

Item No 11:-

17/02598/FUL

**Close Hill
Naunton
Cheltenham
Gloucestershire
GL54 3AA**

Item No 11:-

Insertion of two rooflights to garage (Retrospective) at Close Hill Naunton Cheltenham Gloucestershire GL54 3AA

Full Application 17/02598/FUL	
Applicant:	Mr Kendrick
Agent:	Tyack Architects Ltd
Case Officer:	Hannah Minett
Ward Member(s):	Councillor Richard Keeling
Committee Date:	13th September 2017
RECOMMENDATION:	PERMIT

Main Issues:

- (a) Character and Appearance
- (b) Amenity
- (c) Use and Loss of Bat Loft

Reasons for Referral

Councillor Richard Keeling has requested that the application be considered at Planning Committee for the following reason: "in view of the changed use in the garage and the loss of the bat loft".

1. Site Description

Close Hill is a detached dwelling located within the Naunton Conservation Area. It is located down a private track on the southern side of the village and is sited alongside the River Windrush. The building dates from the mid C20, is constructed of artificial stone with a concrete tile roof and is not of historic interest. The dwelling has been extended and altered quite significantly and is now finished in a mixture of artificial stone and timber cladding.

2. Relevant Planning HistoryPlanning Applications

16/01577/FUL - Proposed alterations to dwelling and replacement garage. Permitted July 2016.
12/03755/FUL - Erection of porch, insertion of dormer and first floor gable windows and roof alteration. Permitted October 2012

04/02557/MINAM - Alterations to fenestration on south and east elevations permitted October 2004

04/01032/FUL - Alterations and extensions. Permitted June 2004

Tree Applications

16/03214/TCONR - Works detailed in submitted schedule 190 Tree mapping. No objection August 2016

12/00778/TCONR - T2 - Lawson Cypress - reduce height, T3 - Norway Spruce - fell, T4 - Tulip Tree reduce height by approx 50% and bring the sides in to match, T5 - 3 x Norway Spruce and 1 x Lawson Cypress - fell by sections to near ground level. No objection March 2012

12/00172/TCONR - Cut down and remove conifer tree from garden (location shown on submitted plan). Permitted January 2012

10/01647/TCONR - 1) Three Norway Spruce - fell. 2) Lawson Cypress and one Norway Spruce - fell. Permitted May 2010

07/02033/TRECON - Large Cherry tree - reduce the height to 2m above the top of the wall, Large Cherry tree beside the house. Fell to near ground level. Permitted August 2007

3. Planning Policies:

NPPF National Planning Policy Framework
LPR42 Cotswold Design Code
LPR46 Privacy & Gardens in Residential Deve
LPR15 Conservation Areas

4. Observations of Consultees

No comments received at the time of writing the report.

5. View of Town/Parish Council

Naunton Parish Council object because the rooflight is proposed in an area approved as a bat loft.

6. Other Representations

An occupier of Hatters Cottage has objected, raising the following concerns (summarised):

- (i) loss of provision for bats for which specific provision was made in 16/01577/FUL;
- (ii) change of use of room from store to bedroom which is not admitted in the application;
- (iii) loss of vegetation in contravention of PPS 7 A39 and A40 and absence of appropriate consultation under 16/03214/TCONR where there were material planning consequences;
- (iv) extreme loss of privacy in contravention of PPS 7 A27, A28 and A30;
- (v) inappropriate visual appearance in a Conservation Area which has arisen as a consequence of tree removal in gross contravention of the National Planning Policy Framework (NPPF) and PPS 7 A20 and A24, and A25; and
- vi) increased fire risk due to the amount of timber cladding.

7. Applicant's Supporting Information

N/A

8. Officer's Assessment

Background

The application is seeking retrospective planning permission for the insertion of two additional rooflights to the first floor of the replacement garage approved under planning permission reference 16/01577/FUL.

Planning permission is required because the rooflights were inserted while the garage was under construction, thus the construction did not accord with the approved plans. It should be noted however that planning permission would not be required if the rooflights were inserted after the garage was completed.

The proposed plans show the room above the garage to be used as a bedroom as opposed to a store and bat loft as previously approved, however no conditions were imposed to restrict the use of the room and so planning permission is not required for the use of the room as a bedroom.

(a) Character and Appearance

The site is located in a Conservation Area whereby the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

Section 12 of the National Planning Policy Framework (NPPF) asks that local planning authorities take account of the desirability of sustaining or enhancing the significance of heritage assets. In particular, paragraph 132 states that when considering the impact of the proposed works on the significance of a designated heritage asset, such as a Listed Building or Conservation Area, great weight should be given to the asset's conservation. Local Plan Policy 15 reflects this in that development must preserve or enhance the character or appearance of the area as a whole, or any part of that area. It states that development will be permitted unless new or altered buildings are out-of-keeping with the special character or appearance of the area in general or in a particular location (in siting, scale, form, proportions, design or materials).

Section 7 of the NPPF requires good design. Local Plan Policy 42 requires development to be sustainable and designed in a manner that respects the character, appearance and local distinctiveness of Cotswold District with regard to style, setting, harmony, street scene, proportion, simplicity, materials and craftsmanship.

