

Item No 03:-

18/03620/FUL

**2 Longfurlong Lane
Tetbury
Gloucestershire
GL8 8TJ**

Item No 03:-

Demolish existing garage/study and erect new garage/studio/utility extension at 2 Longfurlong Lane Tetbury Gloucestershire GL8 8TJ

Full Application 18/03620/FUL	
Applicant:	Mr & Mrs V Knaus
Agent:	Clark & Maslin
Case Officer:	Katherine Brommage
Ward Member(s):	Councillor Tina Stevenson
Committee Date:	9th January 2019
RECOMMENDATION:	PERMIT

Main Issues:

- (a) Principle of Development
- (b) Design
- (c) Residential Amenity

Reasons for Referral:

Brought to Planning Committee by the Ward Member, Councillor Tina Stevenson, due to concerns in respect of overdevelopment of the site, overbearing impact and loss of light subjected onto Cutwell Barn.

1. Site Description:

The application site comprises a modern detached bungalow which has recently been refurbished and the plot subdivided to enable the erection of a new dwelling (permitted under application ref: 16/02172/FUL and now referred to as 2a Longfurlong Lane).

The application site is located within the adopted development boundary for Tetbury (a Principal Settlement) as defined on the Policies Map to the adopted Local Plan 2011-2031. The application site is not located within the Tetbury Conservation Area but is located within the Cotswold Area of Outstanding Natural Beauty (AONB).

Cutwell Barn, located immediately to the north of the application site is considered to be a non-designated heritage asset.

2. Relevant Planning History:

16/02390/FUL Erection of single storey side and rear extension. Permitted 09.08.2016

16/02095/CLOPUD Extensions to the side and rear and refurbishment. Refused 06.06.2016

3. Planning Policies:

- _DS2 Dev within Development Boundaries
- _EN1 Built, Natural & Historic Environment
- _EN2 Design of Built & Natural Environment
- _EN4 The Wider Natural & Historic Landscape
- _EN5 Cotswold AONB
- _EN12 HE: Non-designated Heritage Assets

_EN15 Pollution & Contaminated Land
 _INF4 Highway Safety
 _INF5 Parking Provision
 NPPF National Planning Policy Framework

4. Observations of Consultees:

None.

5. View of Town/Parish Council:

Comments received as follows:

"Tetbury Town Council has no objections to this planning application."

6. Other Representations:

2 letters of objection have been received raising the following grounds:

- i. Loss of amenity/privacy/overlooking
- ii. Loss of light
- iii. Over-development of the plot
- iv. Encroachment/enclosure
- v. Adverse impact on the AONB
- vi. Loss of view
- vii. Disturbance during construction
- viii. Adverse impact on the adjacent Stableyard

7. Applicant's Supporting Information:

Existing and Proposed Plans
 Supporting Photographs

8. Officer's Assessment:

(a) Principle of Development

Policy DS2 of the adopted Local Plan 2011-2031 states that within development boundaries indicated on the Policies Maps, applications for development will be permissible in principle.

(b) Design

Section 12 of the NPPF makes it clear that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve and that good design is a key aspect of sustainable development.

Policy EN1 of the Cotswold District Local Plan states that new development will, where appropriate, promote the protection, conservation and enhancement of the historic and natural environment by, amongst other things; ensuring the protection and enhancement of existing natural and historic environmental assets and their settings in proportion with the significance of the asset; ensuring design standards that complement the character of the area and the sustainable use of the development.

Policy EN2 states that proposals should be of a design and quality that respects the character and distinctive appearance of the locality and will be permitted where the development accords with the Cotswold Design Code.

Policy EN4 of the Local Plan states that development will be permitted where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside) of Cotswold District or neighbouring areas. This policy requires that proposals will take account of landscape and historic landscape character, visual quality and local distinctiveness. They will be expected to enhance, restore and better manage the natural and historic landscape, and any significant landscape features and elements, including key views, settlement patterns and heritage assets.

In AONBs great weight should be given to the conservation of the landscape and scenic beauty in accordance with Paragraph 172 of the NPPF. Furthermore, Policy EN5 states that in determining development proposals within the AONB or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight.

Policy 2 (Enhancement of Tetbury's Townscape and Character) of the Tetbury Neighbourhood Plan states that development proposals will be required to pay regard to the Tetbury Townscape and Character Assessment Report 2016 and the Cotswold Design Guide 2000 and any future adopted update to the Cotswold Design Guide.

The application seeks the replacement of the existing flat roofed single storey garage/study extension with a single storey part pitch/part hipped roof replacement extension. The proposed extension is larger in footprint than the existing extension but will be pulled back from the rear and side boundary of the application site to a greater degree than the existing which will assist in lessening its impact on the neighbouring properties and, in particular, Cutwell Barn.

It is proposed to use materials (brick/tiles/uPVC windows) that will match the existing dwelling which is entirely acceptable in light of the character and appearance of the existing building in accordance with the Cotswold Design Code (Policy EN2) and therefore Policy 2 of the Tetbury Neighbourhood Plan.

The proposed extension will have an eaves height consistent with the existing dwelling (2.5m) but will have a total height of approx. 4.7m as a result of the use of a more traditional roof form (rather than a flat roof). While the increase in height will be notable the part pitch/part hipped roof design is in-keeping with the overall character and appearance of the existing dwelling.

Despite the increase in height the proposed extension is considered to be sufficiently subservient to the existing dwelling by nature of its scale, design and set back location. There is therefore no objection in principle to the design of the extension or its roof form although the implication of increasing the overall height does require further consideration with regard to its impact in residential amenity terms (see below assessment).

