

Item No 02:-

21/00837/FUL

**35 Glass House Road
Mickleton
Chipping Campden
Gloucestershire
GL55 6PF**

Item No 02:-

Erection of two storey side and rear extension and single storey front extension, driveway enlargement at 35 Glass House Road Mickleton Chipping Campden Gloucestershire GL55 6PF

Full Application 21/00837/FUL	
Applicant:	Mr Neil Harvey
Agent:	King Designs
Case Officer:	Hannah Rose
Ward Member(s):	Councillor Gina Blomefield Councillor Tom Stowe
Committee Date:	13th April 2022
RECOMMENDATION:	PERMIT

1. Main Issues:

- (a) Design and Impact on Character and Appearance
- (b) Residential Amenity

2. Reasons for Referral:

2.1 The application has been referred to Planning and Licensing Committee by Councillor Gina Blomfield for the following reasons:

- " this is a carefully designed new housing estate where purchasers expect the design and style to remain the same as when they bought their homes;
- allowing this large double storey extension would set a precedent which could well be followed by others as most of the medium and large properties have generous space around them;
- the extension is overbearing on its neighbouring property;
- taking away the front garden to allow three cars to park is at variance with the design of the estate and is detrimental to the streetscape; and
- the front extension is out of keeping with the estate design."

3. Site Description:

3.1 The application site comprises a recently constructed two storey detached dwelling located within a new housing development in Mickleton and is within the village's Development Boundary. The site is located outside of the Cotswolds Area of Outstanding Natural Beauty.

4. Relevant Planning History:

4.1 14/02365/OUT - Residential development (up to 90 dwellings), access, parking, public open space, landscaping and associated infrastructure. Allowed at appeal 20/10/2014

4.2 16/02049/REM - Reserved Matters application in pursuance of Condition 1 of planning permission ref. no. 14/02365/OUT (APP/F1610/A/14/2228762) for the erection of 90 dwellings, and associated infrastructure and Public Open Space. Permitted 13/1/2016

5. Planning Policies:

- NPPF National Planning Policy Framework
- CDCLP CDC LOCAL PLAN 2011-2031
- EN1 Built, Natural & Historic Environment
- EN2 Design of Built & Natural Environment
- DS2 Dev within Development Boundaries

6. Observations of Consultees:

6.1 N/A

7. View of Town/Parish Council:

7.1 No comments received.

8. Other Representations:

8.1 Objections were received to the originally submitted scheme from six neighbouring households. Subsequent revisions to the scheme received objections from three neighbouring households, comprising adjoining neighbours to the left side and rear of the site.

8.2 In summary, the objections raise the following concerns:

- The revised proposals still result in an overdevelopment of the plot;
- The extensions will be overbearing and will result in overlooking and overshadowing of neighbouring gardens; and
- Building work would cause distress, noise and dust.

9. Applicant's Supporting Information:

- Drawings

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.

10.2 The Council must also have regard to other material considerations when reaching its decision. In particular, it is necessary to have regard to guidance and policies in the National Planning Policy Framework (NPPF).

Proposal and Background

10.3 The applicant is seeking planning permission for the demolition of a detached single garage and the erection of a two storey side and rear extension to the left (north-west elevation) measuring 2.9 metres wide to the side. The extension would continue backwards beyond the rear building line, measuring approximately 7.7 metres deep in total and 2.25 metres beyond the existing rear elevation. This extension would provide a larger kitchen diner and utility room to the ground floor and allow existing floorspace to be converted into a study and a larger third and additional fourth bedroom above. A 0.9 metre deep extension is also proposed to the front elevation to the existing living room which would also provide an open porch above the existing entrance.

10.4 The proposed plans also show an extension to the existing driveway in which surface water would be drained within the site.

(a) Design and Appearance

10.5 Local Plan Policy DS2 (Development within Development Boundaries) states that "Within the Development Boundaries indicated on the Policies Maps, applications for development will be permissible in principle".

10.6 Local Plan Policy EN1 seeks where appropriate, to promote the protection, conservation and enhancement of the historic and natural environment.

10.7 Local Plan Policy EN2 states that development will be permitted which accords with the Cotswold Design Code. The Design Code sets out a number of key principles for residential extensions which include the following:

- a. Extensions should respect the scale, proportions, materials and character of the building.*
- b. They should not obscure important elevations or features of interest, or in any way diminish the quality or integrity of the building, and they should not detract from the surroundings.*
- c. Excessive bulk should be avoided. Modern extensions should not dominate or compete with the original building, either individually or cumulatively.*
- d. They should generally be subservient in height, area and overall mass to the original building, leaving the form and evolution of the building apparent.*

10.8 The property is a new-build dwelling located within a new-build estate with varying building densities. As existing, there is a detached single garage located to the side of the dwelling which abuts the north-western site boundary. The rear elevation of the original dwelling is sited 3.8 metres from the property boundary at its nearest point, owing to the angled rear boundary. There are neighbouring dwellings either side and to the rear of the property.

10.9 The proposed two storey extension would take the place of the single garage. The extension would measure 2.9 metres in width and comprise less than half of the width of the original dwelling, and leave a gap of 1.25 metres between the extension and side boundary. The extension would have a pitched roof and form a gable to the rear. It would be set back from the building line of the principal elevation and with a dropped ridge line lower than the existing dwelling.

10.10 Concerns have been raised that the extension would result in the overdevelopment of the plot. However, Officers consider that the extension is proportionate to the dwelling and in keeping with its scale and form. It is acknowledged that the extension would take up space currently used for the garage, off-street parking and garden. However, a garage is not a necessity, and adequate off-street parking would still remain within the curtilage, as shown by the proposed site plan. Adequate garden space for a family dwelling would also remain to the rear, with sufficient rear garden space for several activities to take place at once, such as sitting out, playing and drying of clothes. In the wider context, the two storey extension would infill the space to the side of the dwelling, reducing the openness between the dwelling and neighbouring properties to the north/north-west. However, the streetscene is characterised by modern dwellings of varying massing and orientation and the proposed extension is considered not to appear out of place or cramped in the wider context.

10.11 Taking the above into account, it is considered that the proposed side and rear extension would respect the scale, form and design of the existing dwelling and wider streetscene and would not result in a cramped form of development, in accordance with the Cotswold Design Code and section 12 of the NPPF.

