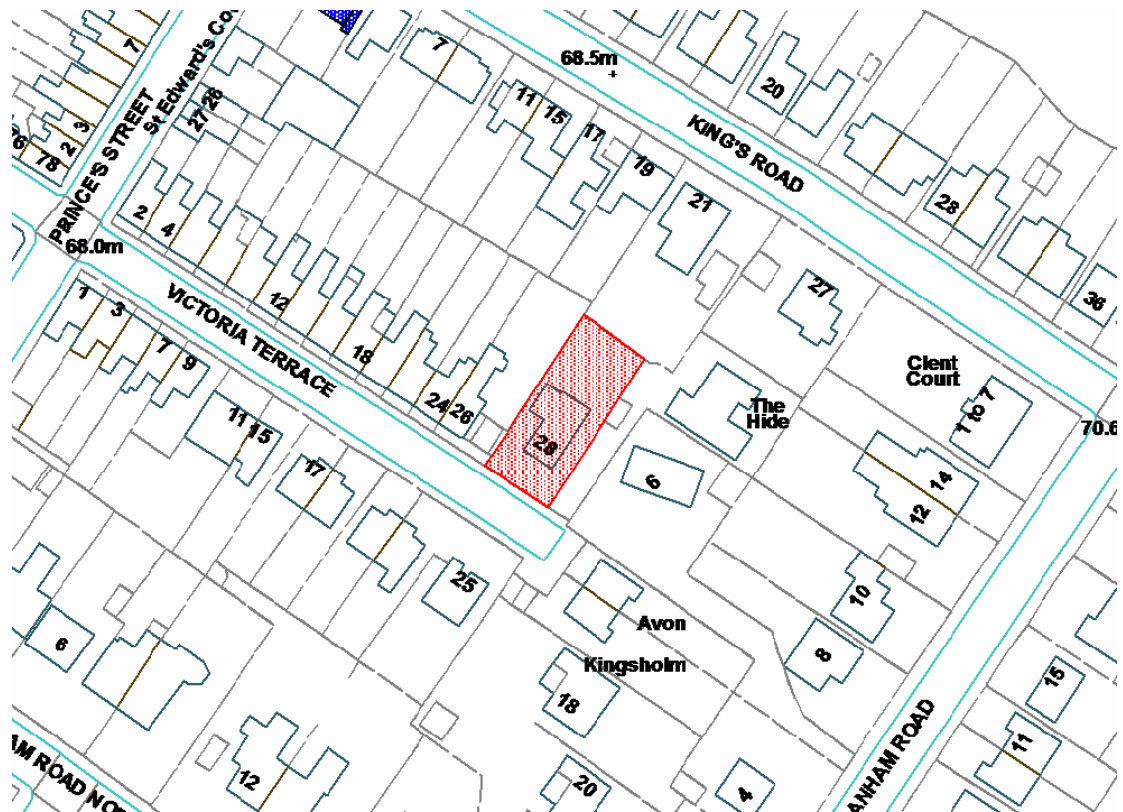


APPLICATION NO: 13/02091/FUL		OFFICER: Miss Michelle Payne
DATE REGISTERED: 10th December 2013		DATE OF EXPIRY: 4th February 2014
WARD: All Saints		PARISH: None
APPLICANT:	Mr Mark Le Grand	
AGENT:	None	
LOCATION:	28 Victoria Terrace Cheltenham Gloucestershire	
PROPOSAL:	Erection of a pair of semi detached dwellings following demolition of existing bungalow	

RECOMMENDATION: Permit



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1. DESCRIPTION OF PROPOSAL

- 1.1 This is a full application for the erection of a pair of three storey, semi-detached dwellings following the demolition of an existing 1960's bungalow at 28 Victoria Terrace; the application has been submitted following pre-application discussions.
- 1.2 Revised drawings have been submitted during the course of the application to address concerns raised by the Architects' Panel and Conservation Officer. The revisions have also allowed for additional off-street car parking to be provided for each dwelling.
- 1.3 The application is before planning committee at the request of Cllr Jordan due to the level of objection raised by local residents.

