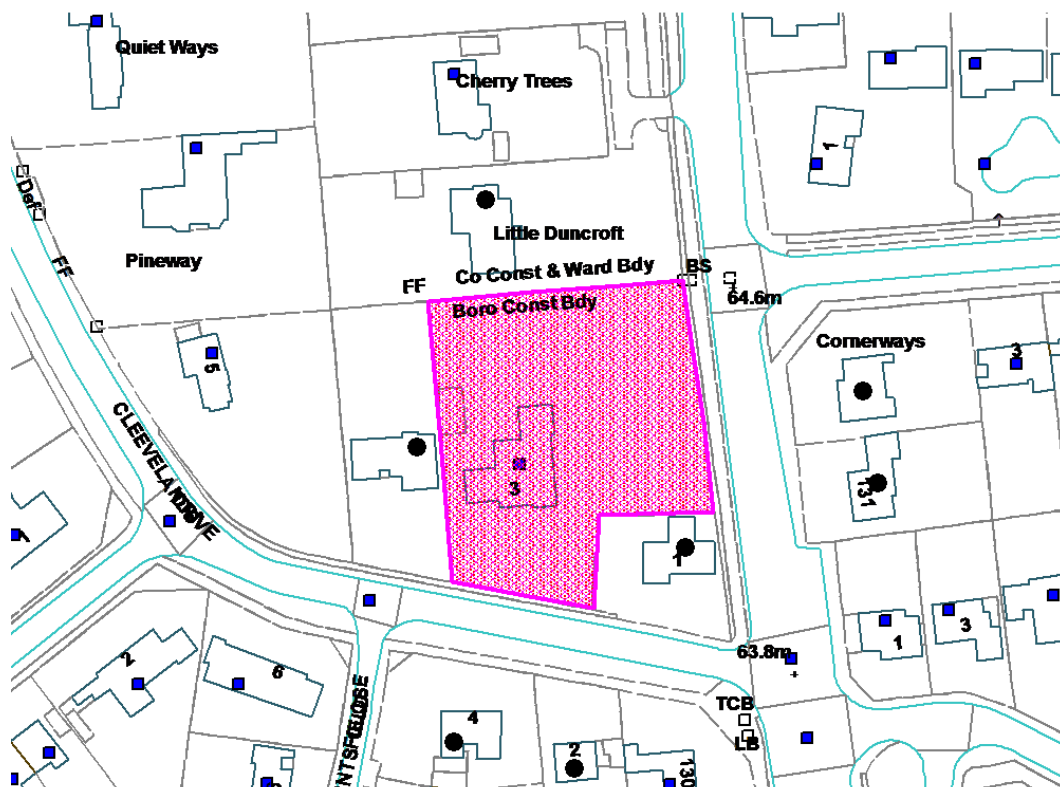


APPLICATION NO: 15/00202/FUL	OFFICER: Miss Michelle Payne
DATE REGISTERED: 4th February 2015	DATE OF EXPIRY: 1st April 2015
WARD: Pittville	PARISH: None
APPLICANT:	William Morrison Estates
AGENT:	Evans Jones Ltd
LOCATION:	3 Cleevelands Drive Cheltenham Gloucestershire
PROPOSAL:	Demolition of existing dwelling and construction of single block containing 9 apartments, alteration to site access and associated hard and soft landscaping

RECOMMENDATION: Refuse



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This application proposes the demolition of an existing dwelling, at 3 Cleavelands Drive, and its replacement with a block of 9no. apartments comprising 4no. 2 bed units and 5no. 2/3 bed units, with 18no. car parking spaces.
- 1.2 The existing property is two storeys and sits within a large plot on the northern side of Cleavelands Drive, close to the junction with Evesham Road; the site adjoins the Evesham Road to the east and is bounded by residential properties in Cleavelands Drive and Evesham Road. The existing vehicular access in Cleavelands Drive would be retained with an additional pedestrian access provided from Evesham Road.
- 1.3 Revised plans have been submitted during the course of the application in an attempt to overcome concerns relating to design and the overdevelopment of the site.
- 1.4 The application has been referred to the planning committee at the request of Cllrs Prince, Lillywhite and Babbage; the concerns raised relate to overdevelopment, not in keeping with surrounding properties, environmental impact of additional vehicles and impact on neighbouring amenity. Members will visit the site on planning view.
- 1.5 Planning permission was recently refused on this site by Officers in December 2014 for an alternative scheme which proposed two blocks of apartments, 1no. two storey building and 1no. three storey building, providing a total of 14no. apartments, with 20no. car parking spaces. The refusal reason read:

The proposal represents an unacceptable overdevelopment that demonstrates little awareness for the constraints of the site.

Architecturally uninspiring, the proposal is of a crude design that provides for a monotonous and unrelieved mass and bulk that will be an alien and incongruous addition to the locality.

The proposal will also have an unacceptable impact on neighbouring amenity. The scheme will give rise to unacceptable overlooking of adjacent properties by virtue of upper floor windows in close proximity to the site boundaries, but beyond that, the large mass of the buildings proposed will constitute an overbearing and oppressive form of development.

Furthermore, the proposal, and in particular Block 1, fails to pay due regard to the protected Horse Chestnut trees located on the southern boundary of the site. The proximity of block 1 to these trees, and the impact that the tree canopy will have in terms of shading, is likely to give rise to pressure to prune these trees unacceptably.

