

**Item No 07:-**

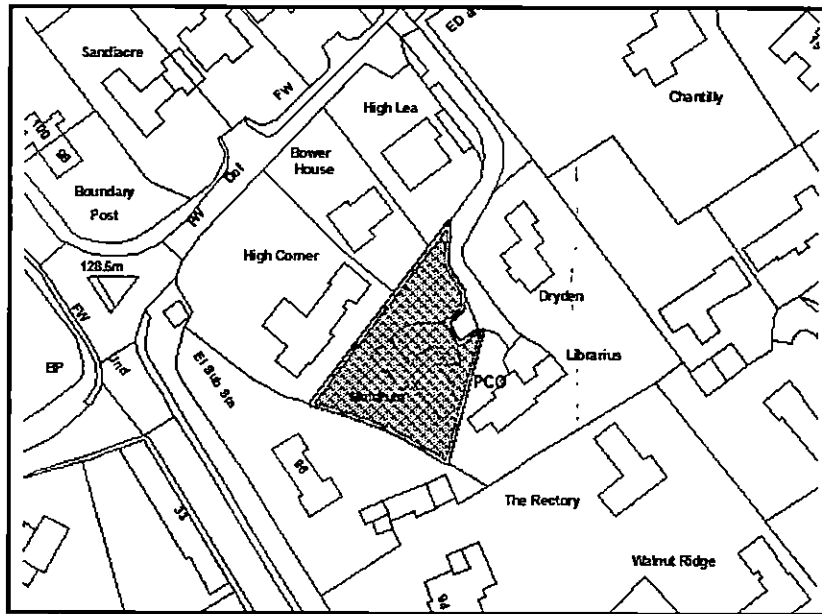
**15/01982/FUL (CT.3694/U)**

**Meldrum  
Baunton Lane  
Cirencester  
Gloucestershire  
GL7 2LL**

**Removal of attached garage and erection of a two storey side extension at  
Meldrum  
Baunton Lane Cirencester**

<b>Full Application 15/01982/FUL (CT.3694/U)</b>	
Applicant:	Mr & Mrs Flynn
Agent:	I.B.A
Case Officer:	Scott Britnell
Ward Member(s):	Councillor Patrick Coleman
Committee Date:	9th September 2015

**Site Plan**



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**RECOMMENDATION: PERMIT**

**Main Issues:**

- (a) The impact upon the design, form and character of the host property and the surrounding area
- (b) The impact upon the living conditions of the occupants of the neighbouring properties

**Reasons for Referral:**

This application has been referred to Committee by the Ward Member, Cllr Coleman, due to the planning history of the site and so that Members may consider the impacts of the proposals upon the living conditions of neighbouring properties.

**1. Site Description:**

Meldrum is an extended detached single dwelling house set within a sizable plot on Baunton Lane (Stratton Ward). The property is accessed off of Baunton Lane via what appears to be a private road, around which are set 2 other detached properties. To the rear is 96 Gloucester Road, which sits at a much lower level to Meldrum. To the north-west the application site shares a boundary with 3 properties along Baunton Lane with the dwelling known as High Corner sharing a boundary in the specific location of the proposed extension. The application site is not within a conservation area or the AONB and there are no nearby listed buildings or structures.

**2. Relevant Planning History:**

- 97.01656 Permitted - Erection of single storey extension to south east elevation and first floor (dated 15 August 1997)
- 13/03993/FUL - Permitted - Erection of 2 storey extension, first floor extension and single storey lean to roof (dated 28 October 2013)
- 14/04101/FUL - Permitted - Retention of single storey extension (dated 28 October 2014)

**3. Planning Policies:**

LPR42 Cotswold Design Code  
 LPR46 Privacy & Gardens in Residential Development  
 NPPF National Planning Policy Framework

**4. Observations of Consultees:**

N/A

**5. View of Town/Parish Council:**

The Cirencester Town Council have no objection to this application.

**6. Other Representations:**

Two letters of objection have been received and the main concerns raised are:

- (a) Impact upon the character of the host property and wider area
- (b) Impact upon the living conditions of neighbouring properties including overlooking and loss of privacy, the creation of a sense of overbearing and an unacceptable outlook

Note: A second consultation letter was sent following receipt of a revised site location plan. That consultation period expires on 3 September 2015 and as at the time of preparing this report has solicited no further comments.