Two additional rooflights have been inserted into the front and rear of the garage without the benefit of planning permission. This application seeks to regularise this. The neighbour has raised concern that the rooflights are harmful to the conservation area; however the rooflights match those approved on the garage which were considered acceptable by the Council's conservation team. The addition of one rooflight to the front and rear roofslope is not considered to appear cluttered or overdeveloped. Officers therefore consider the rooflights to be in keeping with the character and appearance of the site and sympathetic to Naunton Conservation Area.

(b) Amenity

Section 7 of the NPPF requires good design and a good standard of amenity for all existing and future occupants of land and buildings. Local Plan Policy 46 states the design and layout of residential development should provide adequate areas of open space around dwellings, so as to ensure reasonable privacy, daylight, and adequate private outdoor living space.

The occupiers of Hatters Cottage have raised concern that the additional rooflights result in a loss of privacy, when considered alongside the loss of trees. Officers consider that the roof lights are small in size and an adequate distance away from neighbouring dwellings to avoid an unacceptable level of overlooking. The trees are not the subject of this application.

(c) Use and Loss of Bat Loft

The application has been referred to Committee based on an objection received which raises concern over the use of the room above the garage as bedroom, as opposed to a store and a bat loft as previously approved. The neighbours occupying Hatters Cottage claim that they would have objected to the use of the garage as a bedroom if it were described as such in the previous application.

There were no conditions imposed on the previous application for the replacement garage to restrict the use of the rooms or for the retention of the bat loft. As such, planning permission is not required to use the space as a bedroom. No material change of use has been carried out as the permission authorised any use which is incidental to the enjoyment of the dwelling known as Close Hill.

Furthermore, the agent has submitted an email from the applicants' ecologist which confirms that the garage is unsuitable for roosting and would not be identified as a bat roost site. As such, the insertion of the roof lights is not considered detrimental to the ecological value of the site.