2. CONSTRAINTS AND PLANNING HISTORY

Constraints:

Conservation Area
Landfill Site boundary

Planning History:

55/TPA/2654 Erection of a detached house and garage	PERMIT	22nd March 1956
61/TPA/2654/A Outline application to erect detached bungalow and garage	PERMIT	10th May 1961
61/TPA/2654/B Erection of bungalow and domestic garage	PERMIT	9th June 1961
CB21880/00 Extension to side of bungalow	REFUSE	26th June 1997
CB21880/01 Erection of extension at side of bungalow	PERMIT	18th September 1997
12/01951/FUL Loft conversion to include erection of a side facing dormer window, installation of skylights to side facing roof slopes, installation of windows to gables at first level and alterations to external elevations	PERMIT	13th February 2013

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development
CP 3 Sustainable environment
CP 4 Safe and sustainable living
CP 7 Design
BE 3 Demolition in conservation areas
BE 4 Timing of demolition in conservation areas
BE 7 Parking on forecourts or front gardens in conservation areas
HS 1 Housing development
RC 6 Play space in residential development
UI 3 Sustainable Drainage Systems
TP 1 Development and highway safety

Supplementary Planning Guidance/Documents

Play space in residential development (2003)

Sydenham character area appraisal and management plan (2008)

Development on garden land and infill sites in Cheltenham (2009)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Contaminated Land Officer

12th December 2013

No comment.

GCER

19th December 2013

The data search for this site is based on the grid reference supplied by CBC, which is assumed to be located at the centre of the planning application site. GCER searches for all data within 250m of the grid reference. The provision of this data shows that important species or habitats are present on or near the proposed development site; however it does not show that important species or habitats are not present or not affected by the development.

Heritage and Conservation

6th January 2014

1. The principle of development on this site is acceptable. The bungalow has little architectural merit or historic interest and it is considered that it does not make a positive contribution to the special character or appearance of the area.
2. The two proposed houses will re-introduce a traditional plot width and rhythm found in the street pattern of Victoria Terrace, albeit as a semi-detached pair rather than a terrace, and this is to be welcomed.
3. The proposed parking arrangements are unsatisfactory resulting in an unattractive forecourt.
4. A more acceptable proposal would be to set the building slightly further back allowing for straight on parking spaces for each dwelling to the east and west of the front doors leaving an island in the centre of the front forecourt for planting etc.
5. It is unclear from the submitted drawings whether a wall is proposed on the front boundary but the suggested arrangement above would work well with a low rendered wall with stone copings to clearly enclose the front garden and parking.
6. The boundary wall on the detached garage side of the plot indicates the building line which matches the historic terraces. This has been extended to the back of the pavement with poor quality factory made bricks but the original wall, brickwork and pillar retains some interest and historic character.
7. The removal of this later brickwork or improvements to the existing arrangement would be encouraged to better reveal a more aesthetically pleasing brick wall.

8. The proposed development is of an acceptable scale and mass: the plot is double the width of the historic terrace houses and can therefore accommodate the two houses proposed.

9. The height of the proposed buildings is considered to be at the maximum possible to prevent the new development from overly dominating the road or the historic terraces. Setting back the second storey will reduce its impact.

10. The style of the proposed development is considered to be appropriate for this setting. It is simple and contemporary whilst respecting the historic form of the artisan terraces that characterise the area.

11. The proposed window arrangement is of concern. Notwithstanding the rendered window surround detailed for the front ground floor windows, it is considered that a greater emphasis on the principal floor is required and this would be achieved by enlarging these windows, replicating the scale and proportions of the artisan terrace in the street.

12. Detailed designs for the windows, doors, roof treatment and rainwater disposal and guttering are required and will need to be conditioned to ensure that they are appropriate.

Summary: The form, mass, scale and height proposed for two new dwellings on Victoria Terrace is considered to be a suitable replacement for the modern bungalow. The suggested realignment of the building, planting and greater definition of the boundary will allow for discrete parking without blighting the front elevation. A greater ground floor emphasis is suggested to provide a visual focus and prevent a restless and unsatisfactory duality that is apparent in the current proposals.

Heritage and Conservation - revised comments

29th January 2014

1. The revised drawings have largely addressed my concerns.

2. The raised window surround detail and the increased size of the principal floor windows to reflect historic examples in the street gives them due prominence on the front façade of the proposed building.