## 7. Applicant's Supporting Information:

None.

## 8. Officer's Assessment:

### (a) The impact upon the design, form and character of the host property and wider area

Local Plan Policy 42 states that development should be designed in a manner that respects the character, appearance and local distinctiveness of the Cotswold District with regard to style, setting, harmony, street scene, proportion, simplicity and materials.

Supplementary Planning Guidance is provided in the form of The Cotswold Design Code. With regards to extensions to existing buildings, that guidance states that all additions should be in scale and character with the building to which they are added. Excessive bulk should be avoided and the size, spacing and location of openings should be in proportion.

National planning policy is provided by the NPPF which at Section 7, "Requiring Good Design", attaches great importance to the design of the built environment. This requires development to respond to local character and to reflect and identify local surroundings and materials.

The single storey garage which is to be removed to facilitate this proposal has a flat roof and is a poor addition to the host building. Its removal would therefore be beneficial to the visual amenity and character of the property.

The application property has been previously extended and is now much larger than its original state. However, due to the location of the proposed extension, set approximately 4.7 metres back from the front elevation and with a step down of over 1.2 metres from the ridge of the main roof, it achieves an acceptable level of subservience.

The property is also set within a very generous plot and the extension is to be built upon the area of the existing garage, so no increase in (ground) floor space would occur. When considered in conjunction with the location of the extension and the gap that would be retained between it and the boundary with the property at High Corner (6 metres at the front of the extension tapering to 4.7 at the rear) this would provide a degree of visual relief so that the resulting appearance is acceptable and the extension would not appear cramped. If built, sufficient outdoor space would be retained for the residential amenity of the occupants of the property. This indicates that the extension would not result in an over development of the site and that the open character of the area would be preserved. There is no policy requirement within the Cotswold Local Plan which prescribes maximum building to plot ratios.

With regards to the detailing of the extension the ground floor upon the front elevation would generally replicate the existing with a garage door and single door for access to the side, while 2 windows would be provided to the rear. At first floor the front elevation features a window which projects above the eaves within a gabled dormer structure. At the rear French doors are proposed with a Juliet balcony across. These doors would also project above the eaves within a gabled dormer. This configuration and the overall appearance of the extension, in term of fenestration, are considered acceptable. The windows would be in proportion with those in the main dwelling while the introduction of French doors at first floor level causes no visual harm.

The application form indicates that the proposed materials would match the existing property although this is not indicated on the submitted plans/drawings. Consequently, a planning condition would be attached to any planning permission, if granted, requiring the materials used in respect of the walls and roof to match the host property. This would ensure the successful visual assimilation of the extension into its surroundings and that it would respect the character of the host building.

In light of the above assessment it is adjudged that in terms of its scale, design, form and impact upon the character of the host property and wider area the proposed extension is compliant with the requirements of Local Plan Policy 42 and Section 7 of the NPPF.

**(b) The impact on the living conditions of the neighbouring properties**

Local Plan Policy 46 states that particular care needs to be taken when considering extensions to existing dwellings to ensure that adequate gardens are maintained and the privacy and daylight to neighbouring properties are not adversely affected.

Section 7 of the National Planning Policy Framework, "Requiring Good Design", requires new development to not adversely affect the living conditions of the occupants of neighbouring and nearby dwellings.

The adjacent property to the immediate east of the site, Librarius, would be unaffected by these proposals sitting as it does on the opposite side of the host dwelling.

The properties at Bower House and High Lea are situated north of Meldrum and due to the level of separation from the location of the proposed extension would not be affected by its physical form.

The addition of the first floor window upon the front elevation, due to its oblique angle from the rear garden of Bower House would not result in overlooking and loss privacy. The property at High Lea would not be impacted upon from this window due to the orientation of the extension (which faces out over the drive/garden of the host property) and the distance by which it is separated; a distance of approximately 25 metres to the nearest part of that property's rear garden. With regards to High Corner this window would not result in any unacceptable overlooking due to the orientation between the properties.