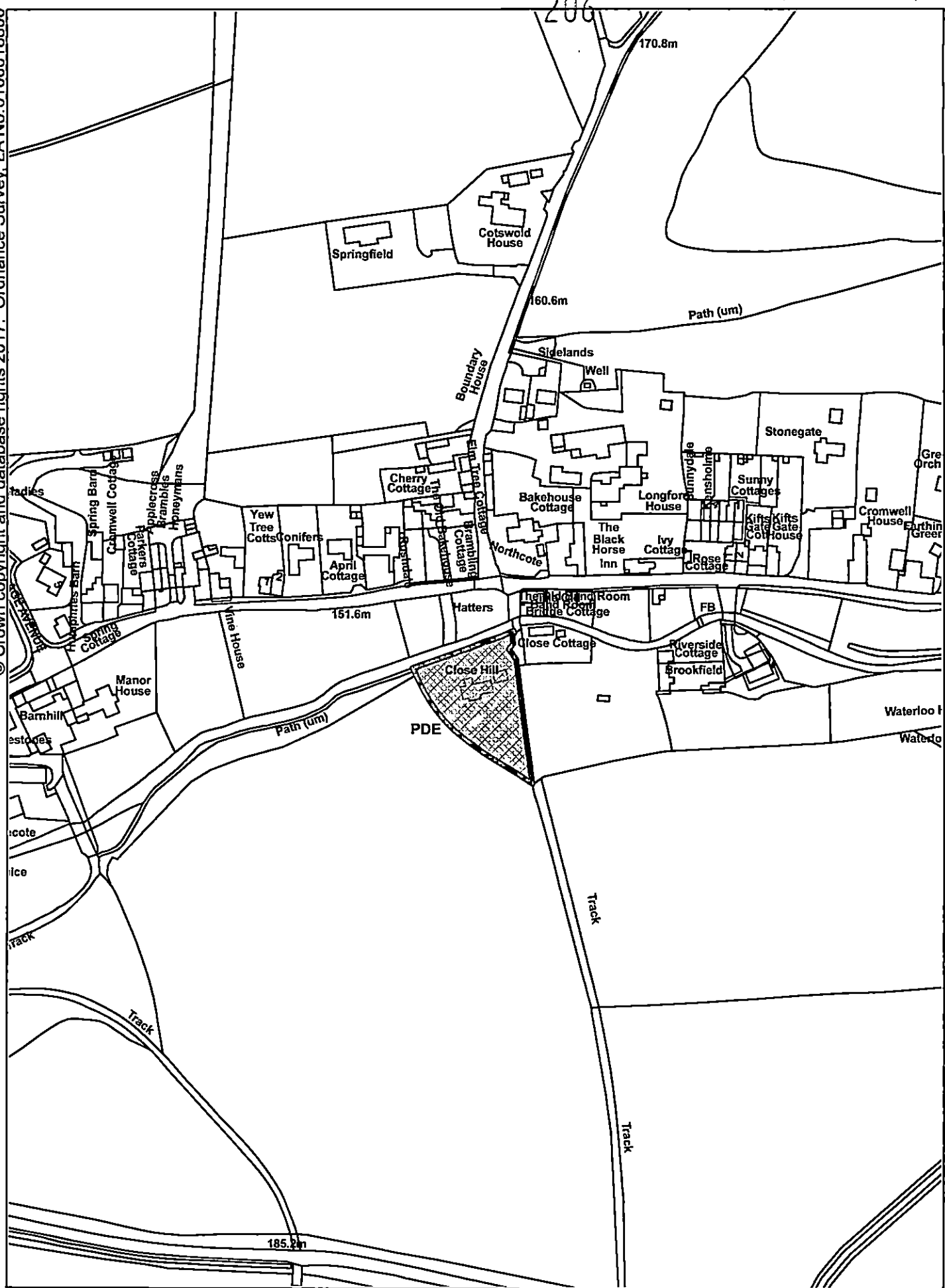
9. Conclusion

The proposal is considered to comply with national legislation, guidance and the relevant policies of the Development Plan. As such, planning permission should be granted.

10. Proposed conditions:

None

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COTSWOLD
DISTRICT COUNCIL

CLOSE HILL NAUNTON

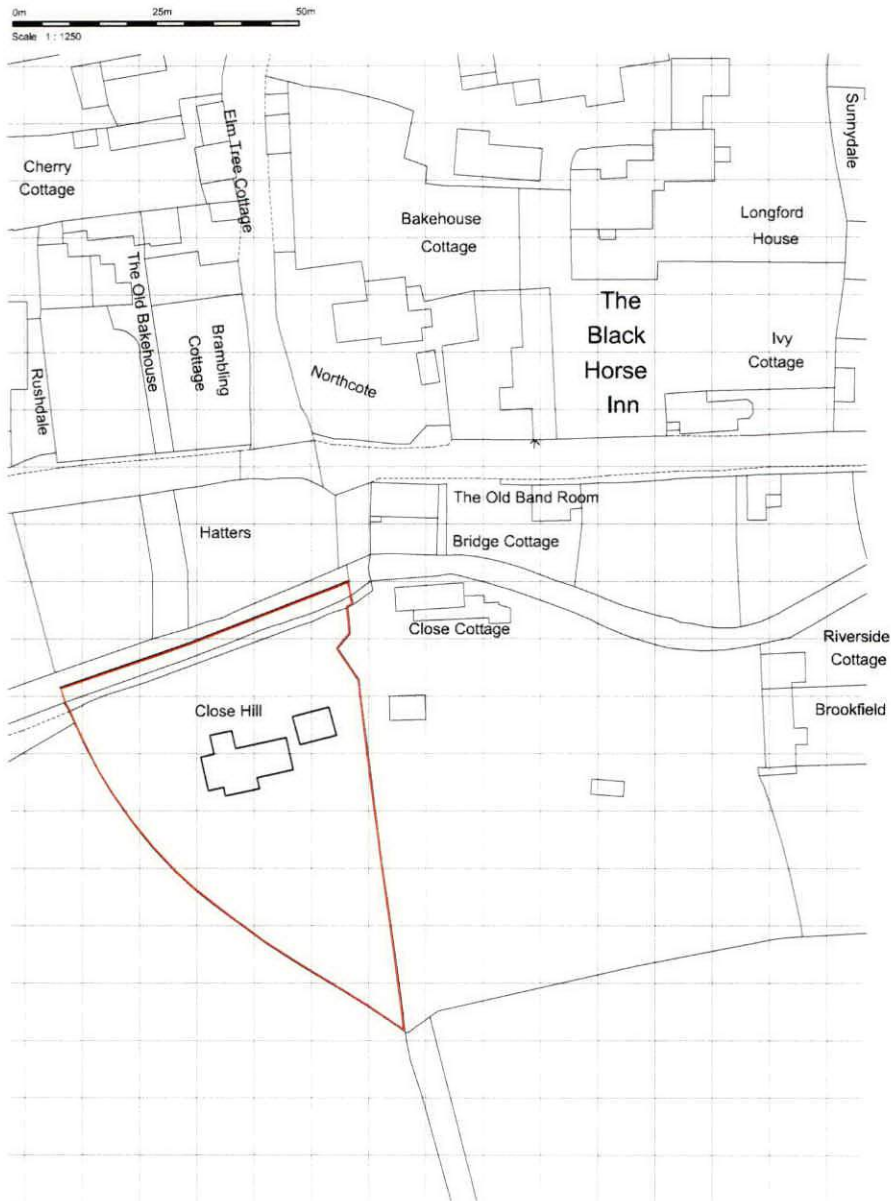
Organisation: Cotswold District Council

Department:

Date: 31/08/2017


Scale: 1:2500





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 <p>Tyack Architects Ltd The Mann Institute, Oxford Street Moreton-in-Marsh Gloucestershire GL56 0LA t: 01608 650 490 f: 01608 651 363 e: mail@tyackarchitects.com w: tyackarchitects.com</p>	date	April 2016	title	Location Plan
	drawn	SB	project	Close Hill Naunton
checked			scale	1:1250@A4
			number	2531_PL01
			revision	



Proposed Front North



Proposed Rear South



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date June 2017
drawn SB scale (@ A3) 1 : 100
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Proposed Block Plan

209



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title Block Plan

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