While the application site is located within the AONB the existing dwelling is a modern 1960s bungalow that in design terms is of its time. One would therefore expect an extension to respect its character and appearance irrespective of its location within the AONB where perhaps the prevailing character is more vernacular.

While there is a PROW within circa.45m to the rear of the application site it is noted by officers that given the location of the proposed extension that the proposals will largely be obscured from public view by the existing main dwelling and stable yard located to the north west of the application site.

When viewed from Longfurlong Lane the extension will largely be obscured by existing development or seen within the context of existing development and will not therefore be out-of-keeping and will not cause any significant harm to the wider landscape and/or visual quality of the area or result in any significant loss of public view or amenity.

It is noted that concerns have been raised by third parties regarding loss of private views/outlook but this is not a material planning consideration.

(c) Residential Amenity

The occupiers of the adjacent Cutwell Barn have raised concerns regarding the proposal including concerns regarding the proposal's impact on residential amenity as a result of a loss of privacy, light and overbearing.

Regarding the perceived loss of privacy this is understood to be primarily based on the inclusion of rooflights within the north-west hipped roofslope which the adjacent occupiers are concerned would directly overlook their adjacent private garden and stable yard.

Having considered the submitted plans officers are content that while openings are shown on the north west elevation that these will be up in the roof and above eye level (given that the openings are shown located above the eaves height of the extension and therefore in excess of 2.5m from ground level). There is therefore considered to be no risk of overlooking.

The side gable end of Cutwell Barn is the closest part of this neighbouring dwelling to the proposal. With regard to the concerns raised in respect of loss of light the agent has confirmed that there are no existing windows within the southern gable end of Cutwell Barn either at ground floor or first floor level (see photographs attached). Furthermore the windows within the front, rear and side return elevations will not be significantly affected given their proximity from the proposed extension (the closest window being approx. 5 metres from the proposed extension). Therefore while the third party objections are noted, in light of the proposed extension's set back location, the degree to which it has been pulled away from the boundary and the path of the sun it is not considered that the proposal would have any significant impact in respect of the level of light gained within habitable rooms and certainly none that would warrant a refusal of the application.

While the third party comments are noted private garden areas are not afforded the same protection from loss of light as windows within habitable rooms. Notwithstanding this, having considered the submitted plans, the extent of residential curtilage available to the adjacent dwelling (Cutwell Barn) and the extent of shadowing likely to be caused by the proposal, officers are content that the proposal would not lead to any significant overshadowing that would warrant a refusal of the application in residential amenity terms. Furthermore it is noted that the 2m high boundary wall (which does not in itself require planning permission since it would constitute permitted development) would give rise to a similar impact.

It is noted that in addition to loss of light and privacy that the occupier of Cutwell Barn has also raised concerns regarding the encroachment and enclosure of the access to the rear of Cutwell Barn.

Officers have considered this and note that at its closest point the proposed extension is in excess of 3m from the side wall of Cutwell Barn as shown on the submitted plans. While it is appreciated that the proposal will result in a reduction in the space between the two properties and an increased sense of enclosure this is considered not to result in a significant overbearing relationship given that the proposals are single storey and of an adequate distance from the adjacent property. Weight is also given to the contribution that the existing boundary wall makes to the existing sense of enclosure which can be erected under permitted development rights.

While concerns have been raised regarding the resultant size of the garden to No.2, given that the proposal has been pulled away from the rear boundary and seeks to utilise land to the side of the property that forms part of its driveway there is considered to be no overall loss of private garden area. For the avoidance of doubt the existing area of garden currently used for private amenity purposes is considered to be adequate to meet the needs of occupiers.

In conclusion therefore the proposal is considered to be compliant with the provisions of the Cotswold Design Code and therefore Policy EN2.

Other Matters

Impact on non-designated heritage assets

Cutwell Barn is considered to be a non-designated heritage asset in light of its age and aesthetic merits/vernacular appearance although it appears to have been substantially altered at some point in the past.

Section 16 of the NPPF requires that local planning authorities take account of the desirability of sustaining and enhancing the significance of heritage assets. Paragraph 197 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the asset.

Policy EN12 states that development affecting a non-designated heritage asset will be permitted where it is designed sympathetically having regard to the significance of the asset and where possible development will seek to enhance the character of the non-designated heritage asset.

The proposal will not directly affect the non-designated heritage asset but will have an indirect effect on its setting. While the non-designated heritage asset is vernacular in both its character and appearance (despite being significantly altered) it is located adjacent to an existing 1960s bungalow which already forms part of this assets context.

It is considered unreasonable to expect a proposal to extend/alter the existing bungalow to be anything other than in-keeping with its character and appearance. The design of the proposal is therefore considered to be acceptable and officers are also content that the proposal will not be overbearing. On balance therefore it is considered that the proposal will not result in any harm to the setting of the non-designated heritage asset (Cutwell Barn). The proposal is therefore compliant with Section 16 of the NPPF and Policies EN1, EN4 and EN12.

Access/Parking

The application form confirms that there is to be no alteration to existing access arrangements. With regard to the submitted plans it will remain possible to park a vehicle within the proposed garage.

While pulling the extension forward will result in an overall loss of existing hardstanding to the front of the property it will remain possible to park at least 2 cars within the site which is considered to be adequate. In any event, there is on-street parking outside of the property along Longfurlong Lane. The proposal is therefore considered to be acceptable on balance having regard to Policies INF4 and INF5 and Section 9 of the NPPF.

