Belt.

### **Very Special Circumstances**

**8.16** In this case, very special circumstances have been advanced. This is in the form of a permitted development fallback position. It has been proposed that under permitted development rights, the applicant could erect a single storey outbuilding to the rear of the site.

**8.17** From the plans that have been put forward to justify a fallback position, it is likely that the outbuilding could be achieved under permitted development. Notwithstanding this, the proposed fallback would be single storey, which by its nature would be less visually intrusive when compared with the proposed two-storey extension.

**8.18** The detached outbuilding proposed under permitted development would result in an additional 76 sqm, which would take the cumulative GIFA of the proposed dwelling, to be approximately 372 sqm, which represents an increase in GIFA of approx. 140%. This would be a difference of approx. 32% between the proposed scheme and the proposed fallback position.

**8.19** Whilst the floor area would increase in the fall-back position, as the structure would be single storey, the impact upon the host building is considered to be less visually intrusive than the two-storey extension. Consequently, the very special circumstances that are necessary to justify the development do not exist.

**8.20** The applicant has mentioned a previous application at a site called Plemont (23/00522/FUL) where the fallback position of a number of extensions was considered have a greater impact on the property than the proposed single storey side and rear extension. The case officer came to this conclusion as *it is smaller in scale and better grouped to the host dwelling with the side extension wrapping around to join the rear, extending beyond the rear elevation by less than 4.9m, in line with the existing rear extension*. Therefore, whilst the extension permitted was 150.9% greater in floor area than the original, as the fall-back position was assessed as having a greater impact on the Green Belt, the application was permitted.

**8.21** However, this cannot be applied in the circumstances for this case, as the extension being proposed is a large two storey side extension. Furthermore, the fallback position is for a single storey outbuilding comprising a gym, study and workshop. Therefore, as the applicant is seeking a fifth bedroom on the second floor, it is considered that the proposed fall back is not exactly what the applicant wants to achieve in the application and given this the probability of the fallback position ever being implemented is very unlikely.

**8.22** Furthermore, the design of the extensions in the application for Plemont was considered to integrate well and maintained the character of the dwelling and the cluster of dwellings located immediately next to the application site. However, considering the overly large side extension and bulky design of the dormer windows and the large roller shutter garage door in this application, as mentioned above, the design of the extension is also considered out-of-keeping with the host property.

### **Conclusion on Green Belt Matters**

**8.23** The proposed extension would represent inappropriate development in the Green Belt, which is harmful by definition. In addition, there would be an identified harm to the openness and the fallback VSC advanced by the applicant are limited. Given this, it is considered that the identified harm to the Green belt carries substantial weight against the proposal, and is contrary to the provisions of the NPPF, policy SD5 of the JCS and policy GRB4 of the TBLP.

### ***Design and Visual Amenity***

**8.24** JCS Policy SD4 of the JCS 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.

**8.25** Criterion 6 of Policy SD10 'Residential Development' of the JCS states the residential development should seek to achieve maximum density compatible with good design, the protection of heritage assets, local amenity, the character and quality of the local environment, and the safety and convenience of the local and strategic road network.

**8.26** Policy RES10 of the TBLP 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.

**8.27** The proposed two storey side extension would have a hipped roof set lower than the ridge of the existing main dwelling which would protrude to the northeastern side elevation and encompass most of the area of the existing detached garage. Large, pitched roof dormer windows are proposed on either side of the roof slope and the scheme incorporates an integral garage with a large roller shutter door. The single storey element would be located to the rear of the proposed two storey side extension and would be stepped in slightly from the existing rear building line. The scheme proposes to use materials on the roof, walls, windows and doors to match the host property.

**8.28** As discussed in the Green Belt section of this report, the two-storey side extension would result in a disproportionate addition to the side of the existing dwelling house. It is accepted that the design approach, using a general hipped roof and matching materials is appropriate and the design and proportions of the single storey element, are also deemed acceptable. However, the proposed scale of the two-storey extension, given its projection from the side elevation and wide proportions would appear as an overly bulky addition that would not respect the character and appearance of the existing dwelling. Given this it is considered that the two-storey extension would be out-of-keeping with the character and appearance of the host property, due to its size and scale, contrary to policies SD4 and SD10 of the JCS, and policy RES10 of the TBLP.

