

Item No 13:-

18/04597/FUL

**Lavender Cottage
15 Mill Lane
Lower Slaughter
Cheltenham
Gloucestershire
GL54 2HX**

Item No 13:-**Erection of two storey rear extension at Lavender Cottage 15 Mill Lane Lower Slaughter Cheltenham Gloucestershire GL54 2HX**

Full Application 18/04597/FUL	
Applicant:	Mr & Mrs David Tansley
Agent:	Keith Angus Chartered Architect
Case Officer:	Ed Leeson
Ward Member(s):	Councillor Richard Keeling
Committee Date:	10th April 2019
RECOMMENDATION:	PERMIT

Main Issues:

- (a) Design and character
- (b) Impact on the nearby Grade II Listed Buildings
- (c) Impact on the living conditions for occupants of neighbouring and nearby properties
- (d) Impact on the Lower Slaughter Conservation Area
- (e) Impact on the Cotswolds Area of Outstanding Natural Beauty (AONB)
- (f) Impact on nearby protected trees

Reasons for Referral:

This application has been referred to Committee by the local ward member due to the receipt of the many and various objections.

1. Site Description:

The application relates to a semi-detached property on Mill Lane, Lower Slaughter. The property is situated within the Lower Slaughter Conservation Area and the AONB. There are 3no. Grade II Listed Buildings to the rear of the site; Church View and Attached Barn, Barn 25 Yards North West of Church Farmhouse and Ivy Cottage to the south east. The area within which the application site is located within is predominantly residential in nature.

2. Relevant Planning History:

No relevant planning applications have been identified in respect of the application site. 2no. planning permissions have been granted in respect of the property at no.17 Mill Lane:

12/01667/FUL - Erection of two storey rear extension. Permitted 13 June 2012.

17/02313/FUL - Two storey rear extension and rooflight. Permitted 24 July 2017.

3. Planning Policies:

NPPF National Planning Policy Framework
 EN2 Design of Built & Natural Environment
 EN10 HE: Designated Heritage Assets
 EN11 HE: DHA - Conservation Areas
 EN5 Cotswold AONB
 EN7 Trees, Hedgerows & Woodlands

4. Observations of Consultees:

N/A.

5. View of Town/Parish Council:

Lower Slaughter Parish Council has objected to the application. The full comments received may be found on the Council's web-site and the Case Officer's file, and have been summarised below:

- i) The development will be overpowering and oppressive to 16 Mill Lane; and
- ii) The rear of 16 Mill Lane being set back exacerbates the detrimental impact the proposed planning application will have on this property, particularly considering the scale and height of the development as currently proposed.

6. Other Representations:

8 third-party objection comments were received relating to the first submission of plans. Following the submission of amended plans, 8 third-party comments were received:

- i. The proposals are not in-keeping/ incongruous within the area;
- ii. Design is out-of-character with neighbouring properties, the street, and the development as a whole;
- iii. Not in scale, character or proportion with the original building, or the neighbouring houses in the development;
- iv. Disproportionate, excessive in dimensions and would dominate and encroach on adjacent buildings;
- v. Would disturb the symmetry and integrity of the original architectural style, negatively impacting the Conservation Area and village, and the Cotswolds AONB;
- vi. Changes the property from a Cotswold cottage to a modern house;
- vii. Negative impact on neighbouring properties;
- viii. Too large, dominant and overbearing, and would be imposing and cause an uncomfortable sense of enclosure for no. 16, as well as impact on their sense of well-being;
- ix. The two-storey element would cause a loss of privacy through overlooking, overshadowing and a loss of light for neighbouring properties;
- x. The proposal would impact on trees, landscaping and wildlife;
- xi. The proposal can be seen from other properties, and obscures views from first-floor windows within the AONB;
- xii. There would be disruption during construction works;
- xiii. Granting permission would create a precedent for similar works in the area;
- xiv. It does not qualify for Permitted Development;
- xv. The proposed planting will not soften the impact of the proposal;
- xvi. No measurements have been supplied on the plans;
- xvii. The factuality of information submitted by the applicant;
- xviii. The proposed roof lantern is not in line with the existing dormer;
- xix. Reducing the size of the two-storey element could reduce the adverse impact on neighbouring properties;
- xx. The development would be an overdevelopment of the existing property;
- xxi. Concerns relating to site access, the maintenance of the development, as well as drainage; and
- xxii. Queries regarding materials to be used.

7. Applicant's Supporting Information:

The applicant submitted comments in response to the initial objection comments. The full comments received may be found on the Council's web-site and the Case Officer's file, but relate to the following:

- The existing development
- The AONB context
- Loss of Amenity
- Impact on View
- Privacy
- Scale/ Style/ Overdevelopment
- Precedent
- Trees/ Wildlife
- Drainage/ Design etc.
- Loft Conversion Suggestion

8. Officer's Assessment:

The Proposal

The application seeks planning permission for the erection of a two-storey rear extension. In addition, there are proposed alterations to an existing single-storey rear extension including the removal of the existing flat roof and replacement with a partially sloped roof with roof lantern, as well as altering the door opening.

