

Item No 01:-

21/02440/FUL

**Comberow Cottage
Church Road
Icomb
Cheltenham
Gloucestershire
GL54 1JL**

Item No 01:-

Two storey side extension, alterations to front porch, replacement windows and associated works at Comberow Cottage Church Road Icomb Glos GL54 1JL

| Full Application 21/02440/FUL | |
|--|-----------------------------|
| Applicant: | Victoria Campbell |
| Agent: | Archway Design Services Ltd |
| Case Officer: | Amy Hill |
| Ward Member(s): | Councillor David Cunningham |
| Committee Date: | 9th February 2022 |
| RECOMMENDATION: | PERMIT |

UPDATE: The application was deferred at the January Planning & Licensing Committee to allow for a Sites Inspection Briefing, to enable Members to consider the impact of the proposed extension on the amenity of the neighbouring property. Members are to provide comments regarding this at the Committee Meeting.

1. Main Issues:

- (a) Design and Impact on Heritage Assets
- (b) Impact on Residential Amenity
- (c) Impact on Cotswolds Area of Outstanding Natural Beauty (AONB)

2. Reasons for Referral:

2.1 In accordance with the Scheme of Delegation, the Ward Member, Cllr Cunningham, requested the application was referred to committee for the following reasons:

"My reasons for this are, the impact on residential amenity of the neighbouring dwelling, Lawn Cottage. The prospective extension will effectively form a 2-storey vertical wall on one side of the courtyard belonging to Lawn Cottage. This courtyard is the only private outside space belonging to Lawn Cottage and as such, the overbearing nature of the extension will create a much less open feel to the surroundings and impact directly the enjoyment afforded to the residents from this area."

3. Site Description:

3.1 The application site comprises a detached dormer bungalow on the edge of the village of Icomb, within its conservation area. To the rear of the site is a grade II listed dwellinghouse, The Lawn, with another grade II listed building to the east, Park View House. The property overlooks the road, set back on the site by approximately 11m, to the rear is a walkway between the rear of the property and neighbour's boundary. To the west of the property is the driveway to The Lawn and Lawn Cottage. Lawn Cottage is located to the rear of the

property to the east, with the side of the property overlapping the rear of the site dwellinghouse. Lawn Cottage also has a courtyard to the side of their property, to the side of the application dwellinghouse.

3.2 The site is also within the Cotswolds Area of Outstanding Natural Beauty (AONB).

4. Planning Policies:

TNPPF The National Planning Policy Framework

CDCLP CDC LOCAL PLAN 2011-2031

EN1 Built, Natural & Historic Environment

EN2 Design of Built & Natural Environment

EN4 The Wider Natural & Historic Landscape

EN5 Cotswolds AONB

EN10 HE: Designated Heritage Assets

EN11 HE: DHA - Conservation Areas

5. Observations of Consultees:

5.1 N/A

6. View of Town/Parish Council:

6.1 None received at time of writing

7. Other Representations:

7.1 Objections were received from the neighbours:

7.2 2 Objection received following initial scheme raised the following concerns:

- Extension out of character and scale with the cottage
- Rooflights and window out of keeping with cottage
- Impact on amenity of The Lawn and Lawn Cottage - loss of light, privacy and overbearing
- Harms Conservation Area and setting of Listed Buildings
- Use of inappropriate materials
- Lack of discussion with neighbours
- Material changes in policy and understanding since 2006 permission

7.3 2 Objection received following amended scheme raised the following concerns:

- Objection points above still a concern

8. Applicant's Supporting Information:

Daylight and Sunlight Assessment

Planning Statement

9. Relevant Planning History:

CD.1205/C: Renovation of derelict cottage. Permitted August 1967

CD.1205/J: First floor extension over existing ground floor room to extend first floor bedroom. Permitted January 2002

CD.1205/Q: 06/02653/FUL: 2 storey side extension, rebuild porch. Permitted 19.12.2006

10. Officer's Assessment:

10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.' The starting point for the determination of this application is therefore the current development plan for the District which is the adopted Cotswold District Local Plan 2011 - 2031. The policies and guidance within the revised National Planning Policy Framework (NPPF) are also a material planning consideration.

10.2 The application seeks consent for a one-and-a-half storey side extension, including a dormer window to the front. Alterations are also proposed to the porch, relocating the access to the front from the side.

10.3 Additionally, the plans indicate rooflights to the rear of the existing dwellinghouse and a window on the side elevation at ground floor level. Whilst these are included on the submitted plans, they fall within the allowances of permitted development and as such do not require express planning permission.

10.4 The proposed extension would have an overall height of approximately 6.9m with eaves of 2.6m. It would have a width and depth of approximately 2.7m and 7.7m respectively. It would be constructed of natural stone to match the existing. To the front the roof would be stone tiles, to match the existing, and to the rear plain concrete tiles, to match those to the rear. The windows would be metal framed.

(a) Design and Impact on Heritage Assets

10.5 The Local Planning Authority is statutorily required to have special regard to the desirability of preserving the building, its setting, and any features of special architectural or historic interest it may possess, in accordance with Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

10.6 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.

10.7 Local Plan Policy EN1 promotes the protection, conservation and enhancement of the built, historic and natural environment in new development. Local Plan Policy EN2 supports development which accords with the Cotswold Design Code and respects the character and distinctive appearance of the locality. Local Plan Policy EN4 states that development should take into account historic landscape character and local distinctiveness, and would be

expected to enhance, restore or better manage significant historic landscape features, including key views, the setting of settlements, settlement pattern, and heritage assets.