(b) Residential Amenity

10.12 The Design Code (Appendix D) referred to in Policy EN2 of the Local Plan also sets out guidance with regard to residential amenity. Section 12 of the NPPF seeks to achieve well-designed places. In part, paragraph 127 of the NPPF ensures that development has a high standard of amenity for existing and future users.

10.13 The Design Code states that, '*Extensions should respect the amenity of dwellings, giving due consideration to issues of garden space, privacy, daylight and overbearing effect. To ensure adequate privacy, the minimum distance between facing windows of one and two storey dwellings should be no less than 22m and, for buildings higher than two storeys, no less than 28m. Where the distance between facing windows is less than 28m in one and two storey dwellings, or less than 32m for buildings higher than two storeys, permitted development rights may be removed. For these purposes, facing windows are those which can readily be seen into from within principal rooms in another property, including windows at an angle to one another, but excluding windows on front elevations. Much will depend on the angle and the topography. A principal room is a bedroom, living room, dining room, kitchen, study or other living space, but not a hallway, stairs, bathroom, utility or store.*'

10.14 Adjoining residents have raised concerns that the proposed side and rear extension would be overbearing and result in a loss of privacy. With regard to overbearing impact, although there is an existing garage abutting the north-west side boundary, shared with No.33 Glass House Road, the extension that would take its place would be two storeys in height. No.33 Glass House Road is located approximately 14.5 metres to the north-west side of the host dwelling. Furthermore, as existing, there is approximately 11.5 metres between the host dwelling and No.4 Corn Close, located to the rear of the property at a right angle. The proposed extension would reduce this separation distance to 8.6 metres at its nearest point. Taking into account the positioning, orientation and separation distances between the host dwelling and neighbouring dwellings, the extension is considered not to have an overbearing impact to such a degree to cause material harm.

10.15 With regard to loss of privacy, no side-facing windows are proposed in the extension. To the rear, the extension would replace one clear glazed bedroom window with a new bedroom window and a bathroom window. The new rear facing windows in the first floor of the extension would be fixed shut and obscurely glazed to avoid overlooking to the garden of No.4 Corn Close. One single pane, clear glazed, first floor window is proposed to serve the new bedroom on the south-east facing right side elevation. This window would face onto the garden of the neighbouring dwelling, No. 37 Glass House Road. Owing to the staggered building line, the new window would not result in any overlooking to this neighbouring dwelling. Furthermore, the window would only look to only the northern half of the garden, which is generous in size in comparison to the dwelling.

10.16 Overall, the neighbouring concerns have been considered. Taking into account the positioning, orientation and scale of the proposed extension is considered not to result in an unacceptable level of overlooking or have an unacceptably overbearing impact. The proposed development is therefore considered to accord with the objectives of Cotswold District Local Plan Policy EN2 and the residential amenity considerations contained in Section 12 of the NPPF.

(c) Other Issues

10.17 The Ward Member has raised concern that this proposal, being the first planning application for extensions and alterations to a dwelling on the estate, would set a precedent for other properties on the estate to extend and/or alter. It is accepted that new-build estates are generally planned to make the most efficient use of the land. However, this does not preclude properties being extended or altered in principle. Furthermore, occupiers should not expect such estates to remain unextended or unaltered in perpetuity and there is no planning reason why, in principle, a recently constructed dwelling cannot be extended. Each application is determined on its merits and would not be recommended for approval if it did not accord with the Cotswold Design Code with regard to scale, massing, design or impact on the amenity of existing and future occupiers.

10.18 A neighbouring occupier has raised concern that the proposed works would cause disruption by way of noise and dust during the construction period. Any disruption would be temporary and would not result in permanent harm to the amenity of neighbouring occupiers. A condition can be imposed to ensure construction work does not take place outside of normal working hours, although some degree is always to be expected for the construction period and therefore officers consider that there are no exceptional circumstances in this particular instance that would make such a condition necessary.

10.19 This development is not liable for CIL because it comprises 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.

11. Conclusion:

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

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):

Site Location Plan and Proposed Plans 20/86-02 REV C.

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

3. 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.