3. Setting back the building to allow for straight on parking and a landscaped area will improve the frontage; however, there may be scope for further soft landscaping to screen parked cars.

4. Improvements could be made to the attic storey by reducing the over-hang of the fascias on the side elevation.

5. Added detail to the side elevations including contrasting material on the attic storey and the introduction of a plat-band for definition provides interest to this elevation.

Summary: Realignment of the building, planting and greater definition of the boundary will allow for discrete parking without blighting the front elevation. An enhanced ground floor emphasis provides a satisfactory visual balance and the added detail to the side elevation and the alteration to the material of the attic storey adds interest and reduces the perceived bulk of the previous proposal. On balance I am minded to support this application as it successfully integrates two contemporary houses adjacent to a listed terrace into the conservation area.

Architects Panel

13th January 2014

2. Is the information sufficient to understand the application?
The scheme can be understood from the drawings submitted.

3. Context.

The site is suitable for development but we question whether a single parking space is sufficient for a 4 bedroom dwelling?

4. Massing and Scale

The general design of the scheme seems to be appropriate to its surroundings although we would like to see the side elevations refined.

5. External Appearance.

The profile and fenestration of the southeast and northwest elevations are not well laid out and will be visible from the neighbouring areas. We would like to see these refined.

6. Detailing and Materials

The detailing relates to the context.

7. Summary

The scheme appears acceptable in principal but we would like to see improvements to the side elevations.

8. Recommendation

We could not support this application in its current form.

Civic Society

10th February 2014

We think this should be restricted to two storeys, and that it is not appropriate to set it back from the rest of the terrace.

5. PUBLICITY AND REPRESENTATIONS

- 5.1 Letters of notification were sent out to 14 neighbouring properties on receipt of the original application. In addition, a site notice was posted and an advert published in the Gloucestershire Echo. A further 14 letters of notification were sent out to advise of the revised plans.
- 5.2 In response to the publicity, objections have been received from 12 local residents; the comments have been circulated to Members in full, but the main concerns relate to:
- Car parking/highway safety
 - Height/scale
 - Overdevelopment
 - Out-of-keeping
 - Loss of privacy/overlooking

6. OFFICER COMMENTS

6.1 Determining Issues

6.1.1 The main considerations when determining this application relate to design and layout, impact on neighbouring amenity and the locality, and highway safety.

6.2 The site and its context

6.2.1 Victoria Terrace consists of artisan terraced housing dating from c1844 at its north-western end with a terrace of 13 houses on the northern side and a terrace of five houses to the south. These historic terraces are slightly set back from the street with shallow front areas bounded by railings. Towards the far end of the cul-de-sac, modern infill developments have taken place and include the bungalow to which this application relates.

6.2.2 The application site is rectangular in shape, approximately 14 metres wide by 32 metres deep, and is located within the Sydenham Character Area, one of 19 character areas that together form Cheltenham's Central Conservation Area.

6.2.3 The existing bungalow, which is facing brick beneath a pitched concrete tiled roof, adopts a large footprint and is set back from the adjacent historic terrace to provide parking to the front. The bungalow, whilst erroneously identified within the Townscape Analysis Map as a positive building, is of little architectural merit or historic interest and does not make any positive contribution to the special character or appearance of the area. Therefore, its demolition is considered to be acceptable in principle subject to a satisfactory scheme for redevelopment.

6.3 Design and layout

6.3.1 Local plan policy CP7 requires all new development to be of a high standard of architectural design and to complement and respect neighbouring development and the character of the locality.

6.3.2 Greater detail can be found in the Council's adopted SPD 'Development on Garden Land and Infill Sites in Cheltenham' which sets out that various elements combine to create the character of an area and include grain, type of building, location of buildings within the block or street, plot widths and building lines. It goes on to state that *"Responding to character is not simply about copying or replicating what already exists in an area. It is not merely about preservation of what is important about a place but must also allow a place to evolve in a manner which is appropriate to the context of the place, seeking always to enhance a place"*.