10.8 Local Plan Policy EN10 requires consideration of proposals that affect a designated heritage asset and/or its setting with a greater weight given to more important assets. It supports proposals that sustain and enhance the character, appearance and significance of designated heritage assets and their setting, which put them in viable uses, consistent with their conservation. Where harm would be caused, it would not be supported unless clear and convincing justification of public benefit can be demonstrated to outweigh that harm. Local Plan Policy EN11 seeks to preserve and, where appropriate, enhance the special character and appearance of conservation areas in terms of siting, scale, form, proportion, design, materials and the retention of positive features. This should include avoiding the loss of open spaces which make a valuable contribution to the character and/or appearance, and/or allow important views into or out of conservation areas.

10.9 NPPF Section 12 (Achieving well-designed places) requires good design, providing sustainable development and creating better places to live and work. Paragraph 130 states that decisions should ensure that development 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. Development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping, which are sympathetic to local character and history maintaining a strong sense of place.

10.10 Section 16 (Conserving and enhancing the historic environment) seeks to protect the historic environment. Specifically Paragraph 197 requires Local Planning Authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 199 advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Within Conservation Areas Paragraph 206 states proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

10.11 The dwellinghouse is a modest dormer bungalow the footprint of which appears on the 1st edition OS maps, which was renovated and extended with a single-storey side extension. The scheme has been amended during the course of the application to create a step back from the front elevation, to show the evolution of the building. A dormer window has been included in the front elevation, which would be of a similar size and style to the existing dormer windows. The materials of the extension would match those of the existing dwellinghouse. The extension is considered to be subservient to and in keeping with the existing dwellinghouse. The resulting appearance of the cottage would remain as a modest cottage. As an addition to the side it would not obscure the main elevation of the dwellinghouse, and would not diminish the quality or integrity of the building.

10.12 Whilst it would be closer to Lawn Cottage, views of this from the road are already limited, and the impact on the proposal on views of it are considered limited, and not harmful. The form and design of the proposed extension is considered not to harm the character or appearance of the host dwellinghouse. The alterations to the porch would retain the existing form, with the change of design having a minimal impact on the overall appearance of the site.

10.13 As a result the proposals are considered not to erode the contribution the site makes to the Icomb Conservation Area, and consequently does not harm the character and appearance of the conservation area. The site is in proximity to nearby listed buildings, but for the same reasons as the above, the setting of these is considered not to be harmed by the addition of the extension.

10.14 The alterations to the porch would retain the existing form, with the change of design having a minimal impact on the overall appearance of the site.

10.15 The proposal is therefore considered to comply with the design and heritage considerations of the Local Plan Policies EN2, EN10 and EN11, and Sections 12 and 16 of the NPPF.

(b) Impact on Residential Amenity

10.16 Local Plan Policy EN2 refers to The Design Code (Appendix D) which sets out policy with regard to residential amenity. This expects proposals to respect amenity in regards to garden space, privacy, daylight and overbearing effect. Section 12 of the NPPF requires good design with a high standard of amenity for existing and future users.

10.17 Objections have been received in relation to the window on the west elevation and rooflights to the rear of the dwellinghouse shown on the submitted plans; however, these would fall within the allowances of permitted development.

10.18 The porch is sufficient distance from the neighbours that it would not have an impact on the amenity of the neighbour with regard to loss of light, loss of privacy and overbearing impact.

10.19 The side extension is the main concern as it would be constructed up to the boundary with Lawn Cottage. The agent has submitted information which has established that the level of loss of light to Lawn Cottage would accord with the Building Research Establishment publication IP 23/12 - Site Layout Planning for Daylight guidance, referred to within the Cotswold Design Code. As such, whilst concerns were raised over this by the neighbours, it is considered that the impact on loss of light is acceptable with regard to both the garden area and windows serving the property.

10.20 The extension would have a door to the rear, but at ground floor level (alongside existing windows), and to the front only. As such, the impact with regard to loss of privacy is considered not to be harmed.

10.21 With regard to overbearing, Lawn Cottage has a modest area of private garden to the side of the property. Whilst it has further garden area to the front, as the drive to The Lawn runs along this it is not private. The area to the side is characterised by the existing enclosure of it, with wall on the boundary with Comberow Cottage and walls with hedging on the other

two sides. As a result the character and feeling this area gives is as a courtyard. Given this, the essential increase in the height of the wall with Comberow Cottage, whilst furthering this feeling, is considered not to materially change this. As such, the impact on the amenity of the occupiers of Lawn Cottage is considered not to be materially harmed.

10.22 The proposal is therefore considered to comply with the residential amenity considerations of Local Plan Policies EN2, EN10 and EN11, and NPPF Sections 12 and 16 of the NPPF.

(c) Impact on Cotswolds Area of Outstanding Natural Beauty (AONB)

10.23 The site is located within the Cotswolds 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.

10.24 Local Plan Policy EN4 supports development 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. Local Plan Policy EN5 relates specifically to the Cotswolds 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. These policies accord with the requirements of NPPF Section 15, which seeks to conserve and enhance the natural environment.

10.25 The proposed development is contained within the residential curtilage of the site and relates closely to the existing built form on the site. The site is on the outskirts of the village, but is within a built up section. It would not encroach into open countryside and is considered not to harm the character or appearance of the Cotswolds AONB. As such the proposal is considered to accord with Local Plan Policies EN4 and EN5, and Section 15 of the NPPF.

11. Conclusion:

11.1 The proposal is considered to comply with the above Local Plan Policies and material considerations of the NPPF. As such, it is recommended for permission.

11.2 The proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) because it is less than 100m² of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.

12. Proposed conditions:

1. 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.

2. The development hereby approved shall be carried out in accordance with the following drawing number(s):

777C/PL/001 RA; 777C/PL/002 RA; 777C/PL/003 RA; 777C/PL/004 RA; and 777C/PL/006 RA

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

3. The walls of the extension shall be constructed of natural stone, and shall be of the same stone type, colour and sizes as the existing stonework and it shall be laid using a mortar which is slightly weaker than the stone and which contains well graded sharp sand, stone dust and lime and shall be permanently retained as such thereafter. In addition, the pointing shall have a marginally recessed finish and shall be brushed or bagged and shall match the existing.