To the rear the impact of the proposed extension upon 96 Gloucester Road is acceptable. While the structure would extend the width of the host property it would not create a sense of overbearing nor enclosure, despite the neighbouring dwelling being situated at a much lower level. This is due to the distances between the properties; a distance of approximately 30 metres.

The proposed first floor French doors have been subject to an objection from the residents of 96 Gloucester Road due to perceptions of increased overlooking. However, there are a number of existing windows at first floor within the rear elevation of the application property which face 96 Gloucester Road. While the application would increase this number the views available from the French doors towards 96 Gloucester Road would not materially affect those that already exist and so they would not be introducing any fresh threats of overlooking. Consequently, the officer view is that refusal of this application on the grounds of overlooking and loss of privacy associated with the French doors affecting 96 Gloucester Road cannot be sustained, having regard to local plan policy 46.

With regards to the impact of the French doors on the residential amenity of the residents of High Corner only oblique views would be available. These are also likely to be negated by the existing boundary treatment (high hedge). Should that boundary be removed, views from the French doors would remain oblique, while views from High Corner into the application site would be unobstructed from the first floor bedroom window. This indicates that a level of mutual overlooking would exist, hence the likelihood that the hedge would be retained. In any case given this relationship, it is adjudged that no material harm would result from the insertion of the French doors.

No external space is proposed outside of the first floor French doors for amenity purposes, rather the Juliet balcony would provide a functional guard rail. However, the depth of the rail is not shown on the proposed plans and so it is reasonable and necessary to require by condition a side elevation drawing and floor plan to confirm the depth of its projection, should this application be approved. This condition will also afford the Local Planning Authority the opportunity to consider

the detailed finish of the Juliet Balcony to ensure that it is appropriate and that it respects the character of the host property.

The neighbouring residents at High Corner have objected to the proposals on the grounds of the impact it would have in terms of creating a sense of overbearing and enclosure as well as loss of light and the creation of an unacceptable outlook.

The extension would bring the built form of the application dwelling at first floor to within 4.7 - 6 metres of the shared boundary. Given the relatively narrow rear garden of High Corner the distance between the two properties at first floor would be approximately 10 - 11 metres. The photographs taken at site visit on 30 July 2015 indicate that the flank gable end would be visible from the first floor bedroom of High Corner and a number of ground floor rooms.

Despite its proximity to the property at High Corner, the visual bulk of the extension would be absorbed by the existing built form against which it is to be set. Given that only the first floor would be visible from all but the first floor bedroom window of High Corner the extension would not appear as an overbearing presence nor create an unacceptable sense of enclosure. The two dormer-like structures are fairly minor elements and do not add a considerable weight or bulk to the extension.

With regards to potential loss of light and overshadowing this would not be to such levels that the application should be refused. The extension is unlikely, due to its location and orientation from High Corner, result in levels of loss of light and overshadowing materially over and above those that already exist. High Corner sits to the west of the application site and any additional loss of light and overshadowing is likely to be felt in the afternoon and only affect a small section of the north of that neighbouring garden and property.

An objection has been raised regarding the creation of a new view from High Corner of an unattractive gable end. The current view of the application property is of its existing gable side elevation and although the extension's side elevation would be closer to High Corner it seeks to replicate this appearance. Further, the extension would not significantly impact upon the open aspect of the area and so an acceptable outlook would be preserved for the residents of High Corner.

Should the application be permitted, it would be possible under Permitted Development rights for additional side windows to be inserted into the extension. While at first floor this would require the glazing to be obscure and fixed shut to a height of 1.7 metres above floor level, it is considered that the presence of any window in this location would introduce a sense of perceived overlooking that would be harmful to the residential amenity of the neighbouring property (High Corner). As such, it is both reasonable and necessary in this instance to attach to any planning permission a condition removing PD rights for further windows to be inserted at first floor level to the side of the extension.

It is adjudged that the impact of the extension upon the living conditions of nearby and neighbouring properties is acceptable and that the application complies with Local Plan Policies 42 and 46 and NPPF Section 7.