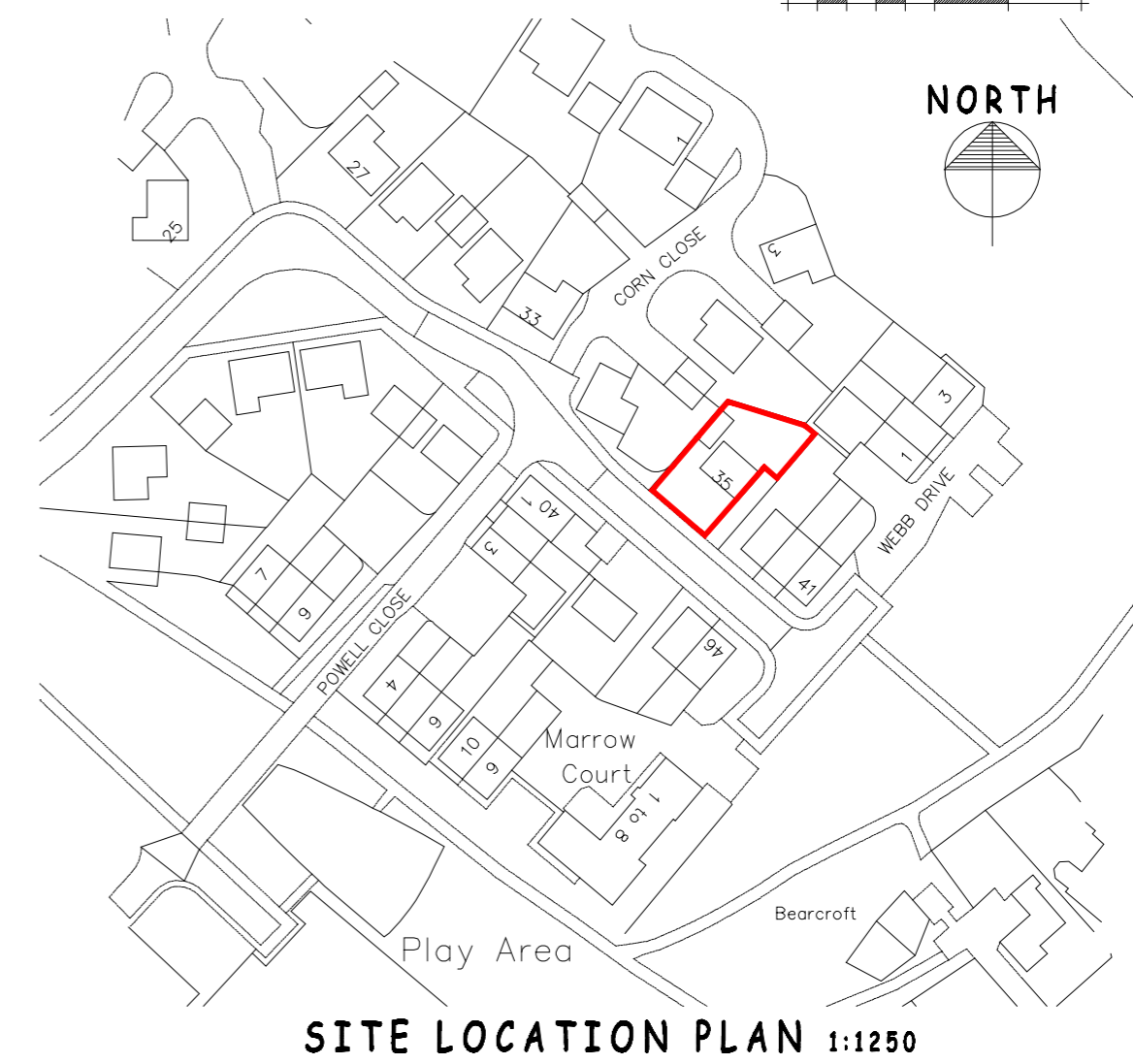
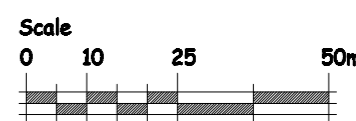
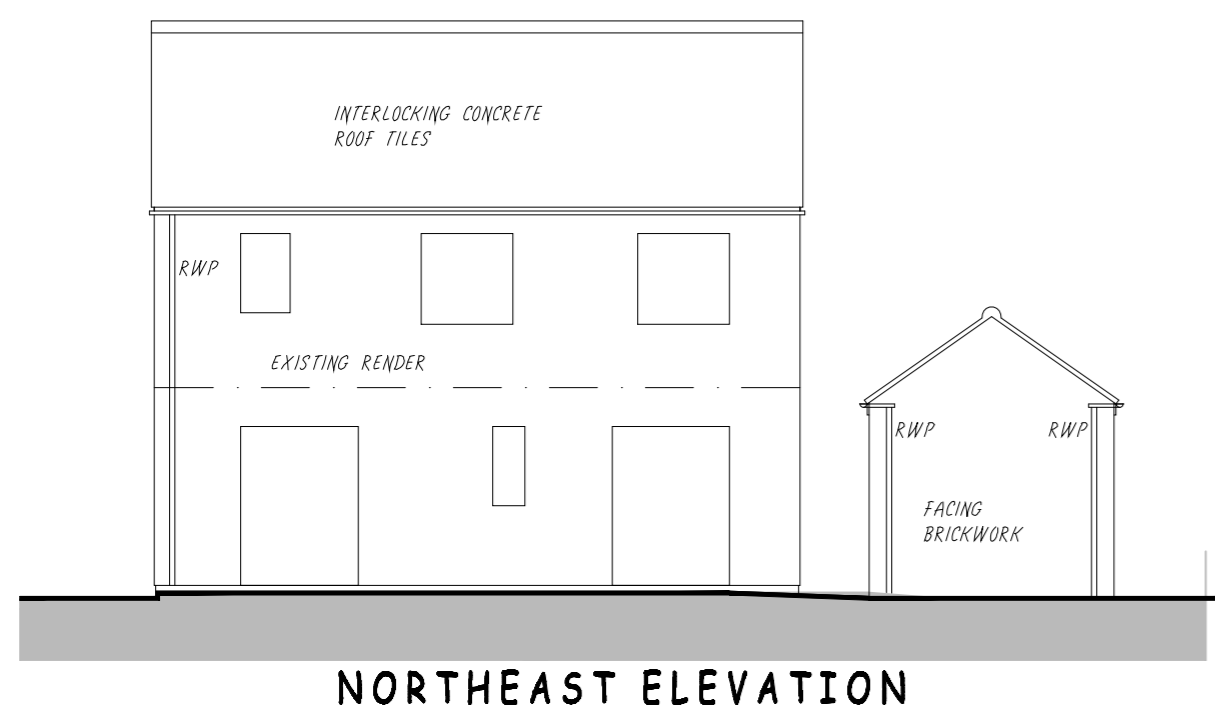
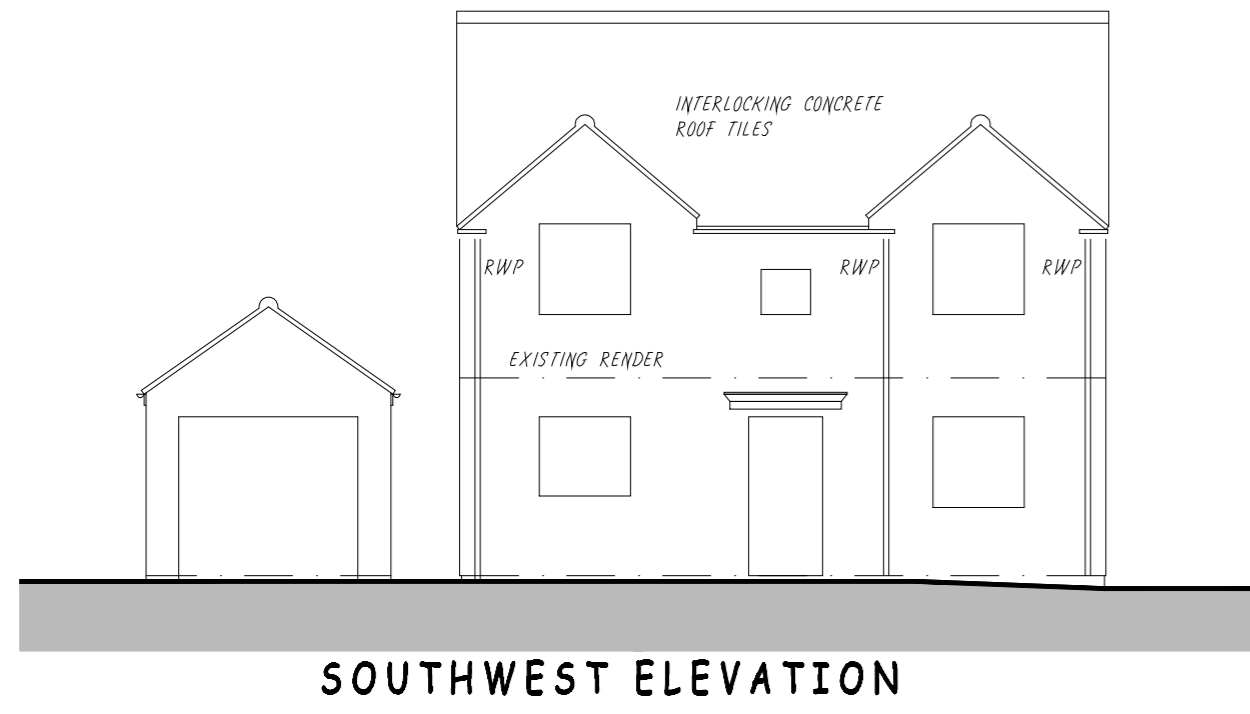
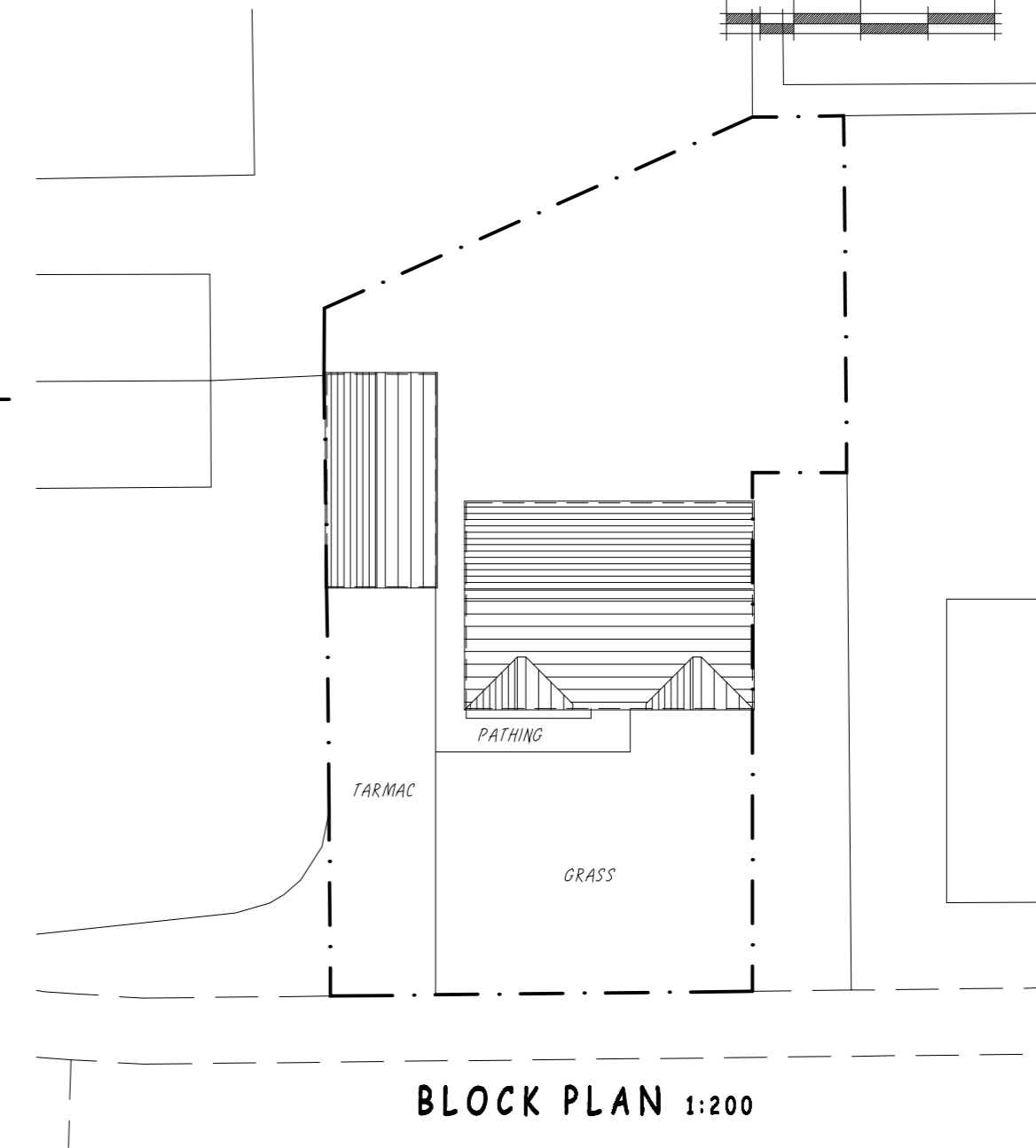