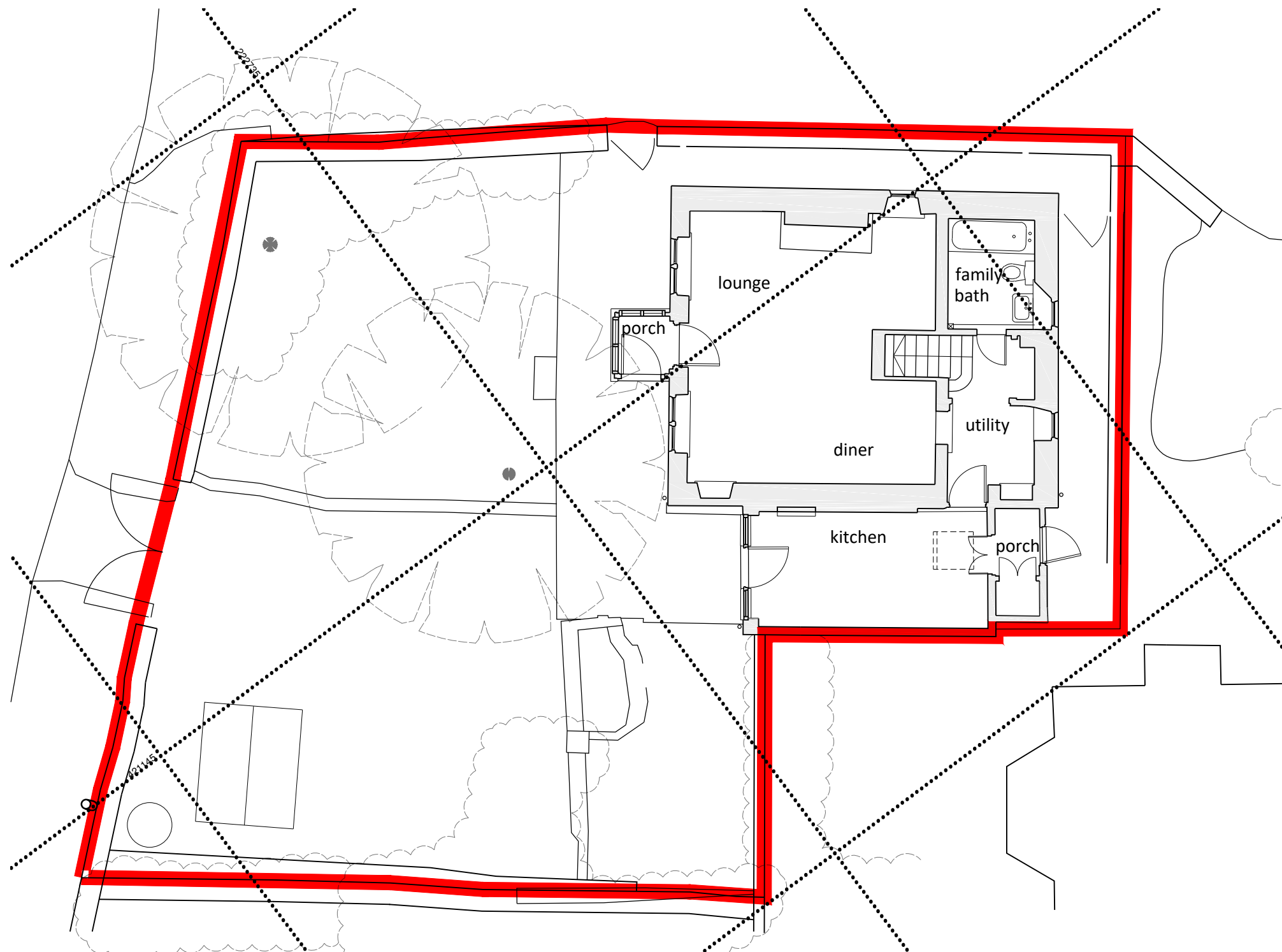
Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies EN2, EN10 and EN11.

4. The front roof slopes of the development hereby permitted shall be covered with natural stone tiles to match those on the front elevation of the existing dwellinghouse and shall be permanently retained as such thereafter. The rear roof slopes of the development hereby permitted shall be covered with plain concrete tiles to match those on the rear elevation of the existing dwellinghouse and shall be permanently retained as such thereafter.

Reason: To ensure that, in accordance with Cotswold District Local Plan Policies EN2, EN10 and EN11 the development will be constructed of materials that are appropriate to the site and its surroundings. It is important to protect and maintain the character and appearance of the area in which this development is located.