Overdevelopment

It is noted by third parties that within the last year No.2 Longfurlong Lane has been divided into two plots and make reference to the requirement that extensions should not significantly increase the footprint/size of the property within green belt areas. Whilst this point is noted the property is not located within the Green Belt. Any alterations to existing dwellings whether that be subdivision or an increase in footprint is therefore to be judged on its own merits in line with planning policies relevant to the application site and its context.

Disturbance During Construction

Concerns have been raised regarding the impact of the proposed building works on the ability to utilise the adjacent property's access.

Whilst officers have sympathy in this regard the impacts arising from construction are temporary and are not therefore given any significant weight in the determination of applications. The ability to access ones property and conversely obstructing someone else's access is a civil matter and not a planning matter.

Adverse impact on adjacent Stable yard

A letter of objection has been received from the tenant of the adjacent stable yard raising concerns that the proposed extension would pose a significant danger to human occupants and horses who would need to walk out several times a week past the application site.

Again, while officers sympathise, the construction impacts are temporary and would not warrant a refusal of the application for the reasons given above.

Separate concerns have also been raised regarding loss of light, privacy and overdevelopment. For the reasons discussed above it is not considered that there would be any significant impact on the stable yard in this respect. In any event non-domestic buildings are not afforded the same protection in amenity terms as residential dwellings so loss of light and privacy is largely immaterial in this case.

9. Conclusion:

The application is acceptable in principle having regard to Policy DS2 of the Local Plan. Having assessed the proposal officers are content that the proposal is of a design that respects the character and appearance of the building and its immediate context and would thereby conserve the landscape and scenic beauty of this part of the AONB in accordance with Policies EN1, EN2, EN4 and EN5, Policy 2 of Tetbury Neighbourhood Plan and Section 12 of the NPPF. Furthermore the proposal will result in no harm to the adjacent non-designated heritage asset in accordance with Policy EN12 and Section 16 of the NPPF.

While the comments received from third parties have been noted officers on balance consider that the proposal will result in no significant loss of residential amenity or disturbance as a result of the construction of the proposals that would warrant a refusal of the application in accordance with Policies EN2 and Section 12 of the NPPF.

Since the proposal is considered to accord with the relevant provisions of the development plan and since there are no material considerations to indicate otherwise it is recommended that the application is permitted subject to conditions.

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): 4695/02, 4695/50B and 4695/52.

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

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

Reason: To ensure that, in accordance with Cotswold District Local Plan Policies EN1, EN2, EN4, EN5 and EN12 and the National Planning Policy Framework, the development hereby permitted is completed in a manner appropriate to the site and its surroundings.

All new door and window frames shall be recessed and finished to match the existing door and window frames in the existing building.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies EN1, EN2, EN4, EN5 and EN12 and the National Planning Policy Framework.

The new rooflight(s) shall be of a design which, when installed, shall not project forward of the roof slope in which the rooflight(s) is/are located and shall be permanently retained as such thereafter.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies EN1, EN2, EN4, EN5 and EN12 and the National Planning Policy Framework.

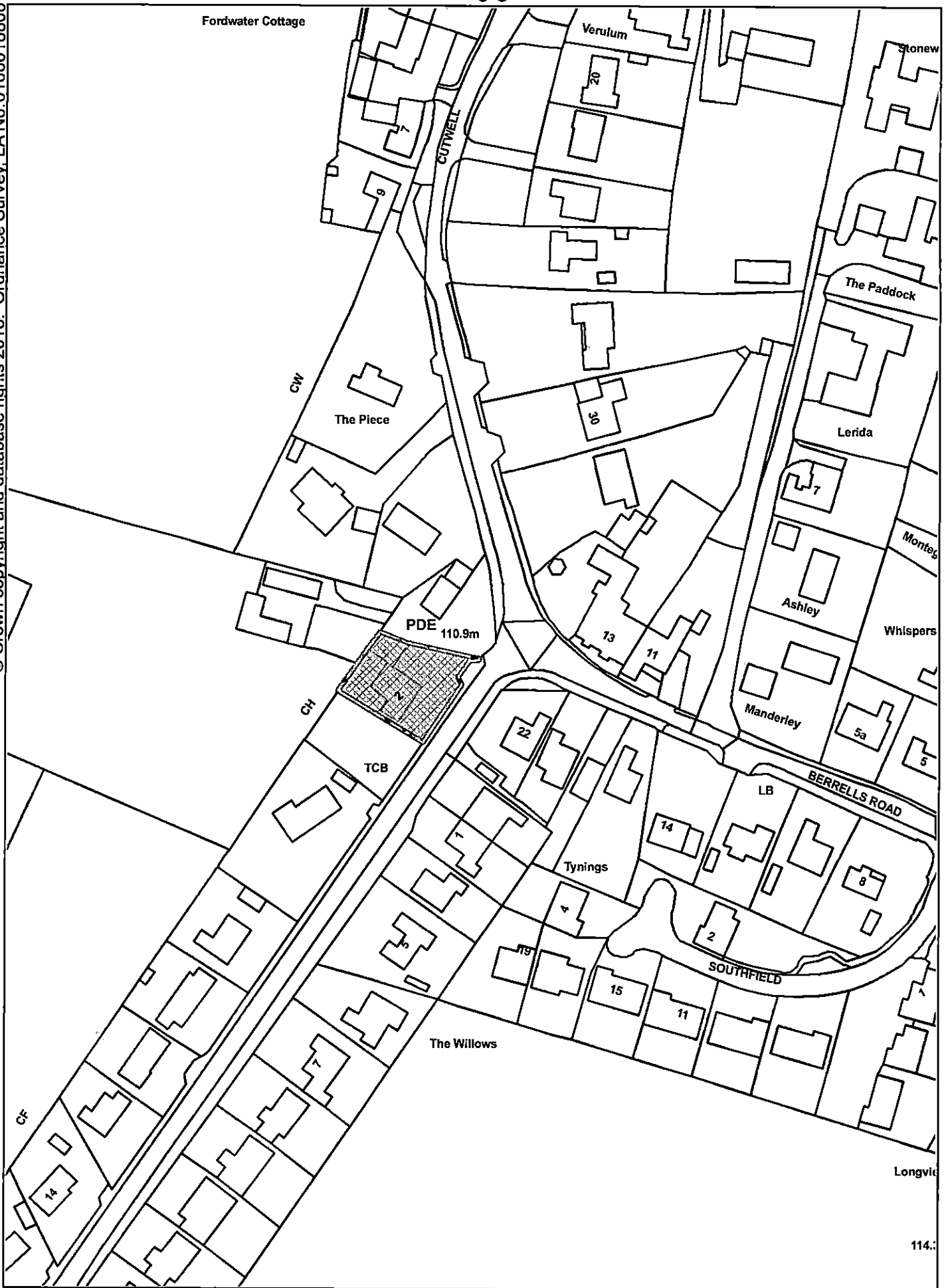
No bargeboards or eaves fascias shall be used in the proposed development.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies EN1, EN2, EN4, EN5 and EN12 and the National Planning Policy Framework.