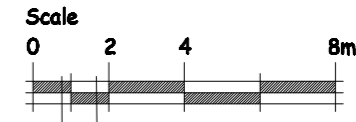
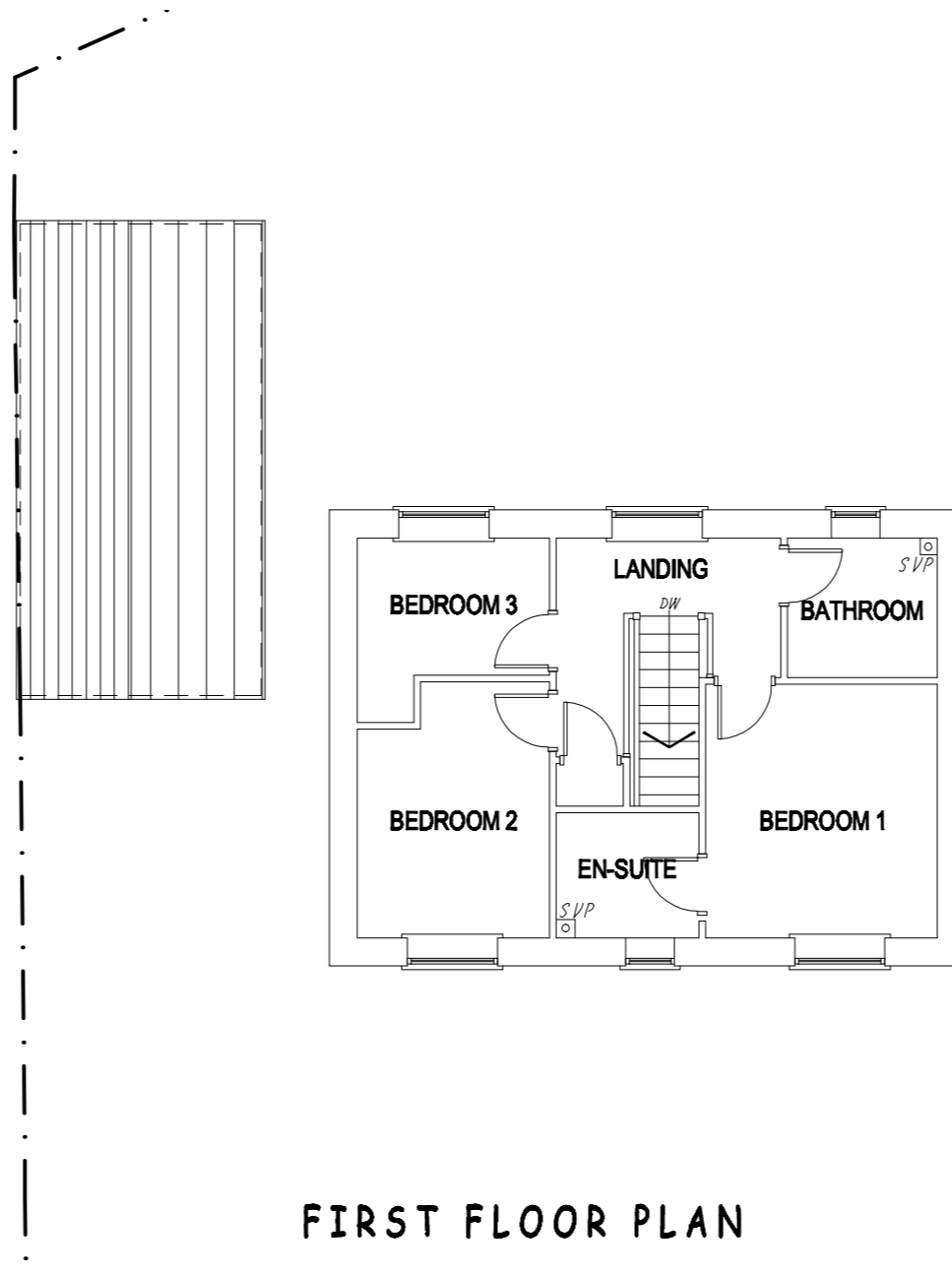
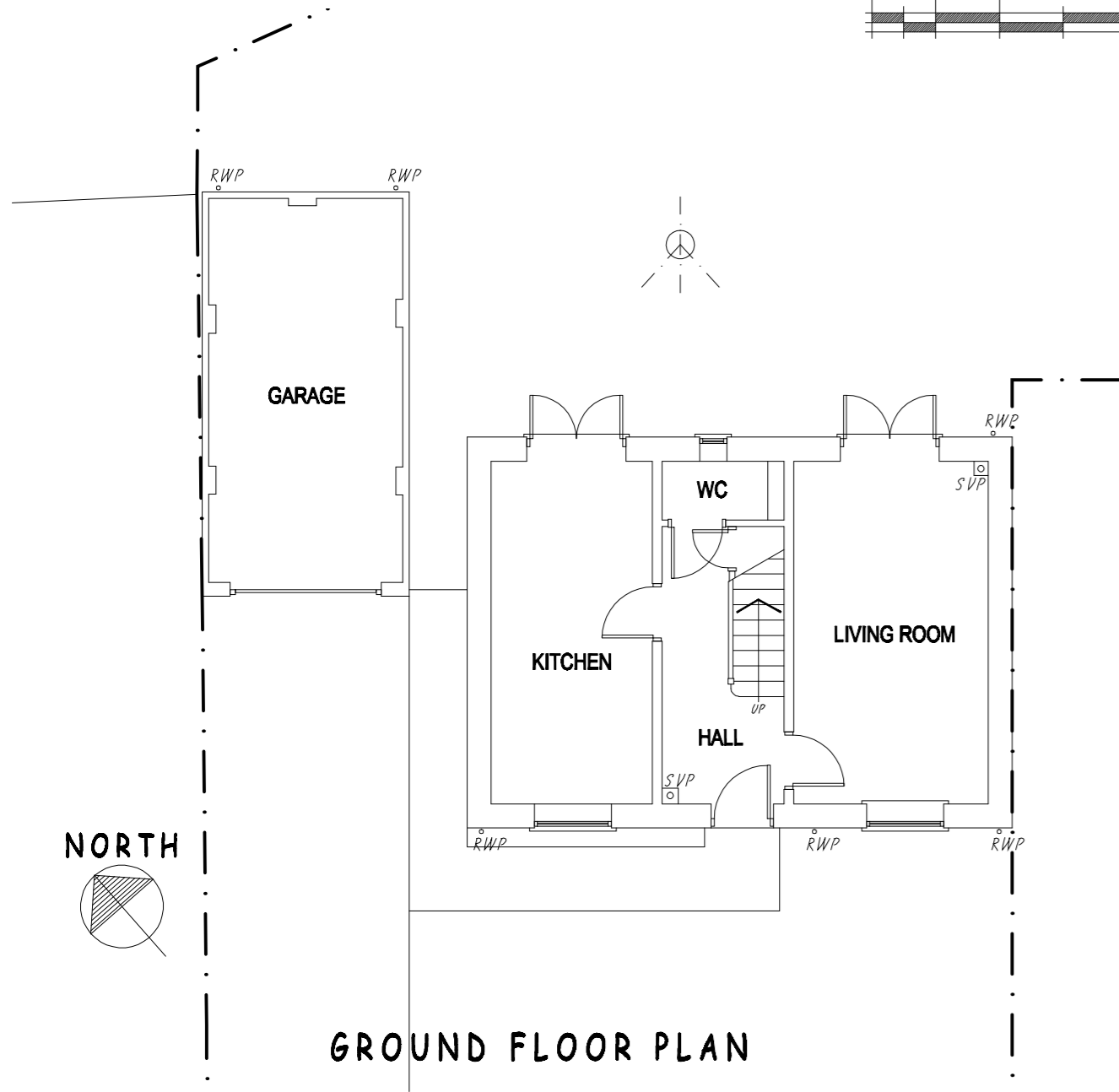
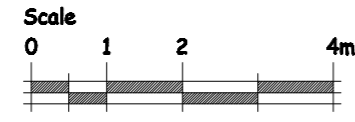
Reason: To ensure that, in accordance with Cotswold District Local Plan Policy EN2, the development hereby permitted is completed in a manner appropriate to the site and its surroundings.