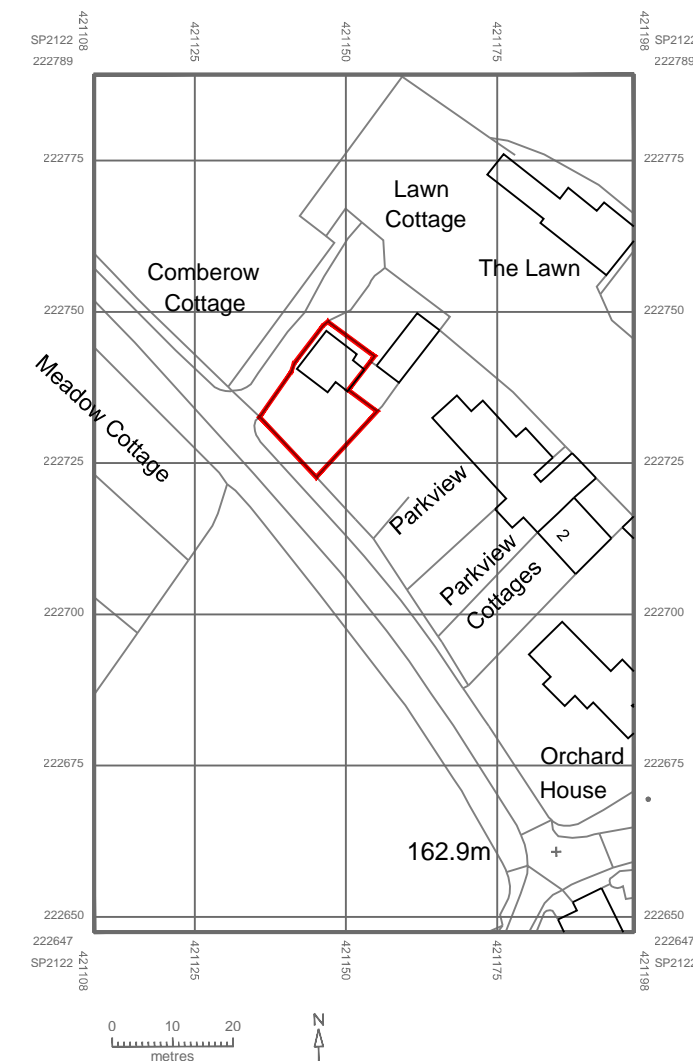
Informative:

1. Please note that the proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) because it is less than 100m² of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption under CIL Regulation 42.

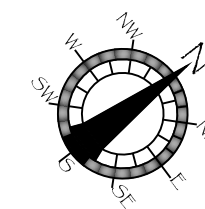


P1 Block Plan/Ground Floor
Existing
1:100 @ A3

0mm 1.0m 2.0m 4.0m 6.0m 8.0m
1:100 @ A3



P2 Location Plan
Existing
1:1250 @ A3



Notes

Project: 2 Storey Side Extension
Site: Comberow Cottage, Church Road, Icomb, Cheltenham GL54 1JL
Client: Victoria Campbell

Archway Design Services Limited
51 Tothill Street Minster Nr Ramsgate CT12 4AJ
Phone: -07962234372
Email: -Archwaydesigns@gmail.com

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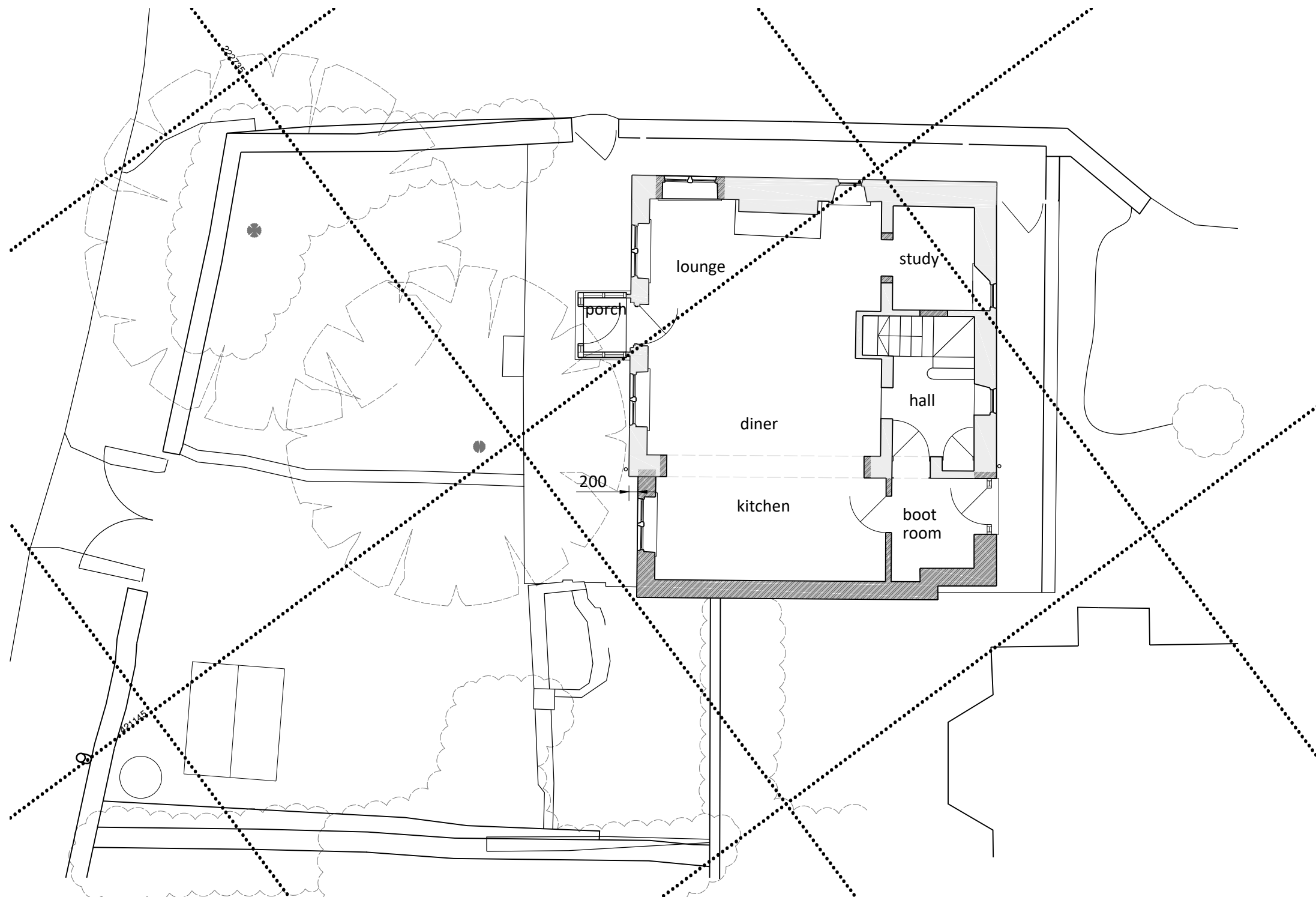
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| Rev | Details | Date |
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Date: June 2021

