

GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Committee:	Planning
No.	
Date:	18/11/2019
Address/Location:	16 Hethersett Road Gloucester GL1 4DH
Application No:	19/00487/FUL
Ward:	Barton & Tredworth
Expiry Date:	04.07.2019
Applicant:	Mr Ismael Rhyman
Proposal:	2-storey kitchen/diner and bedroom rear extension
Report by:	Elenya Jackson
Appendices:	Appendix 1: Site Location Plan

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 No.16 Hethersett Road is a two storey mid terrace dwelling which currently benefits from its own private rear garden
- 1.2 This application is for a part two storey and part single storey rear extension. The single storey extension would feature a flat roof and the two storey element of the proposal would feature a lean-to roof, adjoining the existing rear projection of the dwelling. The first floor extension has a corner removed on its Northern corner.
- 1.3 The proposal would extend a maximum of 4m beyond the rear elevation of the existing dwelling at ground floor level and have a width of 5.8m. Due to the proposal wrapping around the existing rear projection of the dwelling for 3m, a 2.6m courtyard would be created between the existing rear elevation of the dwelling and the proposal. The single storey extension would have a maximum height of 3.7m (including roof light) and an eaves height of 2.7m. The first floor element of the proposal would extend approximately 2.8m beyond the rear elevation of the existing dwelling, have a width of 3.8m, a maximum height of 6.1m and an eaves height of 4.5m.
- 1.4 The first floor element of the proposal would extend approximately 2.8m beyond the rear elevation of the existing dwelling, have a width of 1.8m, a maximum height of 6.2m and an eaves height of 4.5m.
- 1.5 The proposal would be finished with all external facing materials matching the existing dwelling.
- 1.6 **The application requires committee determination as the applicant is an employee of Gloucester City Council.**

2.0 RELEVANT PLANNING HISTORY

No Relevant History

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 (Main Modifications) include:
SD4 – Design requirements
SD14 – Health and environmental quality
INF1- Transport Network
- 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 215 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 216 of the NPPF.
- 3.6 **Other Planning Policy Documents**
Gloucester Local Plan, Second Stage Deposit 2002
Regard is also had to the 2002 Revised Deposit Draft Local Plan. This has been subjected to two comprehensive periods of public and stakeholder consultation and adopted by the Council for development control purposes. The following “day-to-day” development management policies, which are not of a strategic nature and broadly accord with the policies contained in the NPPF, should be given some weight. 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 relevant to the current application.
- 3.7 **Supplementary Planning Guidance/Documents**
Gloucester City Council; Home Extensions Guide 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:
<http://www.gloucester.gov.uk/resident/planning-and-building-control/planning-policy/Pages/current-planning-policy.aspx>
- 4.0 **CONSULTATIONS**
No Consultations were required as part of this application
- 5.0 **PUBLICITY AND REPRESENTATIONS**
- 5.1 8 Neighbouring properties were notified.

5.2 No letters of objection were received.

5.3 The full content of all correspondence on this application can be viewed on:
<http://www.gloucester.gov.uk/resident/planning-and-building-control/Pages/public-access.aspx>

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:

Design, Layout and Landscaping

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 proposal would relate to the rear of the dwelling and therefore not be visible from the street scene. The proposal would be of similar design to the existing dwelling and therefore, would not significantly detract from the existing dwelling. The proposal would be constructed so all external facing materials would match the existing dwelling. Therefore, the proposal would accord with policy SD4 of the JCS.

Residential amenity

6.7 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.

6.8 14 Hethersett Road is attached to the application property to the North-West. The rear amenity space of the two dwellings is currently separated by a 1.4m fence. The proposal would not feature any side facing windows, so no issues would be raised regarding overlooking. The proposal would fall within the 45 degree vertical visibility splay of a first floor window at no. 14 but not in depth. Therefore, the proposal would not cause any significant issues regarding loss of light. Due to the first floor extension not extending beyond a ground floor extension no. 14 and the scale of the single storey extension, no issues would be raised regarding overbearing impact.

6.9 18 Hethersett Road is attached to the application property to the East. The rear amenity space of the two dwellings is currently separated by a 1.2m fence. The proposal would feature one side facing window. Whilst this is an existing window relating to a bathroom following development it would serve a bedroom. To safeguard the amenities of the neighbouring property it is recommended that this window be obscure glazed and fixed. Therefore, no issues would be raised regarding overlooking, subject to that condition. Overshadowing/loss of light: The proposal would reside within the horizontal 45 degree visibility splay of a door relating to kitchen and a first floor bedroom, but not within the 45 degree vertical visibility splay. Therefore, no issues would be raised regarding overshadowing/loss of light. Due to the distance between the first-floor extension and the scale of the ground floor extension, no issues would be raised regarding overbearing impact. Therefore, the proposal would accord with Policy SD14 of the JCS (2017) in that respect.

Conclusion

6.10 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, and 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.

Condition 2

Development hereby permitted shall be carried out in accordance with the application form, and drawing entitled: proposed sections, proposed floorplans and proposed elevations, 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).

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)

Condition 4

The proposed bedroom window on the east elevation shall be constructed so that no part of the framework less than 1.7 metres above finished floor level shall be openable. Any part of the window below that level shall be fitted with, and retained in, obscure glazing (Pilkington Level 4 or equivalent).

Reason

In order to protect the residential amenity of adjacent properties in accordance with policy SD14 of the JCS

Note 1

Your attention is drawn to the requirements of the Building Regulations, which must be obtained as a separate consent to this planning decision. You are advised to contact the Gloucestershire Building Control Partnership on 01453 754871 for further information.

Note 2

Your attention is drawn to the Party Wall Act 1996. The Act will apply where work is to be carried out on the following:

- Work on an existing wall or structure shared with another property.
- Building a free standing wall or a wall of a building up to or astride the boundary with a neighbouring property.
- Excavating near a neighbouring building.

The legal requirements of this Act lies with the building/ site owner, they must find out whether the works subject of this planning permission falls within the terms of the Party Wall Act 1996. There are no requirements or duty on the part of the local authority in such matters. Further information can be obtained from the DCLG publication Preventing and resolving disputes in relation to party walls – explanatory booklet.

Note 3

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.

Person to Contact: Elenya Jackson (01452 396269)

Planning Application: | 19/00487/FUL

Address: | 16 Hethersett Road
Gloucester GL1 4DH

Committee Date: | 3.12.2019