The new sections of boundary fencing and walling shown on the approved plans shall be no more than 2m in height as indicated.

Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2 and the National Planning Policy Framework.

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2 LONGFURLONG LANE TETBURY

Scale: 1:1250

Organisation: Cotswold District Council

Department:

Date: 19/12/2018

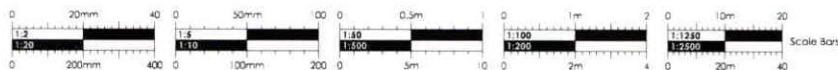
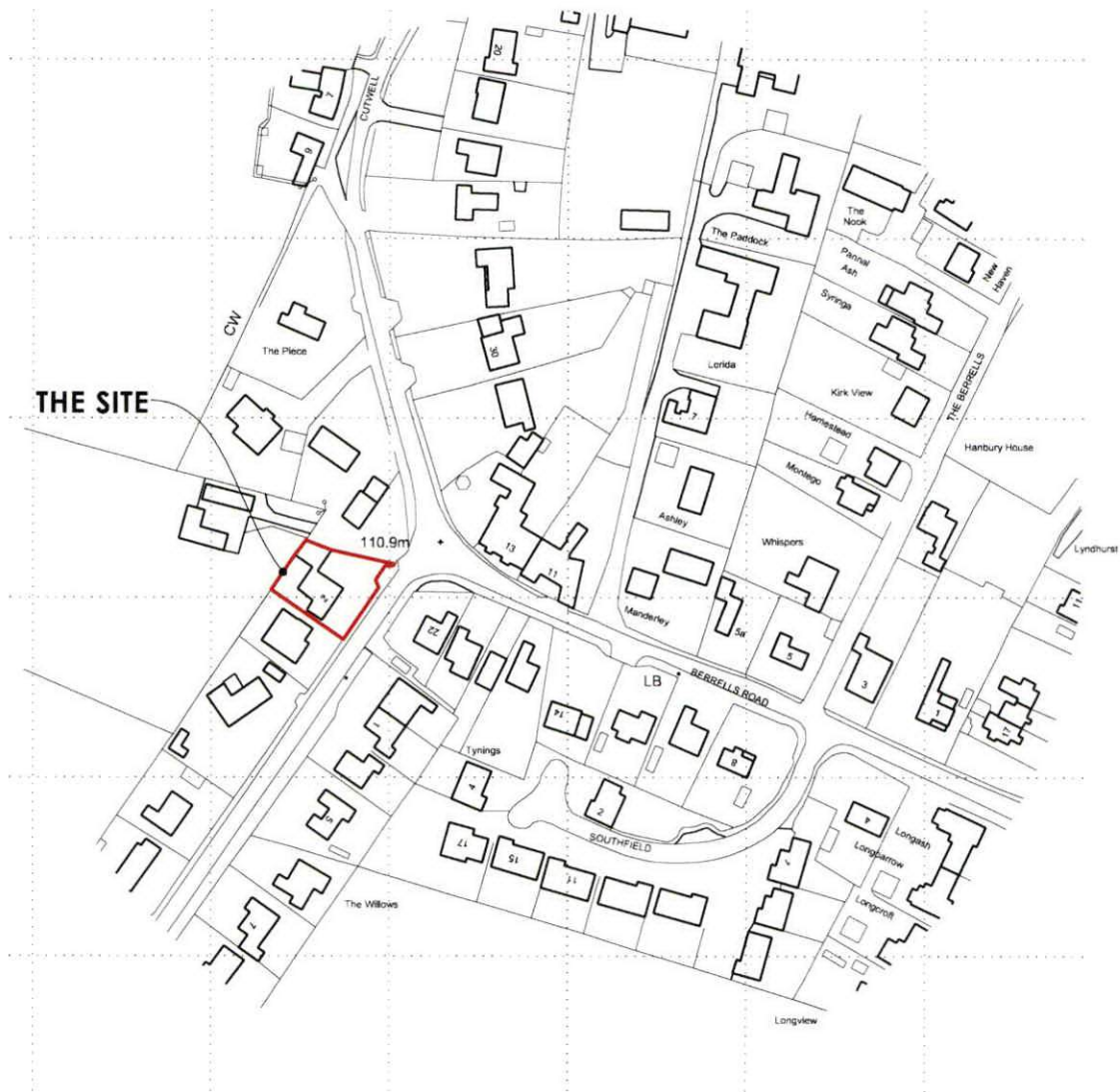