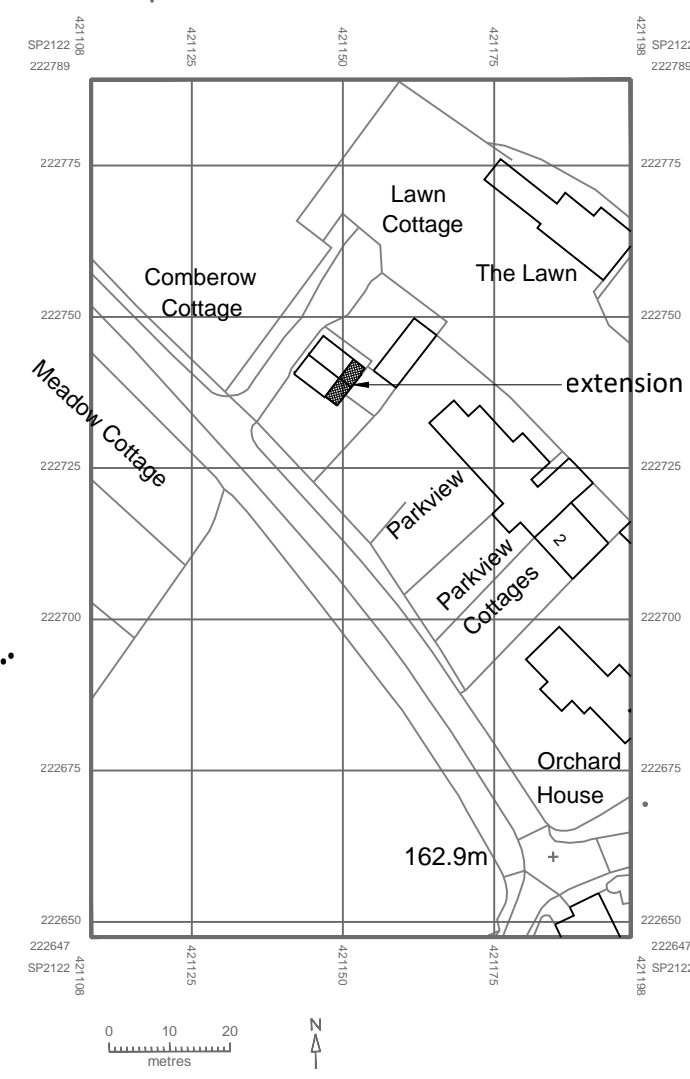
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Dwg No: 777C/EX/001

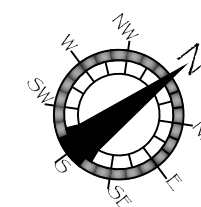


P1 Block Plan/Ground Floor
Proposed
1:100 @ A3

0mm 1.0m 2.0m 4.0m 6.0m 8.0m
1:100 @ A3



P2 Location Plan
Proposed
1:1250 @ A3



A Front of extension stepped back with lower ridge line. 5.10.21
Rev Details Date

Date: June 2021
Scale: As Shown @ A3
Dwg No: 777C/PL/001 rA

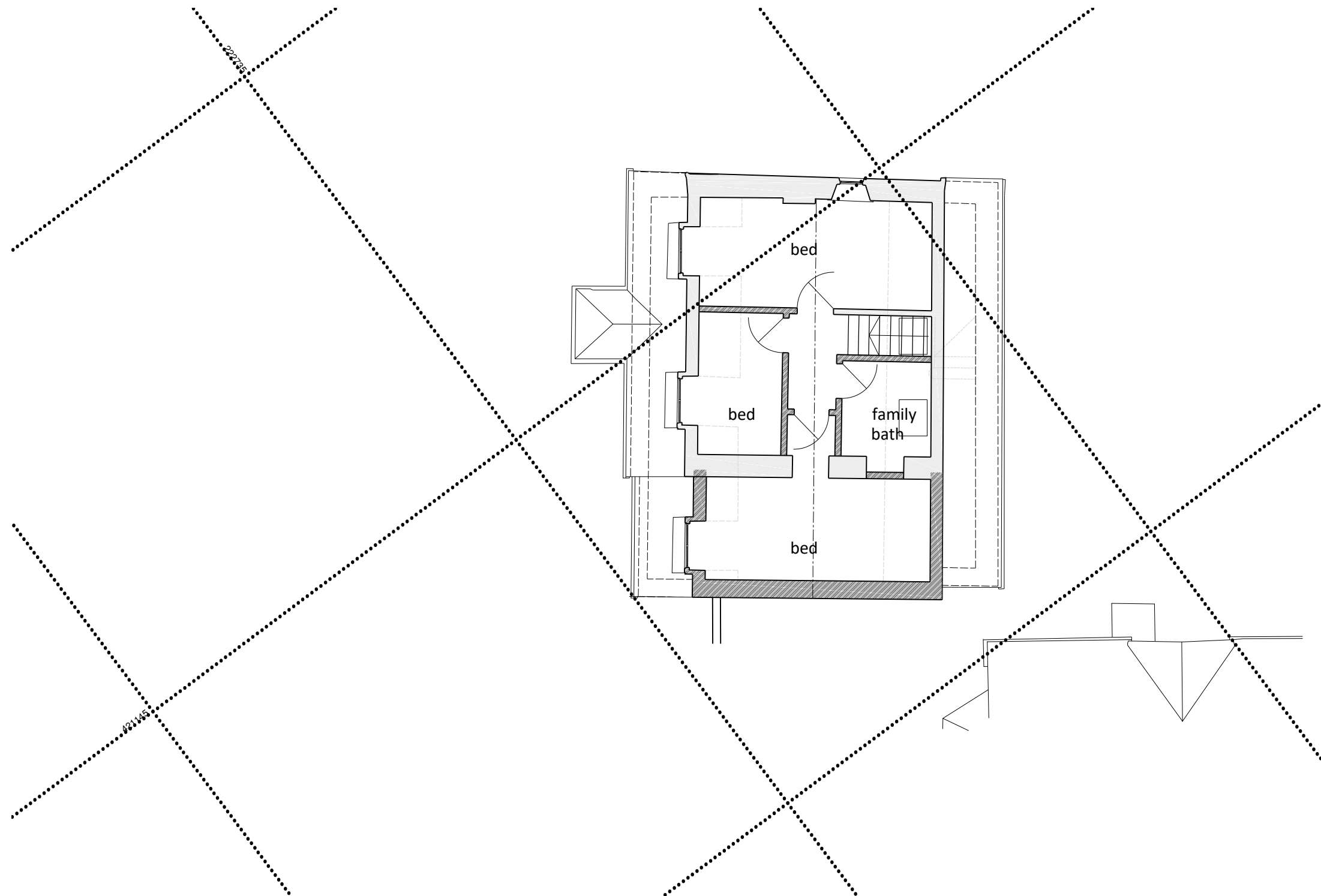
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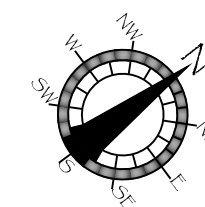
Notes