6.3.3 In this location, the layout of development, particularly within Victoria Terrace itself, varies greatly with different sized plots, different types of dwelling, and varying building lines. As a result, there is no distinct character for this development to conform to, though it does seek to reflect elements of the adjacent terrace and as the Conservation Officer suggests is *"considered to be appropriate for this setting. It is simple and contemporary whilst respecting the historic form of the artisan terraces that characterise the area"*.

6.3.4 The proposed dwellings, whilst contemporary in design with flat roofs, would have a painted render finish to match that of the historic terraces; and in addition, the fenestration to the front elevation and parapet height would echo that of the artisan terraces. The properties would also adopt a more traditional plot width commensurate with that of the historic terrace albeit as a pair of semi-detached dwellings, which is welcomed by the Conservation Officer. The Architects' Panel also state that *"The general design of the scheme seems to be appropriate to its surroundings"*.

6.3.5 The inclusion of a third storey element has been raised as a concern by local residents, with the suggestion that it would be out of keeping with the surrounding development. However, this second floor would be set back some 2.8m from the principal elevation and would not be an overly prominent addition within the street scene. Furthermore, the Conservation Officer considers that the introduction of an alternative facing material at roof level *"adds interest and reduces the perceived bulk"* and together with *"the introduction of a plat-band for definition provides interest to this elevation"*. It is

also felt that this successfully overcomes the concerns raised by the Architects' Panel in respect of the side elevation.

6.3.6 In conclusion, whilst the Civic Society's comments have been noted, the proposed redevelopment scheme is considered to be of a suitable scale, height, massing and footprint for this sensitive site with the conservation area, and would sit comfortably within its context; as revised, the proposal is fully supported by the Conservation Officer.

6.4 Impact on neighbouring property

6.4.1 Local plan policy CP4 advises that development will only be permitted where it will not cause unacceptable harm to the amenity of adjoining land owners or locality.

6.4.2 Whilst some of the representations from local residents suggest that the proposal would result in overlooking or loss of privacy, the scheme has been carefully considered to ensure that the proposed dwellings could be comfortably accommodated within the site without causing unacceptable harm to neighbouring amenity in respect of privacy, daylight or outlook. It is interesting to note that two of the closest neighbours, no.26 Victoria Terrace and no.6 Cranham Road, have not objected to the proposal.

6.4.3 All clear glazed upper floor windows to the front and rear elevations comfortably achieve the desired distances to the boundary and/or neighbouring clear glazed windows. To the rear, the first floor windows are in excess of 15 metres from the boundary with no.21 Kings Road, and the second floor windows which would serve bathrooms are in excess of 17 metres. To the front, the windows would look out over land within the public realm. Only limited openings are proposed to the side elevations and these would either be high level or serve a wc/bathroom.

6.4.4 Local residents have also made reference to the large areas of flat roof possibly being used as terraces or balconies however this was flagged up as a concern by officers at pre-application stage and a condition is suggested to ensure that access to the flat roofs is restricted to that for maintenance purposes only.

6.4.5 Members will be well aware that comments relating to the loss of a view are not a material planning consideration.

6.5 Access and highway issues

6.5.1 Local plan policy TP1 seeks to limit development which would endanger highway safety.

6.5.2 Parking is one of the main concerns raised by local residents in their objections, and officers acknowledge that the development would inevitably have an impact on the existing situation. However, paragraph 32 of the NPPF states that "*development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe*".

6.5.3 In this instance, it is important to remember that the development would only result in the creation of one additional dwelling, and that the level of car parking spaces proposed, two per dwelling, is generally considered to be acceptable; it would therefore be hard to argue that the resultant impact would be severe.

6.5.4 Whilst no formal Highway comments have been received, the proposal has been discussed with the Highways Officer and they concur with this view.

6.5.5 Reference has also been made to the existing condition of the road, which is unadopted, with the suggestion that the development would worsen the situation but given

the scale of the development is it unlikely that it would have any significant effect and is not a determining issue in a planning decision.

6.6 Other considerations

6.6.1 As with all new residential development, provision for play space would be required to meet the requirements of local plan policy RC6. As on-site play space provision is clearly not feasible in this location, policy RC6 envisages a commuted sum in order to achieve its requirements and it is considered that this matter could be adequately dealt with by way of a condition. In this case, the sum required would be £368.