The initial plans submitted were considered unacceptable for reasons relating to the design, as well as the impact on the living conditions for the occupants of neighbouring properties. Consequently, revisions were sought and these have been received. The changes primarily relate to the size of the two-storey element and an alternative design for the single storey extension.

Note: A rooflight is proposed to be installed on the rear roof slope of the dwelling. This is Permitted Development.

It is also noted that the amended plan no. 18/0487/06 Rev 1 (dated July 2018), does not show the dwelling's existing front dormer or the existing chimney on the South West Elevation, however there is no proposal to remove these elements.

(a) Design and character

Section 12 of the NPPF sets out criteria for achieving well-designed places, with paragraph 127 requiring that planning policies and decisions should ensure that developments: "will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture; are sympathetic to local character and history, including the surrounding built environment and landscape setting; create places ... with a high standard of amenity for existing and future users."

Policy EN2 asserts that developments will be permitted provided they accord with the Cotswold Design Code (Appendix D), and that "proposals should be of design quality that respects the character and distinctive appearance of the locality."

The initial scheme proposed modifying the existing single-storey extension to incorporate a 'catslide' roof. This created asymmetrical eaves, as well as the relocation of the existing rear facing dormer window, both of which were considered to negatively impact upon the character of the dwelling.

The single-storey element now features a flat roof with roof lantern. This aspect is considered a sympathetic addition to the dwelling and is of an acceptable size and simple form. The extension is simply detailed with bi-fold doors and a roof lantern, while its height would be only marginally higher than the existing structure which it is to replace.

The two-storey element has been decreased in size and mass from the original submission. Where previously it extended from the rear elevation by 4.4m, the revised proposal projects 3.8m

(when viewed from the north) and 2.9m (when viewed from the south). The ridge height has also been decreased from 7.1m to 6.7m, and the width from 5.1m to 5m.

The previous proposals included an increase in height to the existing eaves on the south side of the dwelling. The revised plans propose keeping these eaves at their existing height, 3.4m, with the two-storey extension's eaves at 4.2m. Whilst this height has not been amended from the previous submission, by retaining the section of the rear elevation which was previously proposed to be recessed to accommodate the heightening of the existing eaves, the eaves can remain at their existing height and the proposal's depth, and its impact, would be reduced.

The design of the two-storey extension is considered to be an improvement on the originally submitted scheme. This is due to the proposal being simplified, primarily by the addition of a symmetrical roof. Similarly, by amending and relocating the rear dormer window to its original position, which correlates with the rear dormers along the rear of the dwellings within the street, the integrity of the host building would be respected.

The roof form of the two-storey extension is considered acceptable, with pitches matching those of the existing dwelling. In addition, the openings on the rear gable are considered appropriate in design and location and would respect the existing fenestration of the property. Further, the application form confirms that matching materials will be used, which is an appropriate design solution and this will be secured by condition.

In terms of their impact on the wider area, due to the location of the proposals (to the rear of the dwelling), there would not be a significant impact on the streetscene with regards to character, or any impact on the gaps between buildings. Although from the front, the street scene comprises a relatively uniform array of properties, Mill Lane is not considered to hold the same level of uniformity to the rear. There are various existing additions to other properties, which is to be expected, and which have the effect of reducing the level of uniformity.

The cumulative footprint of the proposals and the existing property would allow large expanses of property curtilage and garden space to remain, and so it is not considered to be an overdevelopment of the site.

In summary, the proposals are adjudged to be acceptable in terms of their design and detailing, as well as their scale, size and massing. They would achieve a successful level of subservience to the host dwelling and would be relatively discreetly located. The proposals are therefore considered to comply with Section 12 of the NPPF and Local Plan Policy EN2.

(b) Impact on the setting of the nearby Grade II Listed buildings

Three Grade II Listed Buildings, Church View and Attached Barn, and Barn 25 Yards North West Of Church Farmhouse to the east, and Ivy Cottage to the south east, considered to be of special architectural or historic interest, are situated in close proximity to the application site. As such the Local Planning Authority is statutorily required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses. This duty is required in relation to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 16 of the National Planning Policy Framework.

Section 16 of the National Planning Policy Framework states that when considering the impact of the proposed works on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It also notes that significance can be harmed through alteration or development within the setting.

Paragraph 194 of the NPPF states that any harm to or loss of the significance of a heritage asset should require clear and convincing justification. Paragraph 195 states that where a proposed development will lead to substantial harm applications should be refused unless it is demonstrated that that harm is necessary to achieve substantial public benefits, whilst Paragraph 196 states that where a development proposal will cause harm to the significance of a designated

heritage asset that is less than substantial harm, that harm is weighed against the public benefits of those works.

Policy EN10 of the Local Plan states that:

"1. In considering proposals that affect a designated heritage asset or its setting, great weight will be given to the asset's conservation. The more important the asset, the greater the weight should be.