COTSWOLD
DISTRICT COUNCIL



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REV	DETAIL OF REVISION	BY	DATE
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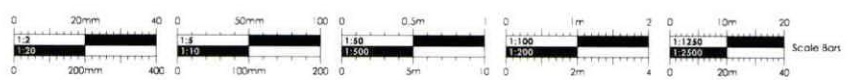
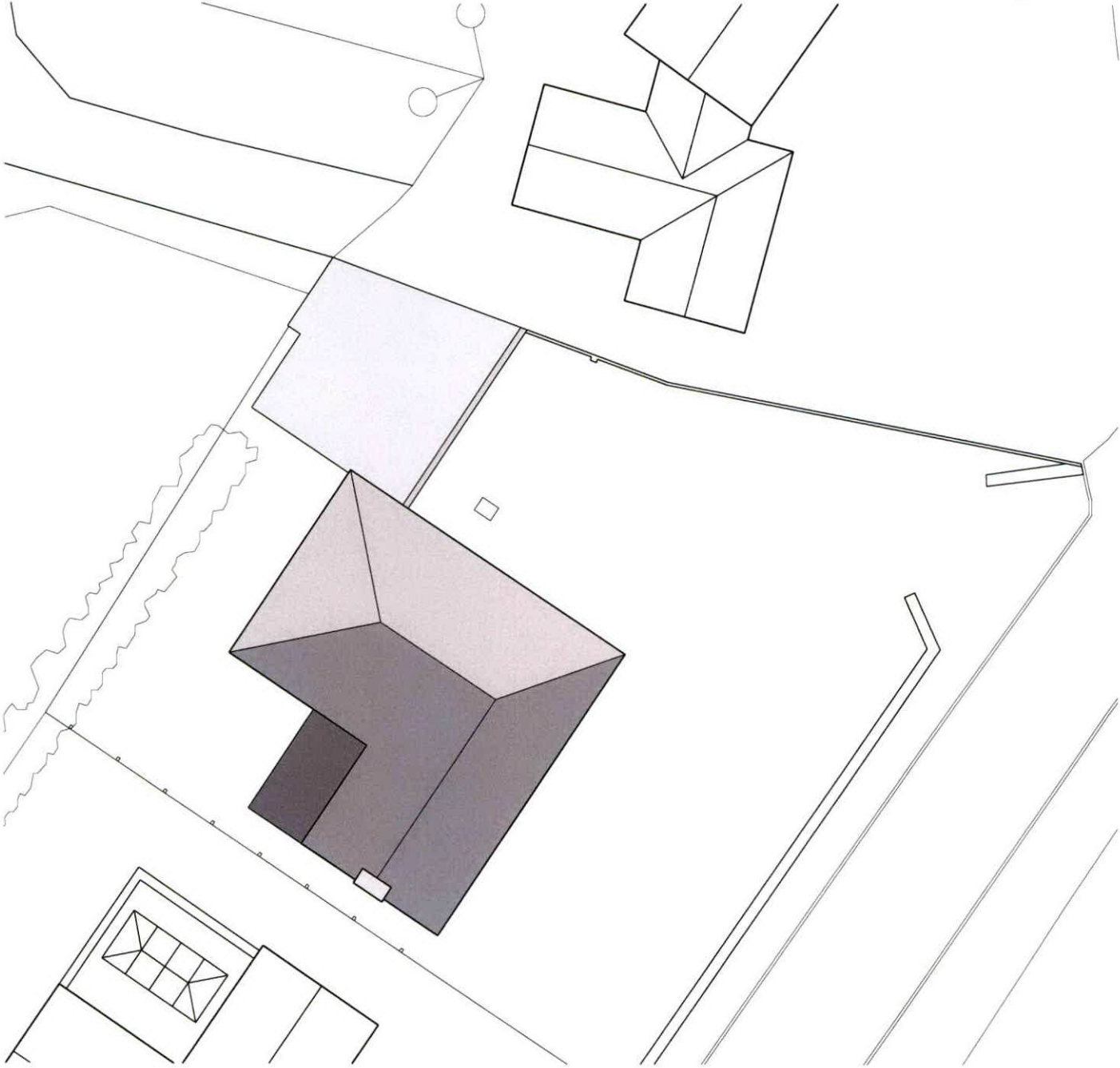



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 Planning Architecture Conservation

Client MR & MRS V. KNAUS	Document Type SURVEY DRAWING
Project PROPOSED EXTENSION & ALTERATIONS, 2 LONGFURLONG LANE, TETBURY, GLOS, GL8 8TJ	Scale 1:1250 PG. Size A4
Description SITE LOCATION PLAN	Date SEP '18 Drawn HH
	Drawing No 4695/02 Revision -

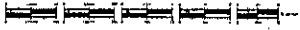
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Client MR & MRS V. KNAUS	Document Type SURVEY DRAWING
Project PROPOSED EXTENSION & ALTERATIONS, 2 LONGFURLONG LANE, TETBURY, GLOS, GL8 8TJ	Scale 1:200
Description EXISTING BLOCK PLAN	PG Size A4
	Date SEP '18
	Drawn HH
	Drawing No 4695/03
	Revision -



