

**REFERENCE:** 10/00687/FUL

**SITE:** 2 Dunalley Parade

**PROPOSAL:** Conversion of existing garage/storage building and first floor and rear extensions to form a new single dwelling unit

**RECOMMENDATION:** Permit

## 1 PROPOSAL

The site is a brick built outbuilding with small rear courtyard. Historically this building has been used as a garage/ store in association with the principle dwelling known as 2 Dunalley Parade. This application proposes to sever the outbuilding from the principal dwelling to enable the introduction of a new independent dwelling following its conversion and extension.

The site fronts a private lane, on which, other similar developments are located. The site lies wholly within the Central Conservation Area.

This application is brought to Committee at the request of Councillor Paul Wheeldon.

## 2 PLANNING HISTORY

**10/00692/COU Pending Consideration**  
Change of use from single dwelling house (C3) to a house in multiple occupation (C4)

## 3 POLICIES AND GUIDANCE

### Cheltenham Borough Local Plan Policies:

CP 1 Sustainable development  
CP 4 Safe and sustainable living  
CP 5 Sustainable transport  
CP 7 Design  
BE 6 Back lanes in conservation areas  
RC 6 Play space in residential development  
TP6 Parking Provision in Development

### Supplementary Planning Guidance/Documents

Play space in residential development (2003)  
Central Conservation Area Old Town character appraisal and management plan SPD (2007)

### Gloucestershire Structure Plan Policies (Second Review):

NHE6 – Historic Environment

Planning Policy Guidance/Statements

PPS 1: Delivering Sustainable Development  
PPS 5: Planning for the historic environment

#### 4 CONSULTATIONS

##### **Conservation & Heritage**

The proposed change of use of the existing garage is acceptable in principle. The new use is fluent with the character of the area and it will provide a sustainable future for the building which is currently in a poor state of repair. The changes to the form and scale of the building respect the surrounding ancillary buildings in the area and will also maintain a subservient relationship with the principal terrace building.

I feel that the design of the windows and door detail compliment the character of the development. The building will read as an ancillary coach house-type development and the simple form and design of the structure will preserve the back lane character.

CONCLUSION: Approve subject to conditions

Approval reason: 2 Dunalley Parade lies wholly within the Central Conservation Area, wherein the Local Planning Authority is statutorily required to pay special attention to the desirability of preserving or enhancing the character or appearance of the locality. The proposal involves the conversion of the existing garage/storage building and first floor and rear extensions to form a new single dwelling unit which, in the opinion of the Local Planning Authority, is considered congruent with the site and its surrounding by virtue of the scale, form and design of the development. The building will maintain a subservient relationship with the existing principal dwelling and the design of the residential unit will harmonise with the back lane character. The simple form and design of the building reflects that of the surrounding ancillary buildings. For those reasons, the proposed development is considered to preserve the character and appearance of the conservation area and is therefore in accordance with Policy CP7 of the Cheltenham Borough Local Plan, Section 72(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 and national policy & guidance PPS 5 Planning for the Historic Environment and accompanying Practice Guide.

Conditions:

1. Notwithstanding previously submitted details, prior to the commencement of development, the design and details including materials and finishes of the following shall be submitted to and approved in writing by the Local Planning Authority:
  - a. Conservation rooflights
  - b. Windows (including reveals)
  - c. Doors (including reveals)
  - d. Rainwater goods
  - e. Details of timber cladding
  - f. Roofing material

Where appropriate, the design and details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 together with full size cross section profiles. The works shall thereafter be implemented strictly in accordance with the agreed details.

Reason: To ensure a satisfactory form of development in accordance with Local Plan Policies CP3 and CP7 relating to sustainable environment and design, national policies & guidance set out in PPS5 and the Historic Environment Planning Practice Guide. These are important details which need to be constructed in the traditional local manner to ensure that the development is compatible with its surroundings.

2. The new brickwork including brick type, bond, colour and texture of pointing shall match exactly the existing brickwork on the existing garage building unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory form of development in accordance with Local Plan Policies CP3 and CP7 relating to sustainable environment and design, national policies & guidance set out in PPS5 and the Historic Environment Planning Practice Guide. These are important details which need to be constructed in the traditional local manner to ensure that the development is compatible with its surroundings.

### **Environment Agency**

Development (less than 1ha) within Flood Zone 1 Surface Water Management Advice

### **HMO Division**

No fundamental objection to this proposal.

## **5 PUBLICITY AND REPRESENTATIONS**

### **5.1 Representations**

Number of contributors	<b>5</b>
Number of objections	<b>5</b>
Number of representations	<b>0</b>
Number of supporting	<b>0</b>

83 Marle Hill Parade Cheltenham Gloucestershire GL50 4LQ	<b>Reason(s)</b> Access difficulties
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#### **Comments:**

This request for change of use for the above address is in fact situated between 83 & 83a Marie hill parade, and is at the bottom of the garden of the above address.