2. Development proposals that sustain and enhance the character, appearance and significance of designated heritage assets (and their settings), and that put them to viable uses, consistent with their conservation, will be permitted.

3. Proposals that would lead to harm to the significance of a designated heritage asset or its setting will not be permitted, unless a clear and convincing justification of public benefit can be demonstrated to outweigh that harm. Any such assessment will take account, in the balance of material considerations: the importance of the asset; the scale of harm; and the nature and level of the public benefit of the proposal."

The proposals are contained to the rear of the application site and do not encroach upon the curtilage of the nearby listed buildings, maintaining large distances in between. In addition, these heritage assets are not experienced from the location of the proposed extension. As such, they would have no impact upon the setting of any of the nearby Grade II Listed Buildings. The proposals are therefore considered to comply with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the NPPF, and Local Plan Policy EN10.

(c) Impact on the residential amenities of the neighbouring properties

Appendix D of the Local Plan states that extensions should respect the amenity of dwellings, giving due consideration to issues of garden space, privacy, daylight and overbearing effect.

With regards to the impact on the privacy of neighbouring properties, the rooflights that are proposed on the south facing roof slope of the proposed extension would be at least 1.7m from the internal floor of the room in which the rooflight would be installed. This would not allow for overlooking or impinge on the privacy of neighbouring properties to the south. This is in line with the provisions as set out within Part 1, Class A of the General Permitted Development Order which allow for upper-floor windows to be opening provided the opening part is more than 1.7m above the floor of the room in which the window is installed.

With regards to the first-floor rear windows, it is not considered that these would provide a level of overlooking that does not already exist from the upper floor windows of the property.

Given the form and location of the proposal and the orientation of the dwellings along Mill Lane, in relation to the passage of the sun, it is considered that the development would not harm residential amenity with regard to the loss of direct sunlight or overshadowing for either neighbouring properties directly north or south of Lavender Cottage.

Following a site visit to establish residential amenity impacts resulting from the proposals, Officers considered that the proposal was overbearing. This was based on the increased height of the existing eaves and the overall ridge height, combined with the depth of the extension. These impacts would have been exacerbated by the fact that No.16 is set back from the rear of Lavender Cottage. This impact would be intensified due to the lack of openings in the side elevation, presenting a solid wall that would extend away from the rear elevation of No.16 by circa 5m.

The amended plans have reduced the depth and height of the proposal, along with marginally moving away from the shared boundary so that it now sits approximately 1.5m away, and 2.5m from the side elevation of no. 16's single-storey extension.

Whereas the initial plans demonstrated that they complied with the 45 degree rule, the amended plans are comfortably within these limitations on both the vertical and horizontal lines. As such, the amended proposals are considered to be acceptable and would not result in significant impacts in terms of overshadowing, loss of light and creating an overbearing presence. Nor would the proposals result in a sense of enclosure.

Due to the height of the single-storey extension proposal, this would have no impact on a loss of light, cause overshadowing or a sense of overbearing for the property to the north, Parkfield. In addition, due to the distance between the ground-floor conservatory windows of Parkfield and the two-storey extension of the proposal, this would also have no impact on residential amenity.

On balance, taking the above into account, it is considered that the proposals do comply with the residential amenity considerations of Appendix D of the Local Plan.

(d) Impact on the Lower Slaughter Conservation Area

The application site is situated within the Lower Slaughter 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 16 of the National Planning Policy Framework (NPPF) states that in determining applications, local planning authorities should take account of the desirability of sustaining or enhancing the significance of heritage assets. In particular, paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, such as a Conservation Area, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).

Policy EN11 relates specifically to Conservation Areas stating that development proposals that would affect Conservation Areas and their settings, will be permitted provided they "preserve and where appropriate enhance the special character and appearance of the Conservation Area in terms of siting, scale, form, proportion, design, materials and the retention of positive features."

Given the location to the rear of the main dwelling, it is considered that the proposed extensions would not have an adverse impact on the character or appearance of the Lower Slaughter Conservation Area. Views of the proposal would be confined to that of the rear gardens of the properties in the vicinity of the site and there would be few, if any, views from any public realms. Consequently, the siting of the proposals is considered relatively unobtrusive within the conservation area, and would not alter the appearance of the dwelling from public realm.

Lower Slaughter Footpath 5 which runs from west to east approximately 46m to the south of the site is not afforded open views of Lavender Cottage due to the distance and the existence of established boundary treatments in-between.

It is considered that the proposals comply with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990, Section 16 of the NPPF and Local Plan Policy EN11.

(e) Impact on the Cotswolds Area of Outstanding Natural Beauty (AONB)

The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB). Section 85 of the Countryside and Rights of Way (CROW) Act 2000 states that relevant authorities have a statutory duty to conserve and enhance the natural beauty of the AONB.

Paragraph 170 of the updated NPPF states that planning should contribute to and enhance the natural and local environment by "protecting and enhancing valued landscapes... and recognising the intrinsic character and beauty of the countryside". More specifically, paragraph 172 of the Framework advises that great weight should be given to conserving the landscape within the

AONB (amongst other sensitive areas), which has the highest status of protection for its scenic beauty.