## **9. Conclusion:**

The application is considered to be acceptable in terms of its impact upon the character of the host property and wider area and the living conditions of the occupants of neighbouring and nearby properties, subject to the planning conditions referred to within this report. The proposals comply with local plan policies 42 and 46 and Section 7 of the NPPF and the application is hereby recommended for approval.

**10. Proposed conditions:**

The development shall be started by 3 years from the date of this decision notice.

**Reason:** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

The development hereby approved shall be implemented in accordance with the following drawing number(s): 5068/01, 5068/02 Revision A, 5068/03

**Reason:** For purposes of clarity and for the avoidance of doubt, in accordance with paragraphs 203 and 206 of the National Planning Policy Framework.

Prior to its installation, construction or erection, full details of the proposed Juliet balcony including a side elevation and floor plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the Juliet balcony shall be erected only in accordance with that approval and shall be retained as such in perpetuity.

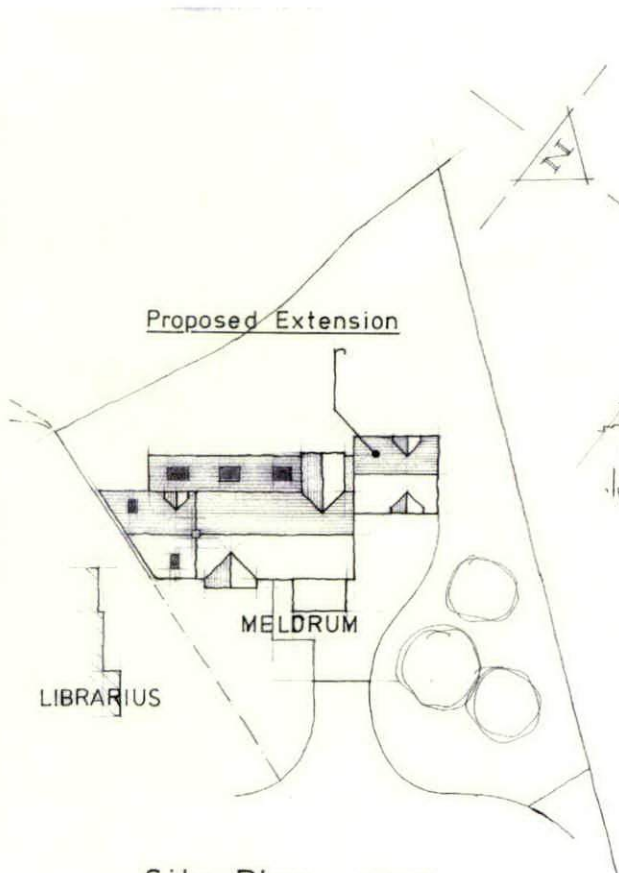
**Reason:** To ensure that the appearance of the proposal is of a quality that respects the character of the host property and to protect the residential amenity of the neighbouring properties in accordance with Local Plan Policies 42 and 46.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any other statutory instrument amending or replacing it, no windows shall be inserted at first floor level in the north-west side elevation of the extension hereby approved.

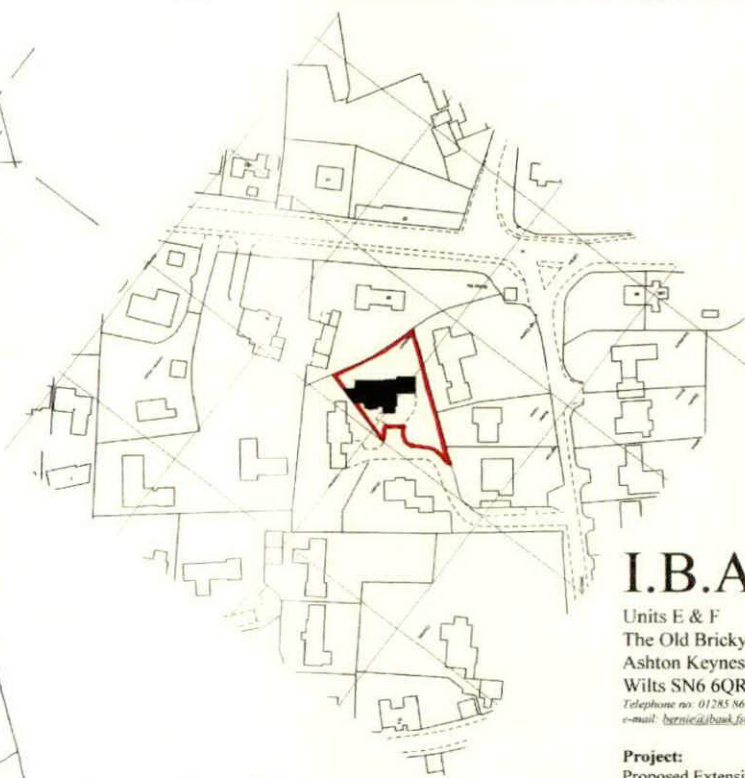
**Reason:** To protect the privacy of the occupants of neighbouring dwellings in accordance with Cotswold District Local Plan Policies 42 and 46.