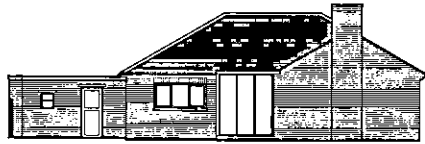
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NORTH EAST ELEVATION



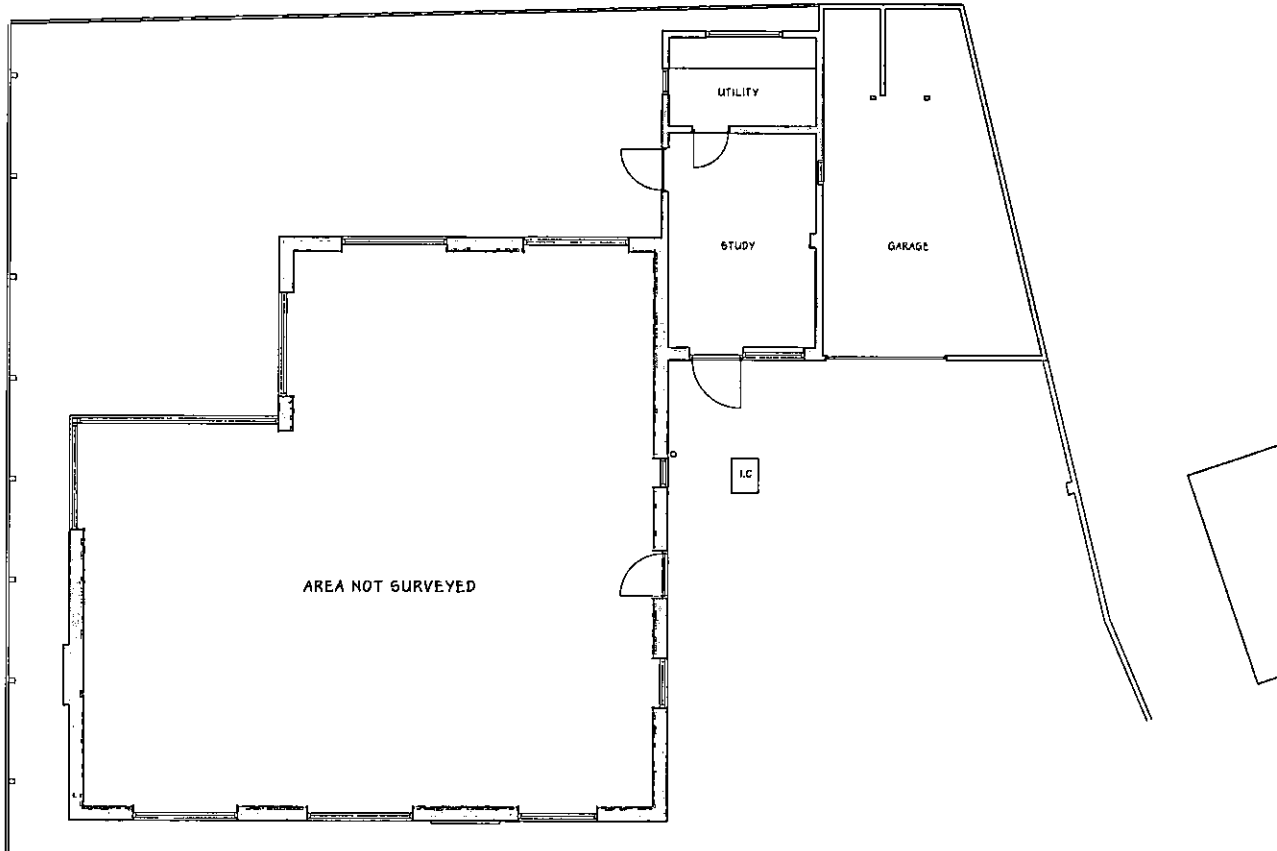
NORTH WEST ELEVATION



SOUTH WEST ELEVATION




SOUTH EAST ELEVATION



GROUND FLOOR PLAN

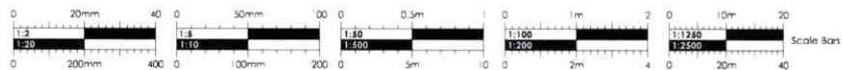
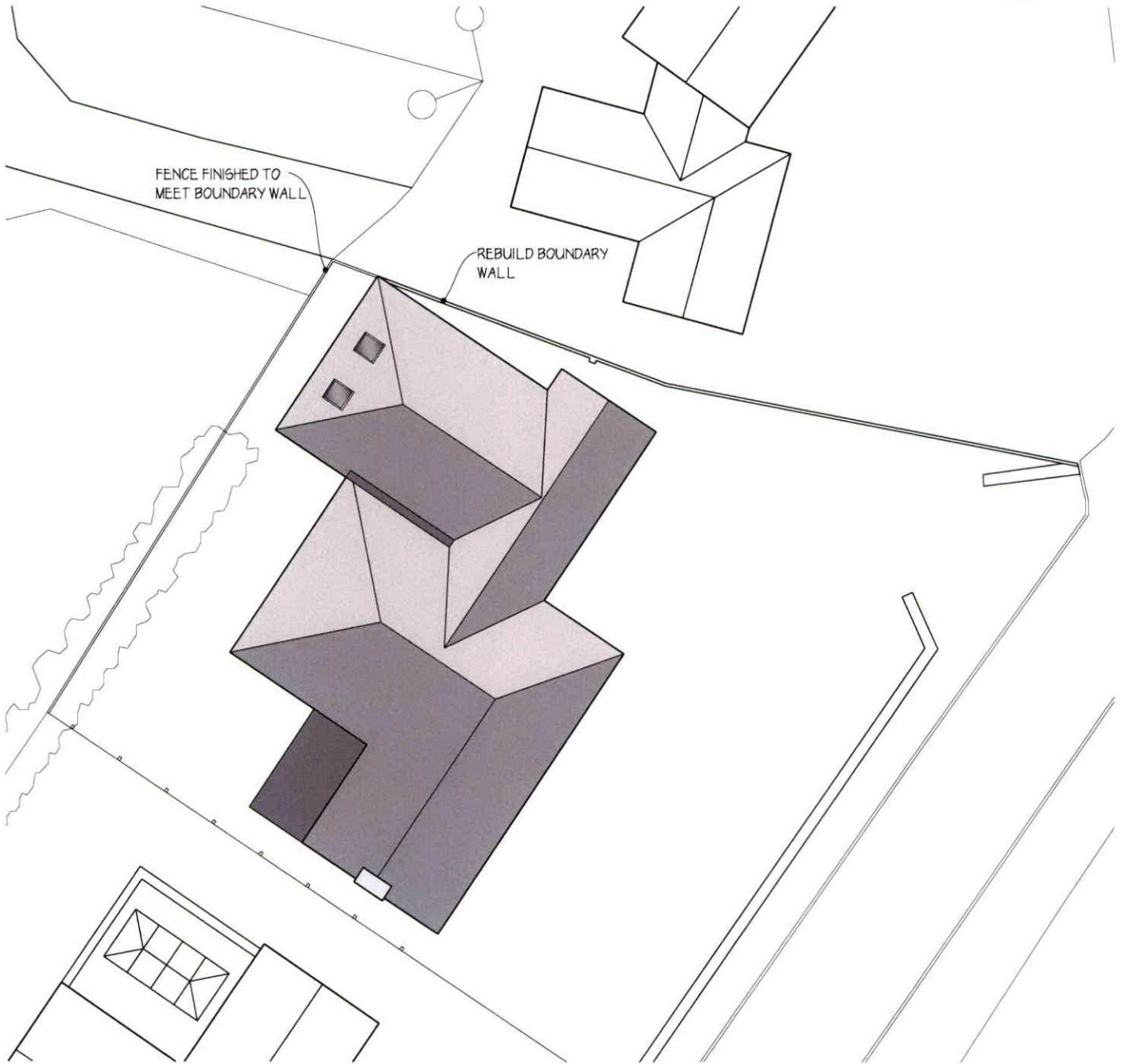
41

SURVEY DRAWING

	
<p>Client MIR & MRS V. ENAUS</p>	
<p>Proposed Extension & Alterations, 2 LONGFURLONG LANE, TEBURY, GLOS, GL8 8TJ</p>	
<p>Description EXISTING GROUND FLOOR PLAN & ELEVATIONS</p>	
Scale 1:50 & 1:100	Date AT HH JULY '18
Drawing No. 4695/01	Revision -

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REV	DETAIL OF REVISION	BY	DATE
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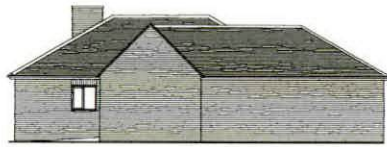


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Client MR & MRS V. KNAUS	Document Type PLANNING DRAWING
Project PROPOSED EXTENSION & ALTERATIONS, 2 LONGFURLONG LANE, TETBURY, GLOS, GL8 8TJ	Scale 1:200
Description PROPOSED BLOCK PLAN	PG Size A4
	Date SEP '18
	Drawn HH
	Drawing No 4695/52
	Revision -