Meaning that access to the proposed dwelling would be in the private lane. There is no provision for any vehicle parking and the ensuing coming and going during any changes would be untenable. Any digging up of the lane would result in no rubbish collections and residents being unable to access their properties or garages.

4 Dunalley Parade Cheltenham Gloucestershire GL50 4LX	<b>Reason(s)</b> Traffic implications Lack of car parking Overshadowing/Loss of light Effect on wildlife
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**Comments:**

I would like to state how strongly I oppose this application. This is already a densely built area and the proposed building will only serve to increase the already serious problems of parking/traffic. The building will also overlook my home and block a substantial proportion of light into my garden. The present workshop is only 1 storey and causes little obstruction to light and view. The roof of the present construction is also well carpeted with Virginia creeper which is a haven for wildlife of all sorts, as well as being pleasant to look at. The loss of such a small but important habitat would be of detriment to the surrounding area. I was also under the impression that so called "garden grabbing" was not preferred council policy. Any more in this area and there will be no more gardens, no more wildlife, no more greenery and far more problems.

4 Dunalley Parade Cheltenham Gloucestershire  GL50 4LX	<b>Reason(s)</b> Lack of car parking Loss of view Overlooking/Loss of privacy Overshadowing/Loss of light
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**Comments:**

this planned extension will directly look into my bedroom window

4 Dunalley Parade Cheltenham Gloucestershire  GL50 4LX	<b>Reason(s)</b> Against policy Effect on wildlife Lack of car parking Loss of view Noise Over-development Overbearing/Too big Overlooking/Loss of privacy Overshadowing/Loss of light Traffic implications
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The loss of such a small but important habitat would be of detriment to the surrounding area.

I was also under the impression that so called "garden grabbing" was not preferred council policy. Any more in this area and there will be no more gardens, no more wildlife, no more greenery and far more problems.

10 Dunalley Parade Cheltenham Gloucestershire GL50 4LX	<b>Reason(s)</b> Noise Lack of car parking
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**Comments:**

I wish to mention on the proposal of a conversion of a garage to a single dwelling unit at the rear of 2 Dunalley parade. As Dunalley parade is full of Victorian terrace houses which most are in multiple occupation, so the thought of people turning their garages into flats or dwellings will only add to the lack of parking, which is very bad in this area.

The back lane is a private lane owned by a Mr Berry, which I am sure you are aware, so any person if any that should live there will not be able to park in that back lane, so they would need to park on either Dunalley parade or Marle hill parade which are both full of cars. Which cause residents a nightmare.

I feel if you approve this than more landlords will decide to change their garages there is one home in the back of Dunalley parade I feel that there is no room for more as it will change the area. I doubt as well if the back lane would have enough access for fire engines so if people were in there the only access would be a private back lane.

If it was kept as a garage than that would be one less car on the road which may be the answer

We also have noise enough from some tenants in area as it is a well populated area all ready with some times 5/6 different people in just one house.

I have lived here for over 30 years I have seen families leave and sale to greedy landlords, the area was once a residential now most are multiple occupation.

## 6 OFFICER COMMENTS

6.1 The main considerations of this proposal are

- i) the principle of development in this location,
- ii) the general design approach in terms of the site and its surroundings,
- iii) the protection of the adjoining residential amenities, iv) any parking provision requirements and
- v) the creation of a new single residential unit in terms of playspace requirements.

## 6.2 Principle of development

The development proposed is located within the principal urban area of Cheltenham where there is a policy presumption in favour of locating new development. The conversion and extension of an existing outbuilding to create a new single dwelling unit is considered commensurate with the prevailing residential use of the locality. For these reasons, the proposal accords with Local Plan Policies CP1 & CP5 which establishes the principle of this development to be acceptable subject to other relevant development plan policies being satisfied.

## 6.3 Design Approach

The site lies wholly within the Central Conservation Area, where, the Local Planning Authority (LPA) is statutorily required to pay special attention to the desirability of preserving or enhancing the character or appearance of the locality. The design approach proposed articulates a traditional style which is typical of this back lane location. The modest scale and simple form and elevation detail proposed reflects the origins of this ancillary building thus preserving the character of this building within its wider setting. Furthermore, the building is currently in a poor state of repair and securing it in an appropriate future use would act to enhance the immediate locality. As such, the design approach is in-keeping with the site and its surroundings and accordingly complies with Local Plan Policies CP7 and BE6, Policy NHE6 of the Gloucestershire Structure Plan (Second Review) and national policy and guidance set out in PPS5. The Conservation Officer supports the proposal.