4. Prior to the first occupation of the development hereby approved the windows in the rear facing north-east elevation of the extension shall be fitted with obscure glazing and shall be non-opening and shall be permanently retained as such thereafter.

Reason: To protect the privacy of the occupants of neighbouring dwellings in accordance with Cotswold District Local Plan Policy EN2.

Informatives:

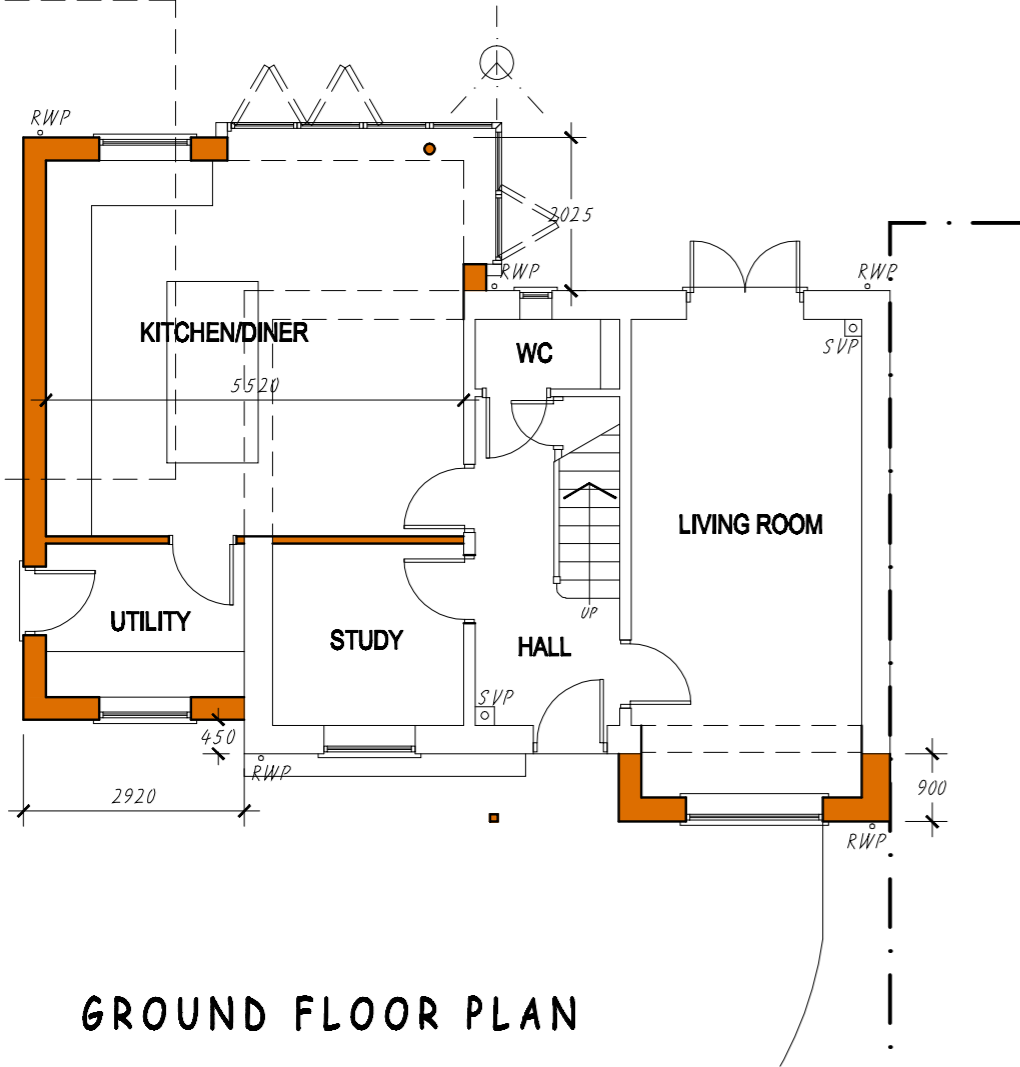
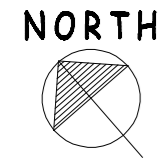
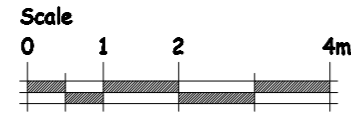
1. Please note that the proposed development is not liable for a charge under the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) because it comprises less than 100m² of new build that does not result in the creation of a dwelling, and therefore benefits from Minor Development Exemption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



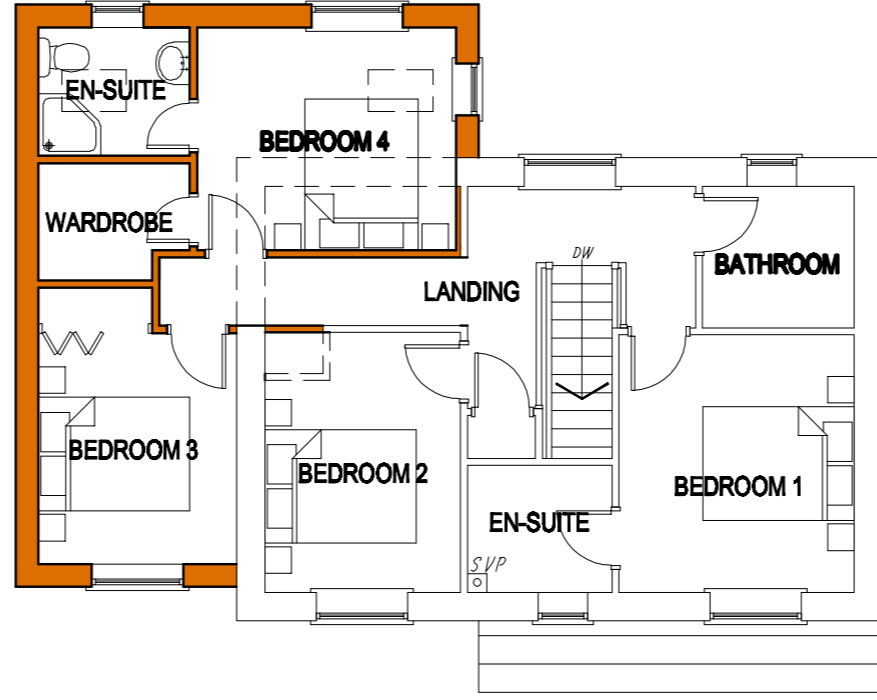
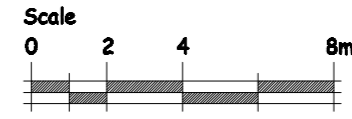
revisions