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NORTH EAST ELEVATION



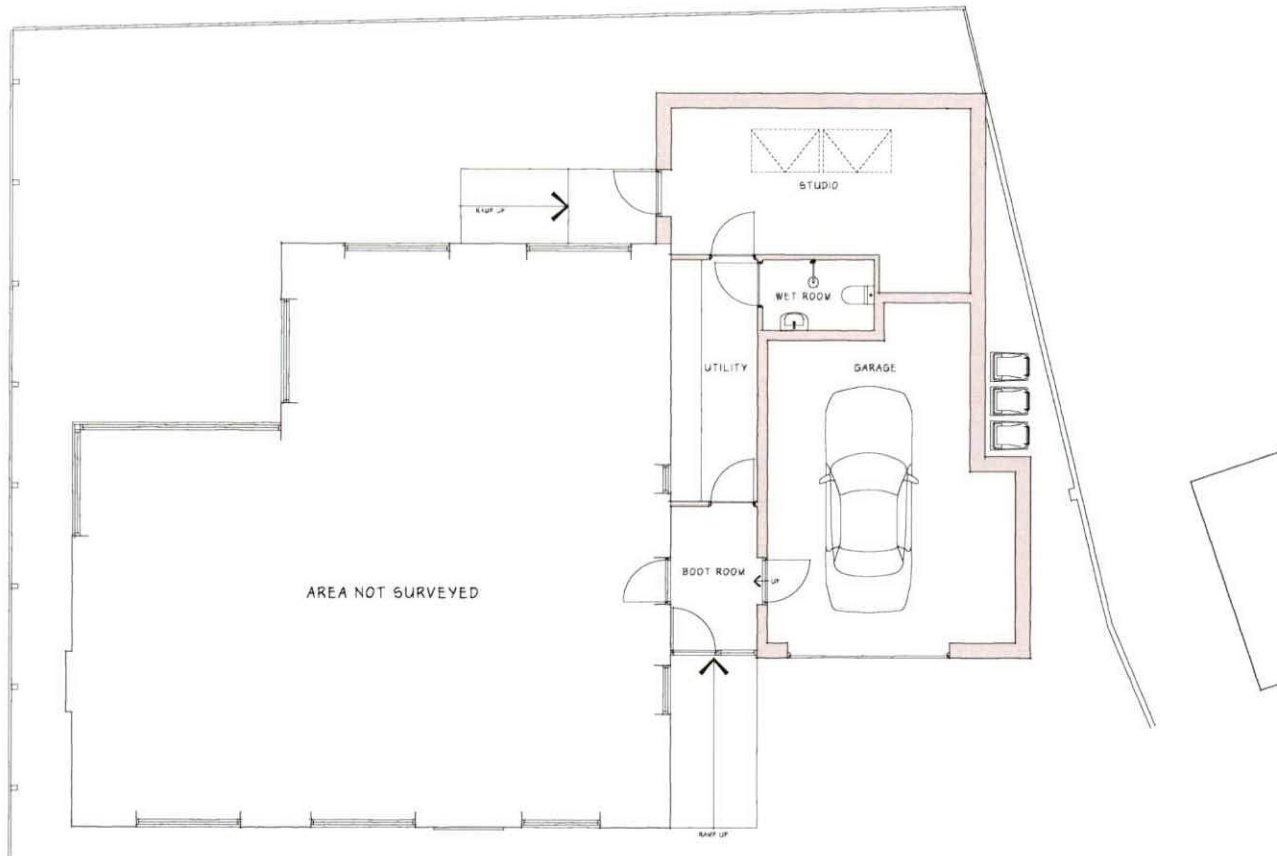
NORTH WEST ELEVATION



SOUTH WEST ELEVATION



SOUTH EAST ELEVATION



GROUND FLOOR PLAN

43

PLANNING DRAWING



Client: MR & MRS V. KNAUS

Project: PROPOSED EXTENSION & ALTERATIONS, 2 LONGFURLONG LANE, TETBURY, GLOS. GL8 8TJ

Description: PROPOSED GROUND FLOOR PLAN & ELEVATIONS

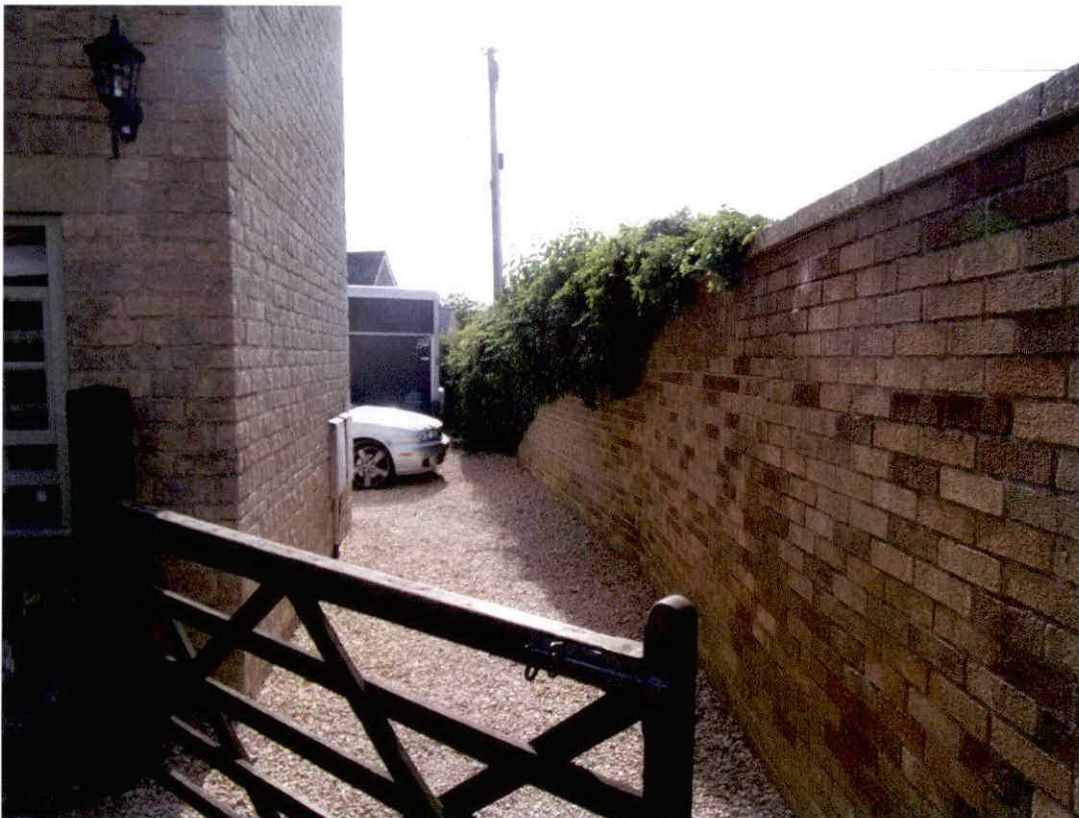
Scale: 1:50 & 1:100
 No. Sheets: A1
 Sheets: HH
 Date: JULY 18

Drawing No: 4695/50
 Revision: B

Photograph 1 (looking towards Cutwell Barn from application site, provided by agent)



Photograph 2 (from rear of Cutwell Barn along boundary, provided by agent)



Photograph 3 (looking towards rear of Cutwell Barn along boundary, provided by agent)