Local Plan Policy EN5 relates specifically to the Cotswold AONB, and 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.

Due to the limited public views, the proposal being situated within the rear garden of a residential dwelling within a residential area and not extending into open countryside, it is considered that there would be no negative impact on the character and special qualities of the AONB.

The proposals are considered to accord with Section 85 of the Countryside and Rights of Way (CROW) Act 2000, Section 15 of the NPPF and Local Plan Policy EN5.

(f) Impact on nearby protected trees

Policy EN7 asserts that "development will not be permitted that fails to conserve and enhance trees of high landscape, amenity, ecological or historical value", which includes trees that are protected by Tree Preservation Orders.

Having regard to the impact of the proposal on the nearby trees, which are afforded protection by virtue of being located within a conservation area; it is considered they would be unaffected due to the distances between them and the proposal.

As such, the proposal is considered to accord with Policy EN7.

9. Conclusion:

Overall, the amended plans are judged to be a considerable improvement on the original plans, such that they are now considered to comply with the relevant national and local planning policies. As such, it is recommended that planning permission is granted.

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.

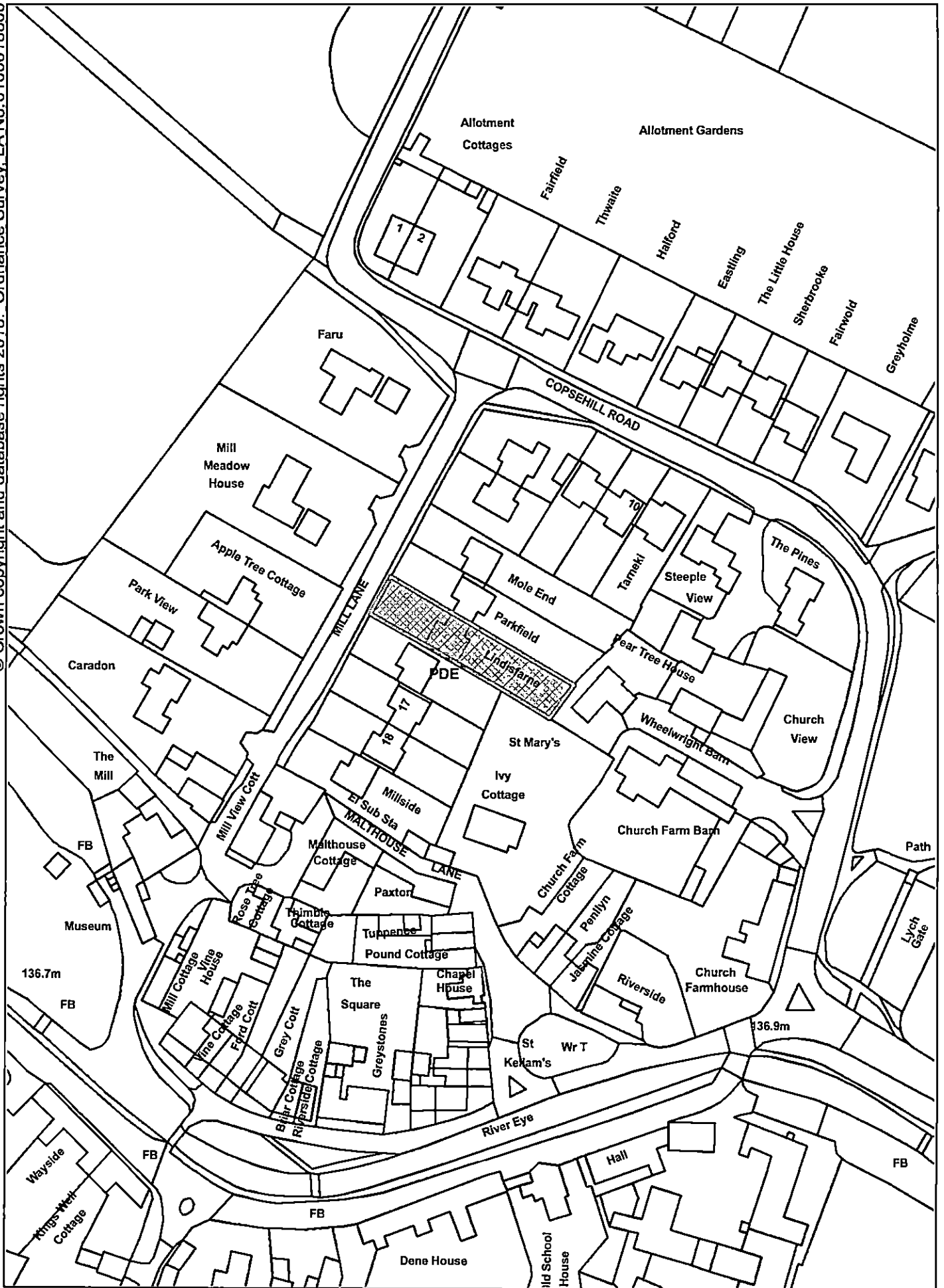
The development hereby approved shall be implemented in accordance with the following drawing number(s): 18/487/01, 18/487/02, 18/487/03 REV A, 18/487/04, 18/487/09, 18/487/05 REV G and 18/487/06 REV I.