king designs
 33 lime avenue - lillington - leamington spa
 warwickshire - CV32 7DE. telephone
 architectural consultants 01926 741938 or mobile 07899 923586

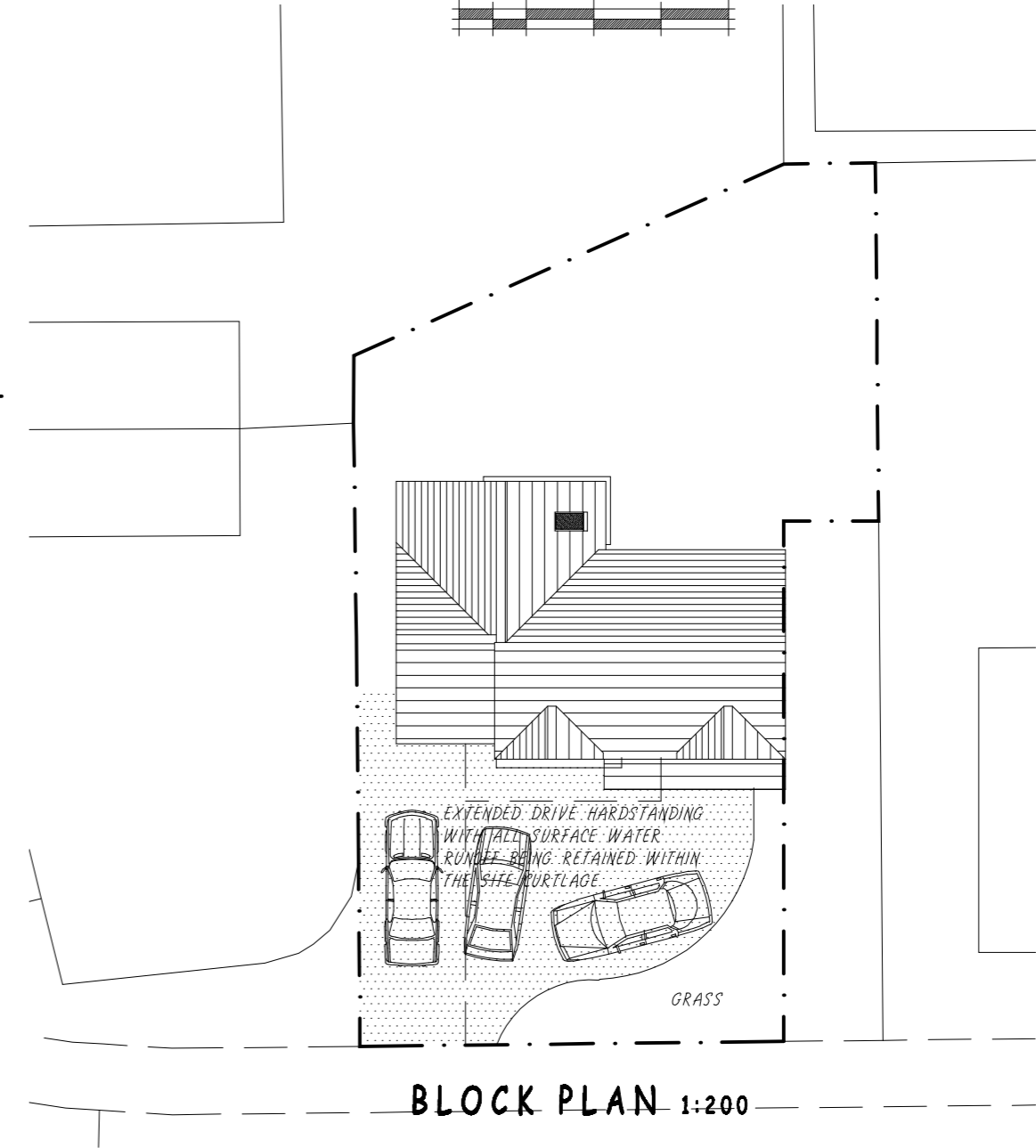
Project Description: PROPOSED EXTENSION AND ALTERATIONS at 35 GLASSHOUSE ROAD, MICKLETON for Mr & Mrs HARVEY
Drawing Description: EXISTING PLANS, ELEVATIONS, BLOCK PLAN AND SITE LOCATION PLAN
Scale @ A2: 1:100/1:200/1:1250
Drwg No. 20/86-01