6.6.2 Furthermore, whilst records show that important species or habitats have been sighted near to the application site in the recent past, given the nature of the development it is not considered that the proposed development will have any impact on these species.

7. CONCLUSION AND RECOMMENDATION

- 7.1 The existing bungalow is of little architectural merit or historic interest and its demolition is considered to be acceptable in principle subject to a satisfactory scheme for redevelopment.
- 7.2 The proposed replacement dwellings are of a suitable scale, height, massing and footprint for this sensitive site with the conservation area, and would sit comfortably within its context.
- 7.3 The scheme has been carefully considered to ensure that the proposed dwellings could be comfortably accommodated within the site without causing unacceptable harm to neighbouring amenity in respect of privacy, daylight or outlook.
- 7.4 In addition, following the submission of revised plans, the scheme would not result in any significant or unacceptable harm to neighbouring amenity or highway safety.
- 7.5 Therefore, the recommendation is to grant both planning permission subject to the following conditions:

8. CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of five 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 The development hereby permitted shall be carried out in accordance with Drawing nos.13-157 03A, 13-157 04A, 13-157 05B and 13-137 06B received by the Local Planning Authority on 23rd January 2014.
Reason: To ensure the development is carried out in strict accordance with the revised drawings, where they differ from those originally submitted.
- 3 Prior to the commencement of development, plans showing the existing and proposed ground levels and slab levels of the proposed and adjacent buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented strictly in accordance with the agreed details.
Reason: To ensure a satisfactory relationship of the proposed building with the adjoining properties and land in accordance with Local Plan Policies CP4 and CP7 relating to safe and sustainable living, and design.

- 4 Prior to the commencement of development, the surface water drainage system shall be designed in accordance with the principles of Sustainable Drainage Systems (SUDS). This shall include a maintenance strategy and full details (including calculations) shall be submitted to and approved by the Local Planning Authority. Prior to the first occupation of any part of the development, the surface water drainage system shall be completed in all respects in accordance with the details approved and shall be retained as such thereafter.
Reason: To ensure the surface water drainage system does not contribute to flooding or pollution of the watercourse in accordance with Local Plan Policy UI3 relating to sustainable drainage systems.
- 5 Prior to the commencement of development, a scheme for the provision or improvement of recreational facilities to serve the proposed dwelling(s) shall be submitted to and approved in writing by the Local Planning Authority. The dwelling(s) 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 Local Plan Policy RC6 relating to play space in residential development.
- 6 Notwithstanding previously submitted details, prior to their installation, the design and details including materials and finishes of the following items shall be submitted to and approved in writing by the Local Planning Authority:

 - a. windows;
 - b. external doors;
 - c. eaves details; and
 - d. rainwater goods.

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, and national guidance set out within the National Planning Policy Framework 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.
- 7 Prior to the first occupation of the development, the car parking area shall be completed and marked out in accordance with the approved plan(s). The car parking area shall thereafter be retained in accordance with the approved plans and kept available for use as car parking.
Reason: To ensure adequate car parking within the curtilage of the site in accordance with Local Plan Policy TP1 relating to development and highway safety.
- 8 The flat roofs to the dwellings hereby permitted shall not be used as a balcony, roof garden or similar amenity area without planning permission. Access to the roofs shall be restricted to that for maintenance purposes only.
Reason: To safeguard the amenities of the surrounding properties in accordance with Local Plan Policy CP4 relating to safe and sustainable living.
- 9 No wires, pipe work, satellite dishes or other aerials, alarms or other paraphernalia shall be affixed to the external elevations of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect and maintain the character and appearance of the area in which this development is located in accordance with Local Plan Policies CP3 and CP7 relating to sustainable environment and design, and national guidance set out within the National Planning Policy Framework and the Historic Environment Planning Practice Guide. Careful consideration has been given to the detailed design of this development and its relationship with neighbouring properties.

INFORMATIVE

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, the authority sought revisions to secure a high quality design and to provide additional on-site car parking. Following these negotiations, the application now constitutes sustainable development and has therefore been approved in a timely manner.