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 EN2 and EN11, the development hereby permitted is completed in a manner appropriate to the site and its surroundings.

© Crown copyright and database rights 2018. Ordnance Survey, LA No. 0100018800



LAVENDER COTTAGE 15 MILL LANE LOWER SLAUGHTER GLOSSOP Scale: 1:1250

Organisation: Cotswold District Council

Department:

Date: 28/03/2019



COTSWOLD
DISTRICT COUNCIL





PROPOSED EXTENSION TO LAVENDER COTTAGE, 15 MILL LANE, LOWER SLAUGHTER, CHELTENHAM GL54 2HX
 for ALISON AND DAVID TANSLEY

DRAWING TITLE: LOCATION PLAN
 DRAWING NUMBER: 18/487/09
 DATE: DEC 2018
 SCALE: 1:500
 PROJECT: THE OLD CO-OP, BREWERY LANE, NAILSWORTH, STROUD, GLOUCESTERSHIRE GL6 6JQ
 REVISION: KEITH ANGUS CHARTERED ARCHITECT / keithangus@mac.com (01453) 835341

235

18/04597/PUL



PROJECT

PROPOSED EXTENSION TO LAVENDER COTTAGE, 15 MILL LANE, LOWER SLAUGHTER, CHELTENHAM GL54 2HX
for ALISON AND DAVID TANSLEY

DRAWING TITLE

SITE PLAN

SCALE

1:200

DATE

JULY 2018

DRAWING NUMBER

18/48702

REVISION

KEITH ANGUS CHARTERED ARCHITECT

THE OLD CO-OP, BREWERY LANE, NAILSWORTH, STROUD, GLOUCESTERSHIRE GL6 9JQ

(01453) 835341

keithangus@mac.com



PROPOSED EXTENSION TO LAVENDER COTTAGE, 15 MILL LANE, LOWER SLAUGHTER, CHELTENHAM GL54 2HX
 for ALISON AND DAVID TANSLEY

DRAWING TITLE
 PROPOSED BLOCK PLAN

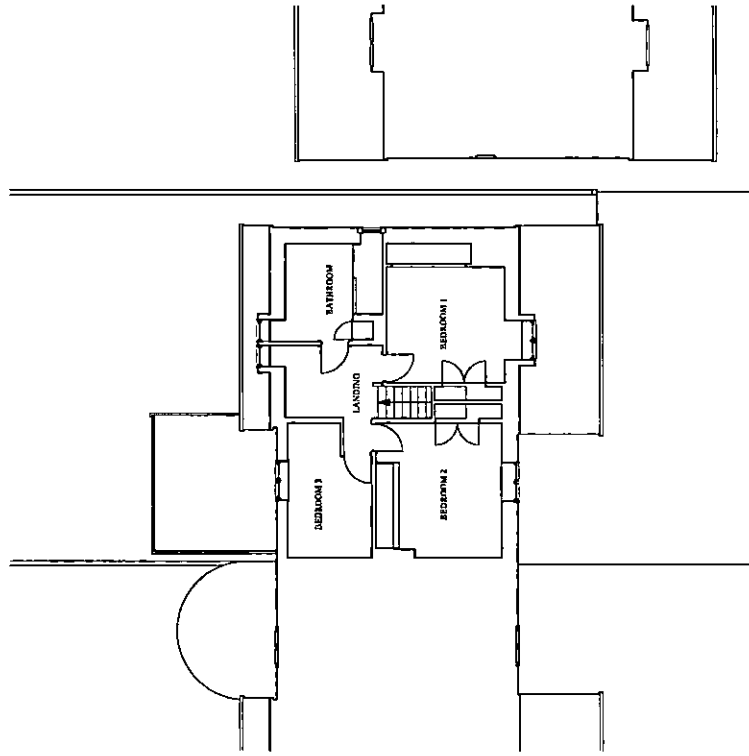
PROJECT
 KEITH ANGUS CHARTERED ARCHITECT
 THE OLD CO-OP, BREWERY LANE, NAILSWORTH, STROUD, GLOUCESTERSHIRE GL6 9JQ
 keithangus@mac.com
 (01453) 835341