## 6.4 Protection of Adjoining Residential Amenities

The rear boundary of this site would be defined with the erection of a 1.8 metre high timber close-boarded fence. This proposed enclosure between the former principal dwelling and new dwelling would allow for an adequate level of privacy to be achieved between both properties. No windows are proposed at first floor level. Light and ventilation to the first floor would be provided via 4 roof lights located on the front and rear roof slopes. These roof lights have a high sill height of 1.7 metres which does not allow for direct overlooking into facing windows or adjoining private gardens from this first floor level. For the above reason, Officer's consider that a reasonable level of privacy would be achieved without compromising the amenities of the adjoining occupiers or any future occupiers of the new dwelling unit, thus satisfying Local Plan Policy CP4.

6.5 No parking provision is proposed as part of this development. Local Plan Policy TP6 relating to parking provision in new development requires maximum parking standards only. The site is located within a sustainable location which is adequately served by other modes of transport and would encourage walking, cycling and the use of public transport and discourage the use of the private motor car. Bicycle parking provision is proposed as part of this scheme. For these reasons, the proposal therefore accords with relevant Local Plan Policies CP5 & TP6.

6.6 Local Plan Policy RC6 requires new residential development to make provision for play space. This provision would be secured by condition to any permission granted.

6.7 To conclude, Officer's consider that the residential use is commensurate to the locality, the proposed design approach is fluent to the site and its wider setting and the residential amenities of the adjoining properties or future occupiers would not be materially compromised. For these reasons the proposal accords with Local Plan Policies CP1, CP4, CP5, CP7, BE6, RC6 & TP6,

Structure Plan Policy NHE6 and national policy and guidance set out within PPS1 – Delivering Sustainable Development & PPS5 – Planning for the Historic Environment. No other material consideration has suggested outweighing the above development plan policies and therefore Officer's recommend permission subject to following conditions being applied to any permission granted.

## 7 CONDITIONS/REFUSAL REASONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To accord with the provisions 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 Notwithstanding previously submitted details, prior to the commencement of development, the design and details including materials and finishes of the following shall be submitted to and approved in writing by the Local Planning Authority:
  - a. Conservation rooflights
  - b. Windows (including reveals)
  - c. Doors (including reveals)
  - d. Rainwater goods
  - e. Details of timber cladding
  - f. Roofing material

Where appropriate, the design and details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 together with full size cross section profiles. The works shall thereafter be implemented strictly in accordance with the agreed details.

Reason: To ensure a satisfactory form of development in accordance with Local Plan Policies CP3 and CP7 relating to sustainable environment and design, national policies & guidance set out in PPS5 and accompanying Practice Guide. These are important details which need to be constructed in the traditional local manner to ensure that the development is compatible with its surroundings.

- 3 The new brickwork including brick type, bond, colour and texture of pointing shall match exactly the existing brickwork on the existing garage building unless otherwise agreed in writing by the Local Planning Authority.  
Reason: To ensure a satisfactory form of development in accordance with Local Plan Policies CP3 and CP7 relating to sustainable environment and design, national policies & guidance set out in PPS5 and accompanying Practice Guide. These are important details which need to be constructed in the traditional local manner to ensure that the development is compatible with its surroundings.
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and/or re-enacting that order with or without modification), no extensions, garages, walls, fences or other structures of any kind (other than those forming part of the development hereby permitted) shall be erected without planning permission.

Reason: Any further extension or alteration requires detailed consideration to safeguard the amenities of the locality in accordance with Local Plan Policies CP4 and CP7 relating to safe and sustainable living and design.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and/or re-enacting that order with or without modification), no additional openings shall be formed in the development without planning permission.

Reason: Any further openings require detailed consideration to safeguard the amenities of the locality in accordance with Local Plan Policies CP4 and CP7 relating to safe and sustainable living and design.

- 6 No development shall commence until a scheme for the provision or improvement of recreational facilities to serve the proposed dwelling has been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until the approved scheme has been implemented.

Reason: To avoid any increase in the Borough's imbalance between population and the provision of outdoor play space and related facilities in accordance with Policy RC6 of the Cheltenham Borough Local Plan.

#### INFORMATIVES :-

- 1 Town and Country Planning (General Development Procedure) (Amendment) Order 2003

The proposed development has been considered against the following Development Plan Policies and, in the opinion of the Local Planning Authority, does not conflict with those policies:

- a) The proposed development is located within the principal urban area where there is a policy presumption in favour of locating new development – (Local Plan Policies CP1, CP5 & TP6).
- b) The general design approach of the proposed in terms of scale, form, siting, design and materials is considered acceptable to the site and its surroundings - (Local Plan Policies CP7 & BE6)
- c) The proposed development has taken fully account of neighbouring residential amenities and would not materially harm the amenities of occupiers of neighbouring properties by reason of loss of light or privacy - (Local Plan Policy CP4)

The development is considered to be in accordance with the relevant policies and there are no other material considerations that outweigh a decision other than to permit.

- 2 This decision relates to revised drawing number 792 B date stamped 15th June 2010.