

# GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Committee:	Planning
Date:	06.11.2018
Address/Location:	4 Chamwells Avenue, Gloucester, GL2 9JB
Application No:	18/01115/FUL
Ward:	Longlevens
Expiry Date:	14.11.2018
Applicant:	Mr & Mrs Cowley
Proposal:	Single Storey Rear Extension
Report by:	Mark Fisher
Appendices:	Appendix 1: Existing Block Plan Appendix 2: Proposed Block Plan Appendix 3: Existing Floor Plan Appendix 4: Proposed Floor Plan Appendix 5: Existing Elevations Appendix 6: Proposed Elevations

## 1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application property is a right-handed single storey semi-detached dwelling situated to the west of Chamwells Avenue. The property benefits from a garden and off-road parking to the front and an enclosed garden to the rear of the property. The application seeks permission for a single storey rear extension.
- 1.2 The proposed development would be of flat roof design with a parapet wall and would measure approximately 4.05 metres in depth, 6.85 metres in width and 2.75 metres in height at the roof and 3.0 metres to in height at the top of the parapet wall.
- 1.3 The proposed development would be constructed of facing brick to match the existing property and a GRP flat roof. The proposed fenestration would be of a type and material to match the existing property.
- 1.4 **Committee determination is required because one of the applicants is an employee of the Council.**

## 2.0 RELEVANT PLANNING HISTORY

None

## 3.0 RELEVANT PLANNING POLICY

- 3.1 The following planning guidance and policies are relevant to the consideration of this application:
- 3.2 **National guidance**  
National Planning Policy Framework (NPPF) and Planning Practice Guidance

**3.3 Development Plan - Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted 11 December 2017)**

Relevant policies from the JCS include:

SD4 – Design requirements

SD14 – Health and environmental quality

**3.4 City of Gloucester Local Plan (Adopted 14 September 1983)**

The statutory Development Plan for Gloucester includes the partially saved 1983 City of Gloucester Local Plan. Paragraph 213 of the NPPF states that '*...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.*' The majority of the policies in the 1983 Local Plan are out-of-date and superseded by later planning policy including the NPPF and the Joint Core Strategy. None of the saved policies are relevant to the consideration of this application.

**3.5 Emerging Development Plan - Gloucester City Plan**

The Gloucester City Plan ("City Plan") will deliver the JCS at the local level and provide policies addressing local issues and opportunities in the City. The Draft Gloucester City Plan 2017 takes forward the results of previous consultations and was subject to consultation January and February 2017. As the Plan is at an early stage, it is considered that it carries limited weight in accordance with paragraph 48 of the NPPF.

**3.6 Other Planning Policy Documents - Gloucester Local Plan, Second Stage Deposit 2002**

While there are number of policies in the 2002 Plan which are considered to accord with the NPPF and have not been superseded by the JCS, none of these are considered to be relevant to the current application.

**3.7 Supplementary Planning Guidance/Documents**

Gloucester City Council Home Extensions Guide (August 2008)

All policies can be viewed at the relevant website address:- national policies:

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Gloucester City policies:

<https://www.gloucester.gov.uk/planning-development/planning-policy/>

**4.0 CONSULTATIONS**

No consultations required

**5.0 PUBLICITY AND REPRESENTATIONS**

5.1 Neighbouring properties were notified and no letters of objection were received.

**6.0 OFFICER OPINION**

**6.1 *Legislative background***

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Local Planning Authority to determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that in dealing with a planning application, the Local Planning Authority should have regard to the following:

- a) the provisions of the development plan, so far as material to the application;
- b) any local finance considerations, so far as material to the application; and
- c) any other material considerations.

6.3 The development plan consists of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) and the partially saved 1983 City of Gloucester Local Plan. However, as outlined earlier, the 1983 Local Plan is considered to be out-of-date.

6.4 It is considered that the main issues with regards to this application are as follows:

#### ***Visual impact***

6.5 The NPPF states that new residential developments should be of high quality design, create attractive places to live, and respond to local character integrating into the local environment. Policy SD4 sets out requirements for high quality design.

6.6 The proposed development would not be visible from the street and therefore would not impact on the existing street scene. Additionally, parapet walls are a common feature within the locality and therefore the proposed development would not detract from the existing property.

6.7 It is therefore considered that the proposed development would respect the character of the site and its surroundings in accordance with policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

#### ***Amenity impact***

6.8 Paragraph 17 of the NPPF provides that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. This is reflected in Policy SD14 of the JCS which requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants.

#### **No. 2 Chamwells Avenue**

No. 2 Chamwells Avenue is a detached single storey dwelling situated to the north of the application property. There is currently no boundary treatment between the two properties as this has been removed to enable groundworks to be undertaken. No. 2 has also previously been extended at the rear and as such, the proposed development would only extend marginally beyond the rear elevation of No. 2. Therefore the proposed development would not result in any adverse impacts in terms of overshadowing or loss of light.

6.10 The proposed fenestration in the side elevation would be obscured by the boundary treatment once reinstated and as such would not result in any adverse impacts in terms of overlooking or loss of privacy.

#### **No. 4 Chamwells Avenue**

No. 4 Chamwells Avenue is a left-handed single storey semi-detached dwelling situated to the south of the application property and is attached to it. The two properties are separated at the rear by a boundary fence and hedge measuring at least approximately 1.8 metres in height.

- 6.12 Whilst the proposed development does breach the 45-degree test both in height and depth, due to the relative positions of the properties and the estimated path of the sun the proposed development would not result in any adverse impacts to No. 4 in terms of overshadowing or loss of light.
- 6.13 There is no proposed fenestration directly facing towards No. 4 and therefore the proposed development would not result in any adverse impacts in terms of overlooking or loss of privacy.
- 6.14 It is therefore considered that the proposed development would not cause unacceptable harm to local amenity, including the amenity of neighbouring properties, so would be in accordance with policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

### **Conclusion**

- 6.15 This application has been considered in the context of the policies and guidance referred to above. The proposal is consistent with those policies and guidance in terms of design, materials, highway safety implications, impact upon the amenity of any neighbours and the local area; the proposal is acceptable and accordingly it is recommended that planning permission be granted.

## **7.0 RECOMMENDATION OF THE CITY GROWTH AND DELIVERY MANAGER**

- 7.1 That planning permission is **GRANTED** subject to the following conditions;

### **7.2 Condition 1**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

#### **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.

### **7.3 Condition 2**

The development hereby permitted shall be carried out in accordance with drawing numbers CWY18.01 03, CWY18.01 06 and CWY18.01 07 (received by the local authority on 18th September 2018) 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 and in accordance with policies contained within the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017).

### **7.4 Condition 3**

The external facing materials to the development hereby permitted shall match in colour, form and texture to those of the existing building.

#### **Reason**

To ensure the satisfactory appearance of the development in accordance with Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017)

**Person to Contact:** Mark Fisher (01452 396738)

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Gloucester GL2 9JB

Committee Date: |