SCALE
 1:500

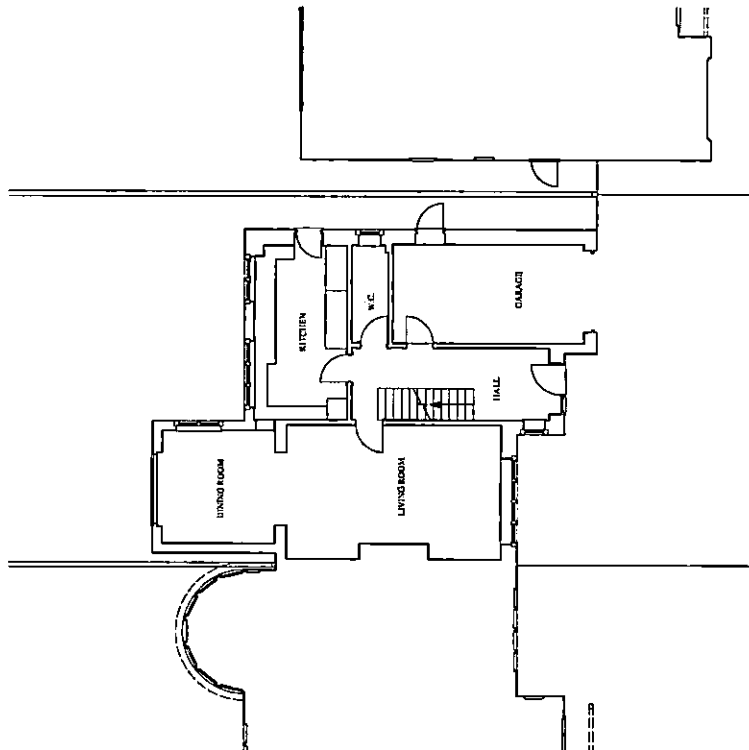
DATE
 DEC 2018

DRAWING NUMBER
 18/487/10

REVISION
 A

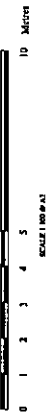


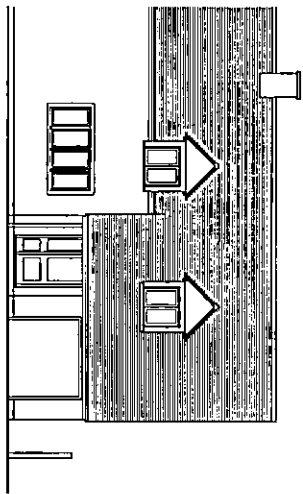
FIRST FLOOR PLAN



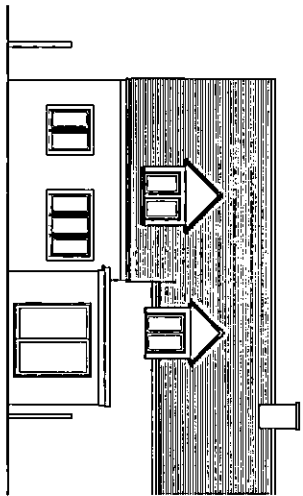
GROUND FLOOR PLAN

DRAWN BY: [REDACTED] DATE: JULY 2018 BY: [REDACTED]
 CHECKED BY: [REDACTED] DATE: [REDACTED] BY: [REDACTED]
 PROJECT NO: 18/04597/FUL
 CLIENT: [REDACTED]
 PROJECT NAME: PROPOSED EXTENSION TO LAVENDER COTTAGE, 15 MILL LANE, LOWER SLAUGHTER, CHELTEMHAM GL54 3JX
 FOR ALISON AND DAVID TASSLEY
 DRAWN DATE: [REDACTED] DATE: [REDACTED] BY: [REDACTED]
 CHECKED DATE: [REDACTED] DATE: [REDACTED] BY: [REDACTED]
 PROJECT NO: 18/04597/FUL
 CLIENT: [REDACTED]
 PROJECT NAME: PROPOSED EXTENSION TO LAVENDER COTTAGE, 15 MILL LANE, LOWER SLAUGHTER, CHELTEMHAM GL54 3JX
 FOR ALISON AND DAVID TASSLEY

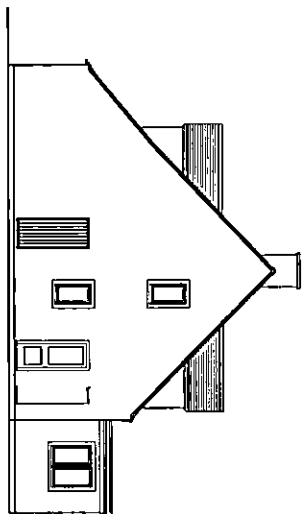




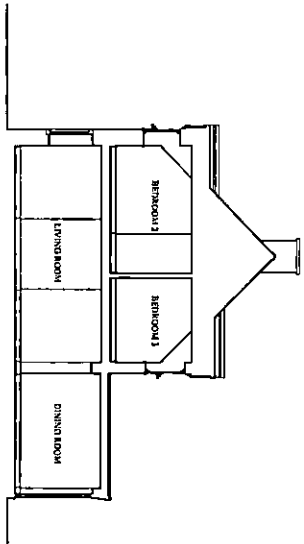
NORTH WEST ELEVATION (FACING MILL LANE)