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P1 First Floor
Proposed
1:100 @ A3

0mm 1.0m 2.0m 4.0m 6.0m 8.0m
1:100 @ A3



Notes

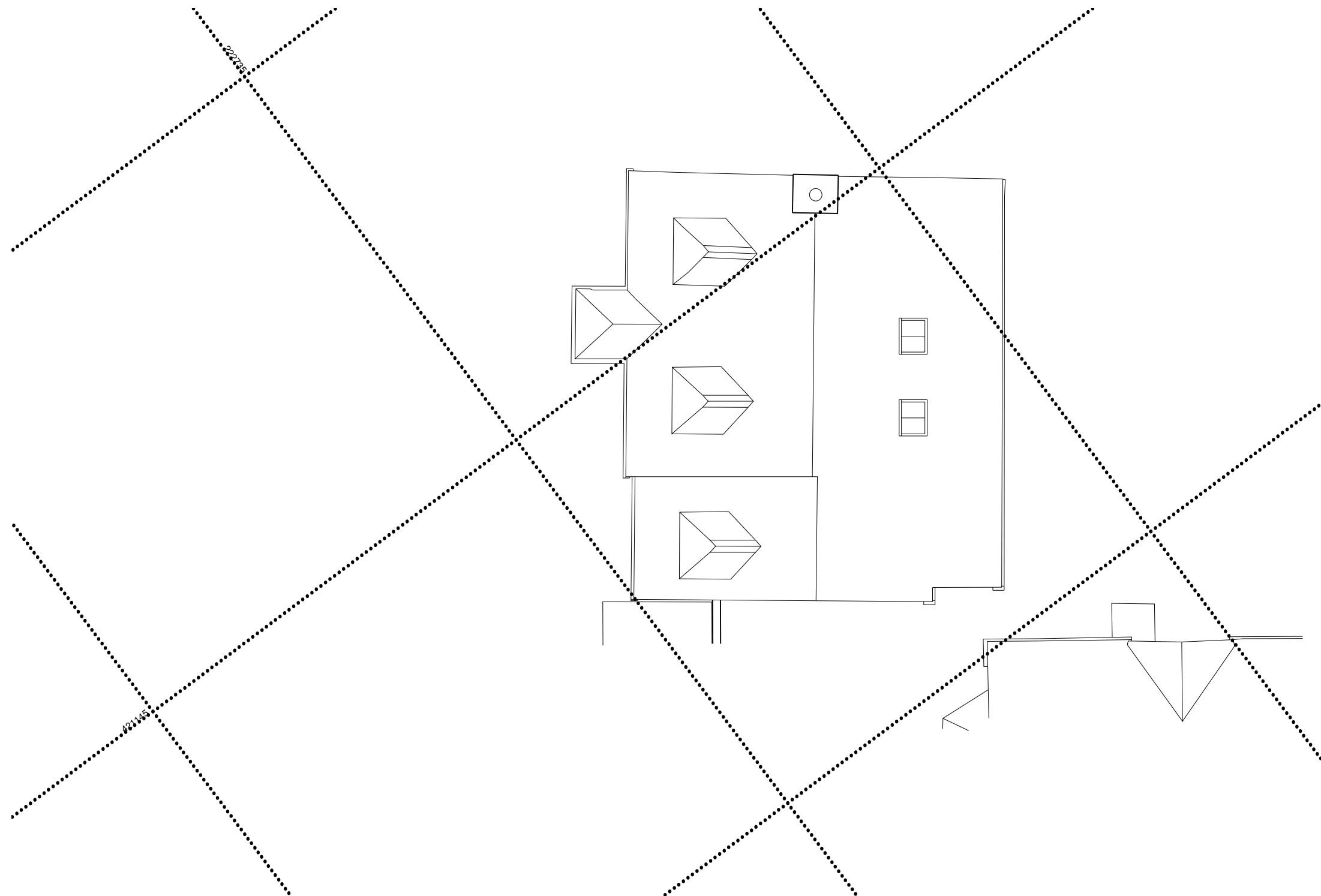
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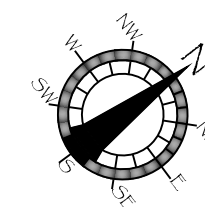
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P1 Roof Floor
Proposed
1:100 @ A3