### ***Cotswolds National Landscape***

- 8.29** 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.
- 8.30** 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.
- 8.31** 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.
- 8.32** Policy SD6 of the JCS states that development will seek to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social well-being.
- 8.34** Policy LAN2 of the TBLP states that development must, through sensitive design, siting, and landscaping, be appropriate to, and integrated into, their existing landscape setting. In doing so, relevant landscape features and characteristics must be conserved and where possible enhanced, having regard to the Gloucestershire Landscape Character Assessment 2006 and the Cotswolds AONB Landscape Character Assessment 2003.
- 8.35** Whilst the scale of the proposed extension is considered overly large and would not respect the original dwelling, the works would be limited in view from the wider area. The materials of the proposals could be controlled by way of an appropriate condition. Given this it is considered that the proposals as a whole would not negatively impact the wider Cotswolds National Landscape and is therefore compliant with policies SD6 and SD7 of the JCS and policy LAN2 of the TBLP in these terms.

### ***Residential amenity***

- 8.36** 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.
- 8.37** Policy RES10 of the TBLP 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.
- 8.38** Considering the distances neighbouring properties are away from the site, as well as the positioning of the windows on elevations where there are already windows present serving rooms in the second storey, the scheme will not give rise to any significant negative residential amenity impacts for neighbouring occupiers nor future/existing occupiers of the host property.



It is also noted that there is a sufficient amount of private outdoor amenity space leftover for the host property. Overall, the scheme is compliant with policies SD4 and SD14 of the JCS and policy RES10 of the TBLP.

### ***Highway Matters***

**8.39** Policy INF1 of the JCS sets out that permission shall only be granted where the impact of development is not considered to be severe. It further states that safe and efficient access to the highway network should be provided for all transport means.

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.

**8.40** The existing access and parking situation shall stay the same and whilst there will be an increase from 4 to 5 bedrooms at the property, there is still considered to be sufficient parking and turning space for the property. The scheme will not give rise to any significant highways issues and overall, the scheme is compliant with policy INF1 of the JCS and policy TRAC9 of the TBLP.

## **9. Conclusion**

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**9.1** Having carefully considered the application submissions, the latest planning policy context and relevant materials considerations, it is considered that the proposed extension would clearly amount to inappropriate development in the Green Belt. The development, by definition, would therefore be harmful to the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt and any other harm are clearly outweighed by other considerations. The proposal would also result in harm to the openness of the Green Belt. In addition, the proposal would harm the character and appearance of the host dwelling given its scale and massing.

**9.2** Overall, it is concluded that any matters weighing in favour of the proposal, even in their collective totality, do not clearly outweigh the harm to the Green Belt that has been identified. Therefore, the substantial weight to be given to Green Belt harm is not clearly outweighed by the other considerations sufficient to demonstrate very special circumstances.

## **10. Recommendation**

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**10.1** The proposal does not accord with relevant policies as outlined above; it is therefore recommended the application be **refused**.

## **11. Refusal**

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- 11.1** The proposed extensions would result in a disproportionate addition over and above the size of the original building and therefore the proposed development would amount to inappropriate development in the Green Belt. Accordingly, the proposed development would be contrary to Policy SD5 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (2017), Policy GRB4 of the Tewkesbury Borough Local Plan to 2011-2031 (2022), and guidance set out in Section 13 of the National Planning Policy Framework.
- 11.2** The proposed first floor side extension, by reason of its size and scale, represents a disproportionate and unsympathetic addition that would have an unacceptable adverse impact upon the character of the appearance of the host dwelling. Therefore, the proposal would be in conflict with Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (2017), Policy RES10 of the Tewkesbury Borough Local Plan 2011-2031 (2022) and the National Planning Policy Framework.

## **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.