The materials to be used for the external walls and roof of the development hereby permitted shall match those used in the existing building.

**Reason:** To ensure that, in accordance with Cotswold District Local Plan Policy 42, the development hereby permitted is completed in a manner appropriate to the site and its surroundings.



Site Plan 1:250



Location Plan 1:1250

**I.B.A.**

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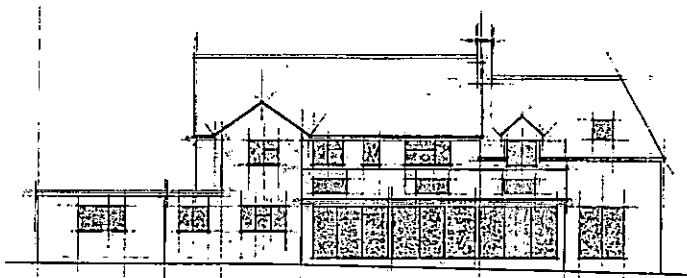
**Project:**  
 Proposed Extension  
 Meldrum, Baunton Lane  
 Cirencester

**Client:**  
 Mr & Mrs Flynn

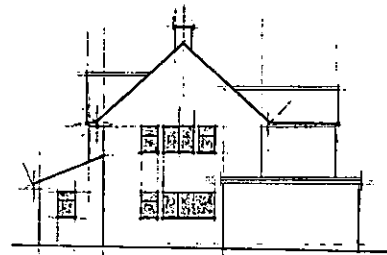
**Title:**  
 Site & Location Plan

Scale: 1:250/1:1250 @ A3 Date: April 2015  
 Dwg. no: 5068/02 Revisions: A

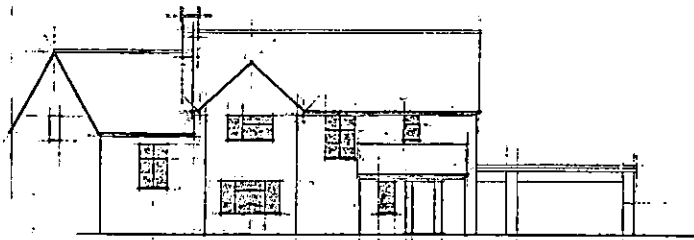




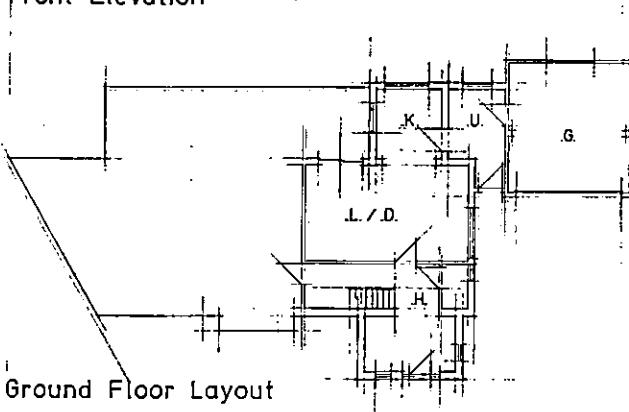
Rear Elevation



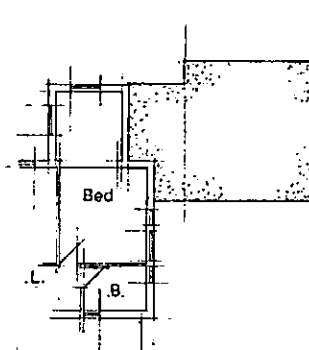