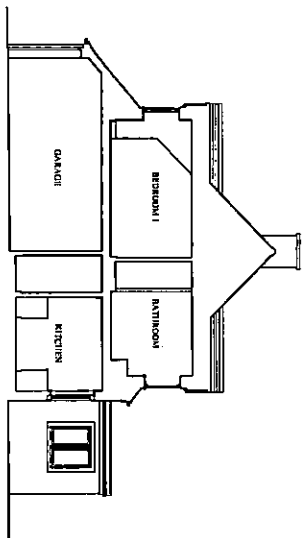
SOUTH EAST ELEVATION (FACING REAR GARDEN)



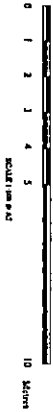
SOUTH WEST ELEVATION



SECTION A - A

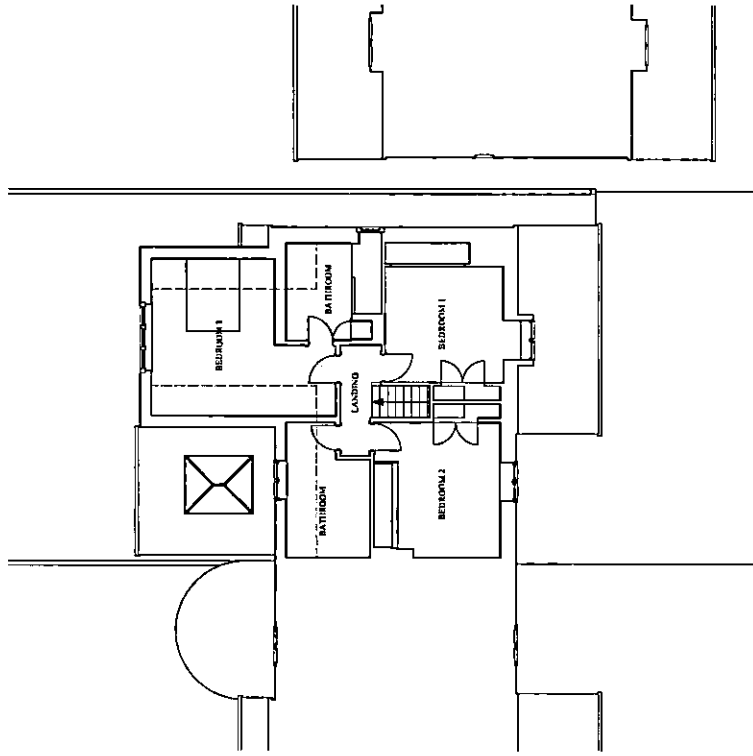


SECTION B - B

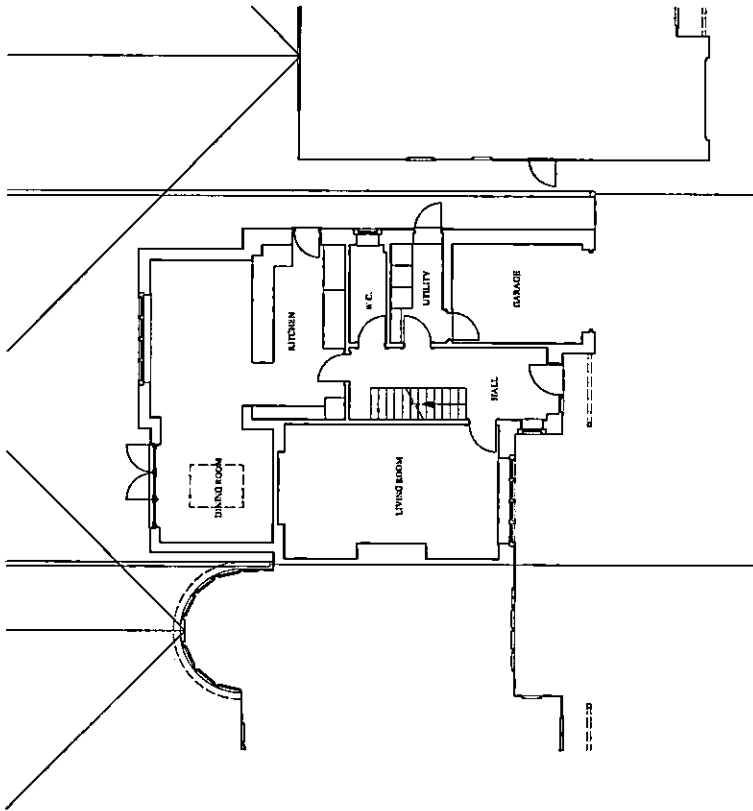


PLANNING
 PROPOSED EXTENSION TO LAVENDER COTTAGE, 18 MILL LANE, LOWER SLAUGHTER, CHELTENHAM GL54 2HX
 FOR ALISSON AND DAVID PASSELY
 DRAWING TITLE
 SURVEY ELEVATIONS AND SECTIONS
 DATE
 JULY 2018
 DRAWING NUMBER
 18/04597/01
 THE OLD FULF, BARBERS LANE, WATERLOO, BRISTOL, GL1 2JF
 01454 33331