0mm 1.0m 2.0m 4.0m 6.0m 8.0m
1:100 @ A3



A Front of extension stepped back with
lower ridge line. 5.10.21
Rev Details Date

Date: June 2021

Scale: As Shown @ A3

Dwg No: 777C/PL/003 rA

Notes

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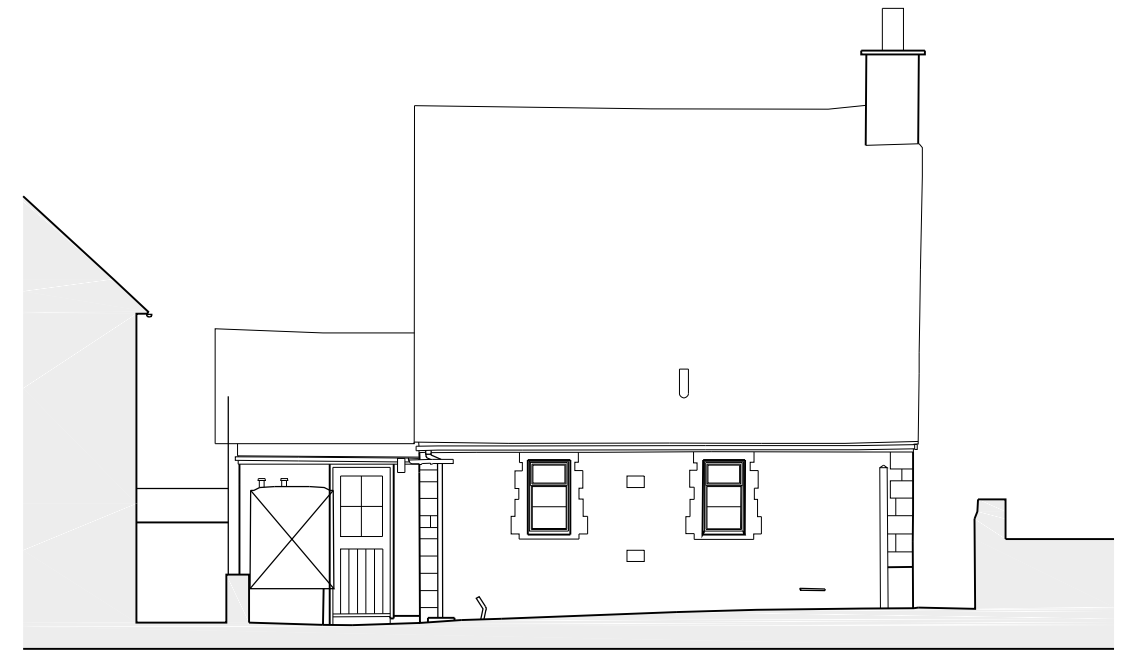
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E2 Side Elevation
Existing
1:100 @ A3



E3 Rear Elevation
Existing
1:100 @ A3



E1 Front Elevation
Existing
1:100 @ A3

0mm 1.0m 2.0m 4.0m 6.0m 8.0m
1:100 @ A3



E4 Side Elevation
Existing
1:100 @ A3

Notes

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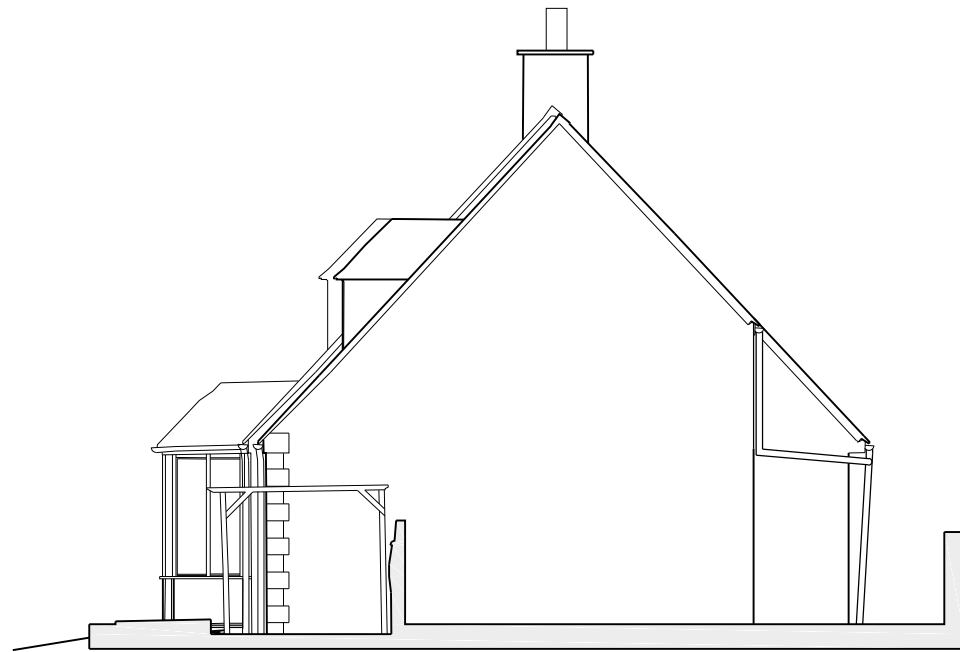
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E2 Side Elevation
Proposed
1:100 @ A3