Side Elevation



Front Elevation



Ground Floor Layout



First Floor Layout

### I.B.A.

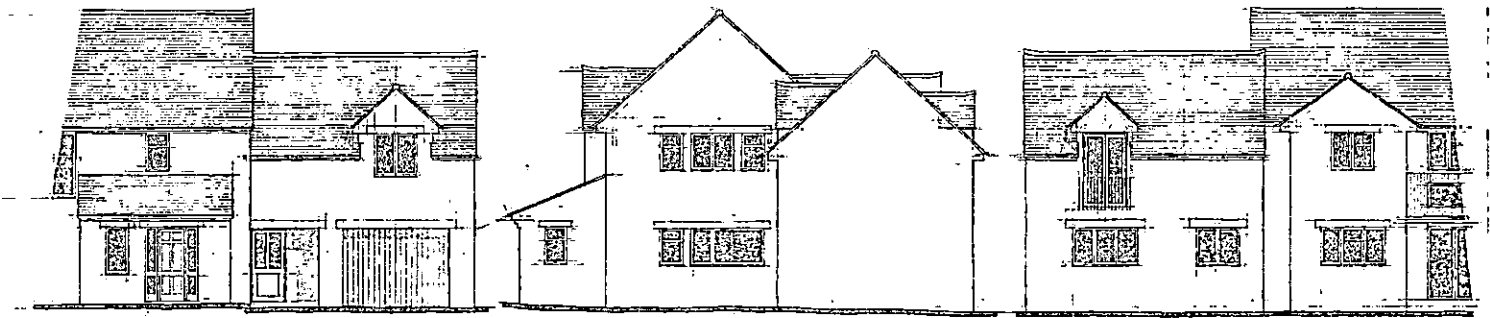
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Project:  
 Proposed Extension  
 Meldrum, Baunton Lane  
 Cirencester

Client:  
 Mr & Mrs Flynn

Title:  
 Existing: Plan & Elevations

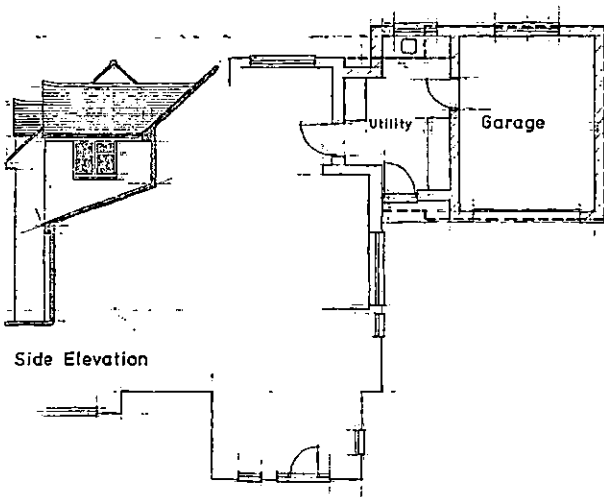
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 Dwg. no: 5062/03      Revisions



Front Elevation

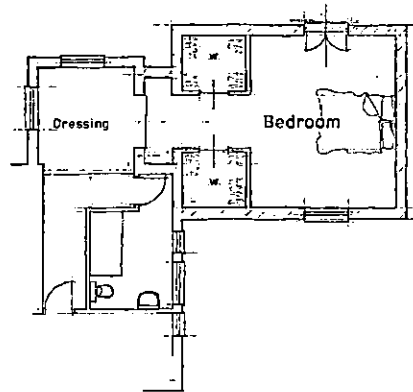
Side Elevation

Rear Elevation



Side Elevation

Ground Floor Layout



First Floor Layout

**I.B.A.**

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**Project**  
 Proposed Extension  
 Midhurst, Emsayton Lane  
 Crumpton

**Client**  
 Mr & Mrs Flynn

**Title:**  
 Proposed Floor Plans & Elevations  
 Scale: 1:50 @ A1 Date: April 2011  
 Issues: 5060/01