18/04597/FUL



FIRST FLOOR PLAN

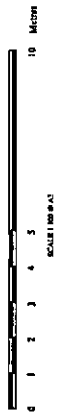


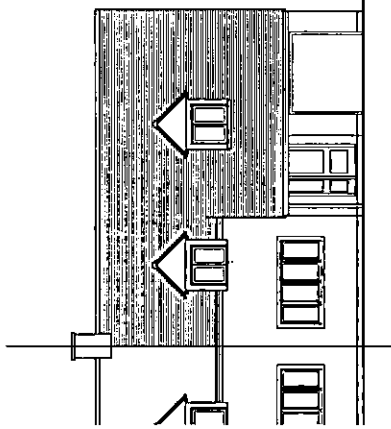
GROUND FLOOR PLAN

PROJECT
 PROPOSED EXTENSION TO LAVENDER COTTAGE, 15 HILL LANE, LOWER SLUGHTER, CHELTENHAM GL54 3HX
 for ALISON and DAVID TANSLEY

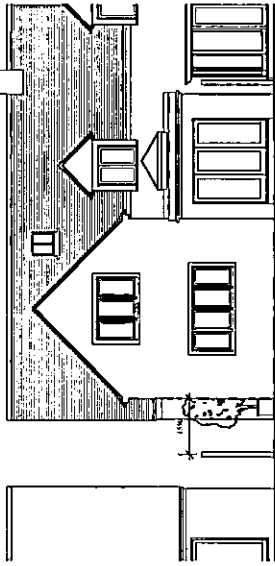
DRAWING NO	DATE	SCALE	NUMBER	REVISION
PROPOSED GROUND AND FIRST FLOOR PLAN	1:100	JULY 2018	18/04597	G

ARCHITECT: CRAIGER ARCHITECT /
 THE OLD TOWNT, BERRAF LANE, MILKSTONE, STAIN, DERBYSHIRE S18 2PU TEL: 01293 84331

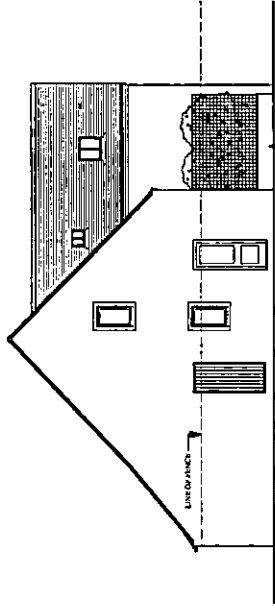




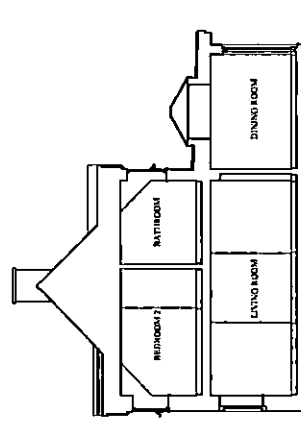
NORTH WEST ELEVATION (FACING MILL LANE)



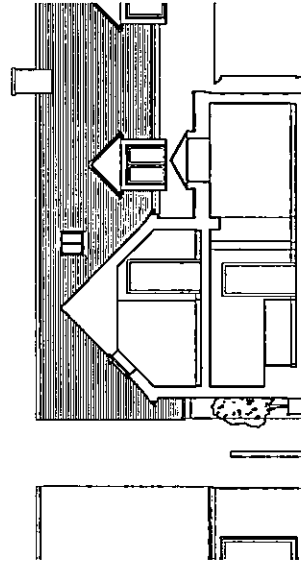
SOUTH EAST ELEVATION (FACING REAR GARDEN)



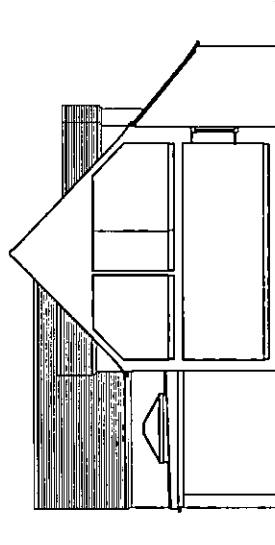
SOUTH WEST ELEVATION



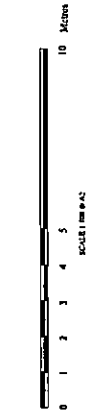
SECTION A-A



SECTION C-C



NORTH EAST ELEVATION



PROJECT: PROPOSED EXTENSION TO LAUNDRESS COTTAGE, 15 MILL LANE, LOWER SLUGHTER, CHILTERNIAN GL54 3JX
 FOR ALISON AND DAVID JANSKY

ISSUED FOR: PROPOSED ELEVATIONS AND SECTIONS

DATE: JULY 2018

SCALE: 1:100

DRAWING NUMBER: 18/04597/06

VERSION: 1

DESIGNER: KEITH LANGRISH - CHARTERED ARCHITECT / THE OLD FARM, BARNBY LANE, NORSWORTH, STRAID, GLOUCESTERSHIRE GL14 2JQ (01453) 833349