E3 Rear Elevation
Proposed
1:100 @ A3



E1 Front Elevation
Proposed
1:100 @ A3

0mm 1.0m 2.0m 4.0m 6.0m 8.0m
1:100 @ A3



E4 Side Elevation
Proposed
1:100 @ A3

new window
and surround to
match existing

Notes

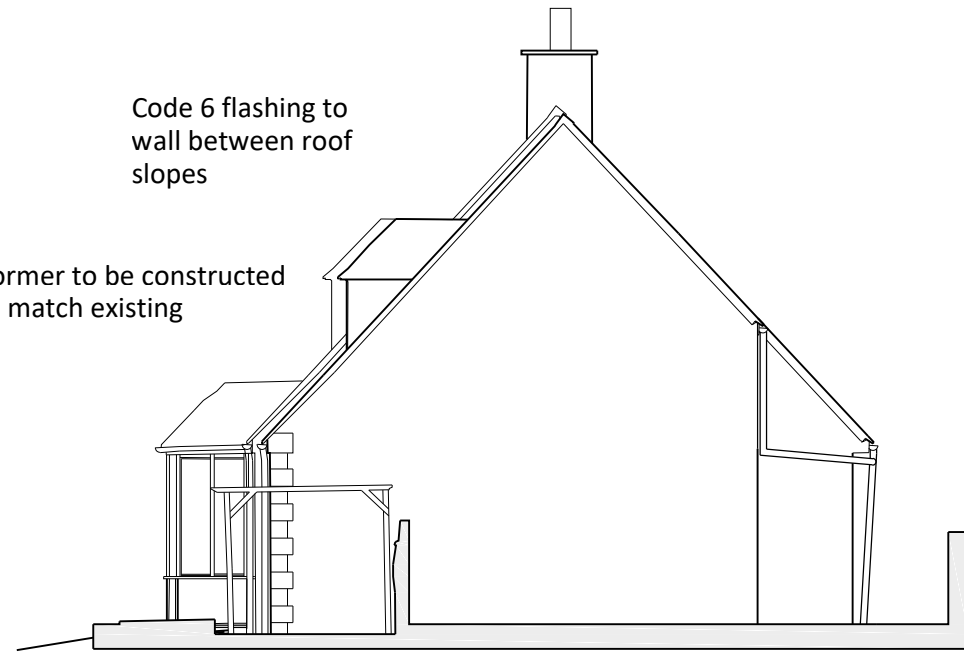
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Materials Designation

E2 Side Elevation
Proposed
1:100 @ A3

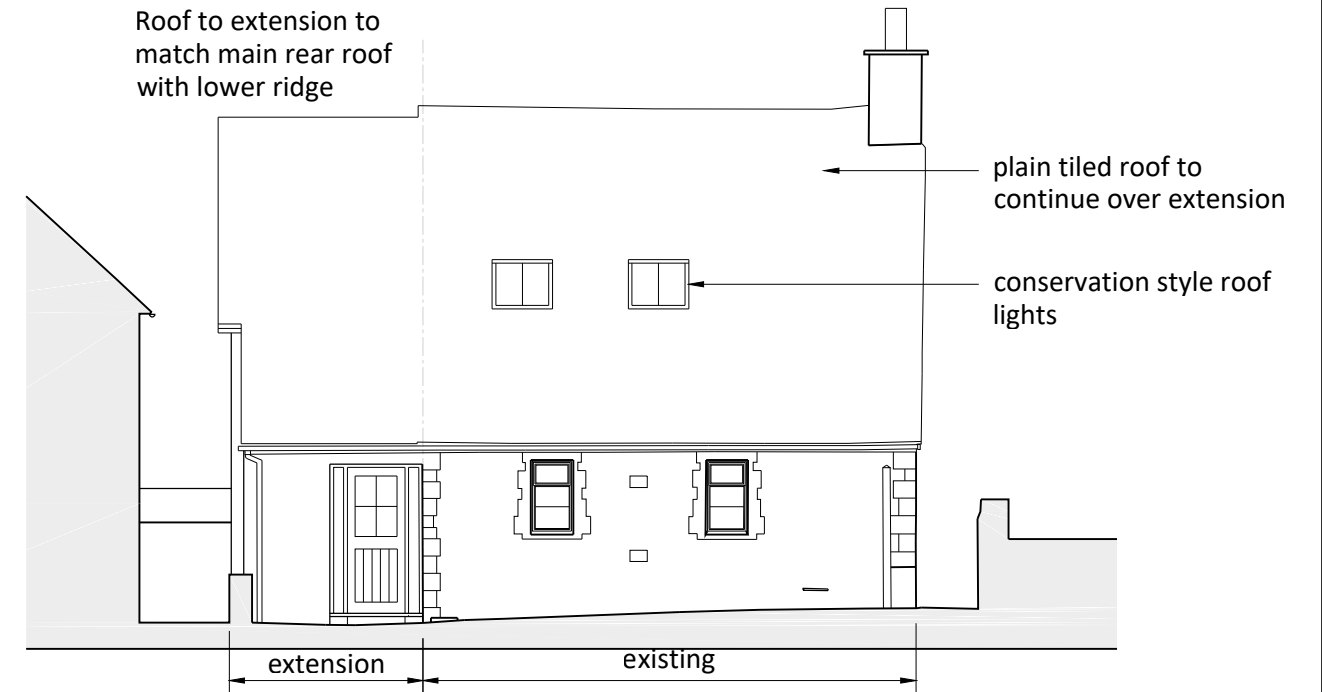
Gable wall to be in materials to match existing.



E1 Front Elevation
Proposed
1:100 @ A3

ground floor window to be set in stone surround as per existing

0mm 1.0m 2.0m 4.0m 6.0m 8.0m
1:100 @ A3



E3 Rear Elevation
Proposed
1:100 @ A3



E4 Side Elevation
Proposed
1:100 @ A3

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