GROUND FLOOR PLAN



FIRST FLOOR PLAN

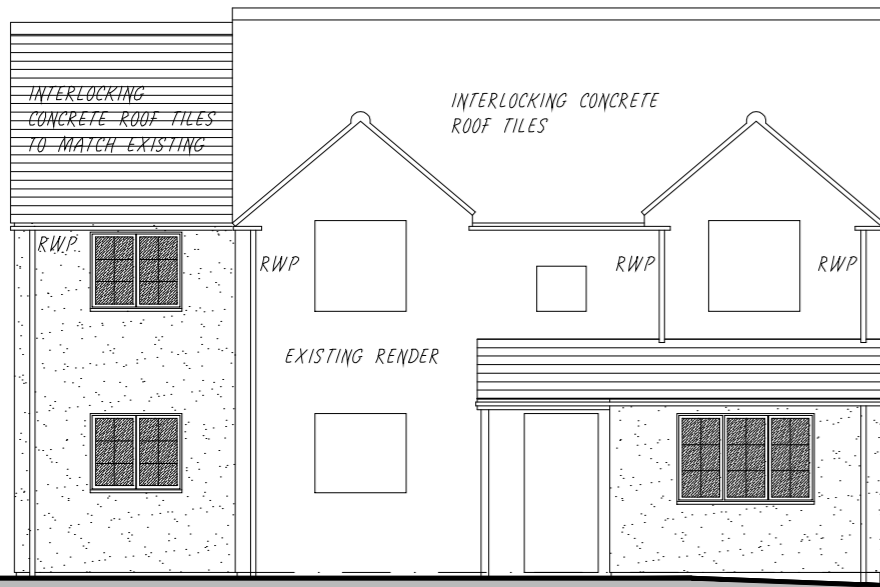


BLOCK PLAN 1:200

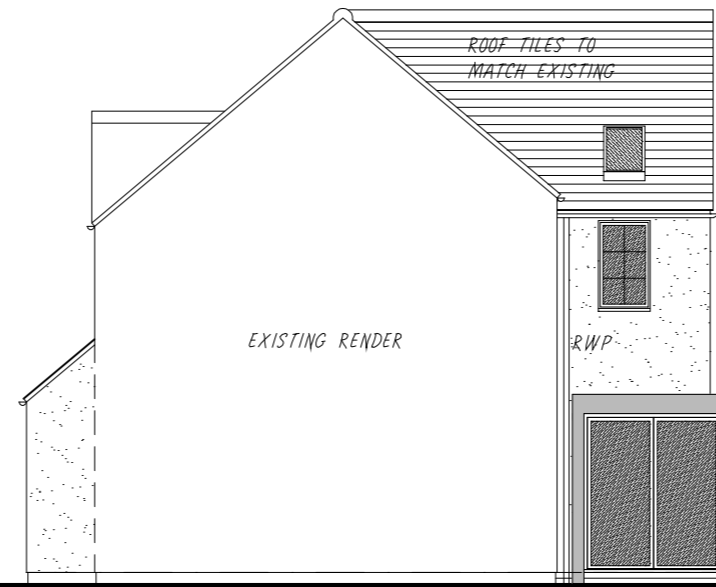
revisions

- REV A:- EXISTING GARAGE REMOVED. FOOTPRINT & SCALE OF PROPOSED EXTENSION REDUCED.
- REV B:- BEDROOM 3 AND BATHROOM HANDED. BATHROOM WINDOW REDUCED IN WIDTH AND PROVIDED WITH OBSCURED GLASS.
- REV C:- FIRST FLOOR EXTENSION WINDOWS CONFIRMED AS BEING FIXED LIGHT AND OBSCURED GLASS. LAYOUT AMENDED.

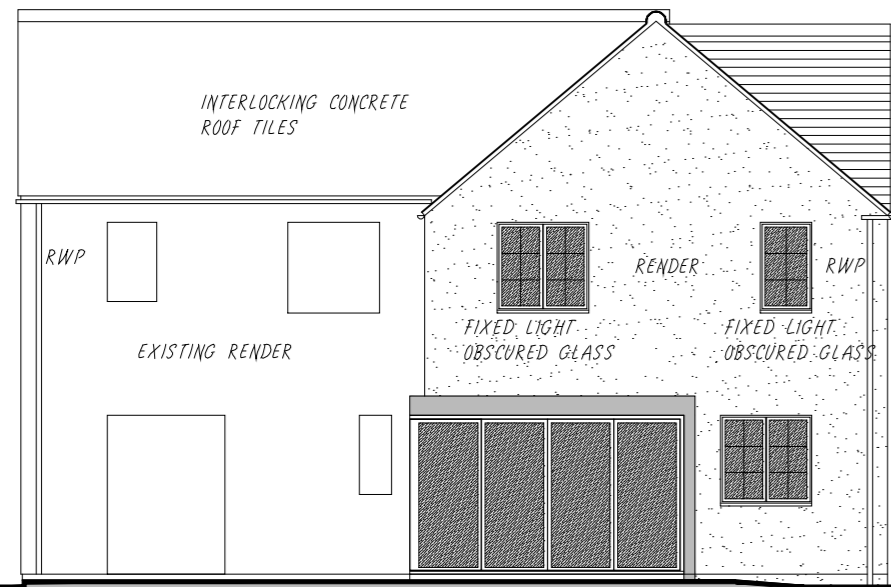
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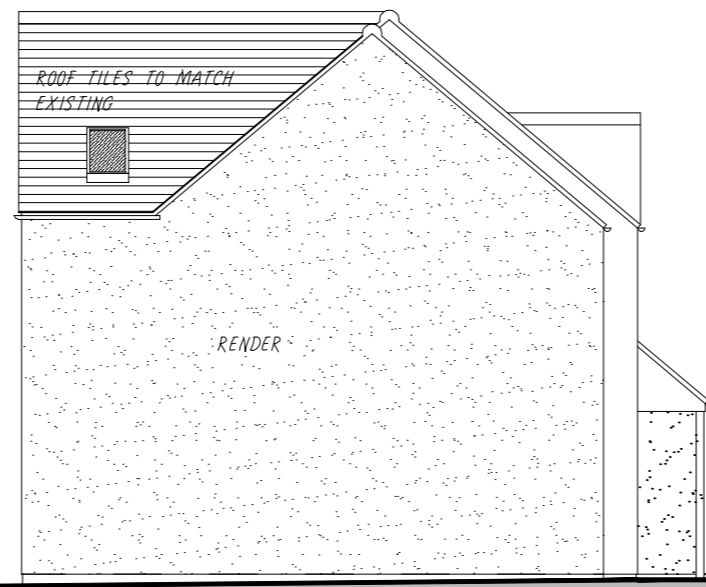
SOUTHWEST ELEVATION



SOUTHEAST ELEVATION



NORTHEAST ELEVATION



NORTHWEST ELEVATION

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 33 lime avenue - lillington - leamington spa
 warwickshire - CV32 7DE. telephone
 architectural consultants 01926 741938 or mobile 07899 923586

Project Description: PROPOSED EXTENSION AND ALTERATIONS at 35 GLASSHOUSE ROAD,
 MICKLETON for Mr & Mrs HARVEY

Drawing Description: PROPOSED PLANS, ELEVATIONS AND BLOCK PLAN

Drng No. 20/86-02 C

Scale @ A2: 1:100/1:200



Figure 1 Host dwelling- where extension is proposed



Figure 2 To left (north-western) side of host dwelling



Figure 3 From rear garden of host dwelling towards rear boundary