Accordingly, the proposal is contrary to policies CP4, CP7 and GE6 of the Cheltenham Borough Local Plan (Adopted 2006), advice contained within the Council's adopted SPD titled 'Development on garden land and infill sites in Cheltenham' (Adopted June 2009) and guidance set out within the NPPF, particularly in section 7 - Requiring good design.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Landfill Site boundary

Relevant Planning History:

14/01730/FUL

REFUSE

23rd December 2014

Demolition of existing dwelling and construction of 14 apartments arranged in two blocks, alteration to site access and associated hard and soft landscaping

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
GE 6 Trees and development
HS 1 Housing development
UI 2 Development and flooding
UI 3 Sustainable Drainage Systems
TP 1 Development and highway safety

Supplementary Planning Guidance/Documents

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

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Environmental Health

23rd February 2015

I have reviewed the current application and have no objection in principal however I offer the following comments:

Noise & nuisance during construction and demolition

Recommended condition 1:

No construction work at the site is to take place outside the hours of 7:30am - 6:00pm Monday - Friday and 8:00am - 1:00pm Saturdays.

Reason: To protect the amenity of residents from the effects of noise, dust and other nuisances.

Recommended condition 2:

Prior to the commencement of development, the developer shall provide a plan for the control of noise, dust, vibration and any other nuisances from works of construction and demolition at the site. The plan shall also include controls on these nuisances from vehicles operating at and accessing the site from the highway. The development shall be implemented strictly in accordance with the approved details.

Reason: The site lies in close proximity to residential property which is may to suffer loss of amenity due to noise, dust and other nuisances during the demolition of the existing building and construction of the flats.

Tree Officer

24th February 2015

The Tree Section considers this application more sympathetic to trees than the previous application. Many previous tree related concerns have been addressed and as such the Tree Section does not object to this application provided specific measures outlined in the arb consultant report of Feb 14th 2015 are adhered to.

It is recommended that all foundations of buildings take account of the low to medium shrinkable soil as detailed in 5.6.2.

Similarly it is strongly recommended that a car park awning (for parking spaces under the canopy) is created (Para 5.6.2). This could be condition as a part of any planning permission. This will ease post development pressure on these TPO'd highway trees to be pruned because of leaf, twig, conker and bird guano potentially falling onto parked cars beneath.

Please could an underground utility plan showing the intended routes for such services be submitted and agreed prior to determination. These service runs must remain outside the Root Protection Areas of trees to be retained.

Please could a landscaping plan be submitted and agreed which will improve public visual amenity of the site as well as mitigate for the loss of all retained trees.

Please also condition:

TRE01B-Existing trees to be retained

TRE08B-Arb monitoring to include the installation of the minimal dig areas.

Cheltenham Civic Society

2nd March 2015

Although this represents more dense development than is the pattern in the immediate surroundings, we consider the need for more housing makes this necessary and appropriate. We think the design for a block of this size could have been more enterprising.

Architects Panel

13th March 2015

Having reviewed the previous scheme, we felt that the footprint and location of the proposed block was an improvement; however, there was some discussion as to whether a block of apartments was the correct approach and that the use of the site for large single dwellings might better complement the surrounding grain and typology.

In terms of elevational treatment, the scheme appears muddled and lacking clarity. The emphasis is neither horizontal nor vertical and the stepping parapet heights create somewhat dissonant proportions across the elevations. The overall appearance of the building is also slightly bulky. In that the plan form comprises four apartments, we wondered whether expressing these four corners might help address these issues. There also seemed to be an overlooking issue with regard to the balcony in the north-west corner. We would therefore like to see further refinement before we could support the proposal.

Architects Panel (revised comments)

30th March 2015

The panel has reviewed this scheme previously and revised drawings have been submitted in response to previous comments. There was some discussion as to whether the changes represent an improvement and the panel was split in this regard. Proportionally there are still awkward areas, in particular the space between the head of the first floor windows and the top of the parapet and the horizontal arrangement of vertical window elements in rectangular elevations. Overall, we still are unable to support this scheme and our comments relating to the principle of an apartment block as opposed to single dwellings still stand.

Architects Panel (revised comments)

11th June 2015

The panel has reviewed this scheme a number of times previously and revised elevations had been produced based on previous comments. The change involved the lowering of the highest parapet level and addition of glazed balustrades to the balconies; however, this solution did not appear to have been fully worked through with the top floor becoming more prominent and the proportions of the resulting elevations still being unsatisfactory. The panel therefore did not feel that this was an improvement over the previous scheme.

The panel had previously commented on the general approach to massing and aesthetic, and the perspective views, albeit of a previous scheme, demonstrate that the design does not sit well in its context. If the current approach is to be pursued, the design needs a more radical overhaul than the latest alterations provide.

Given the above, we would still be unable to support this proposal.

GCC Highways Planning Liaison Officer

27th February 2015

I refer to the above planning application received on 5th February 2015 with Plan Nos: PL001 - 006, 12341/01, 02, application form and supporting documentation. This application is a revised scheme to a previous application (14/01730/FUL) that was refused permission by the Local Planning Authority although not on Highway grounds.

This application is a reduction in the number of dwellings from 14 to a single block of 9 dwellings over 4 floors. The proposal will continue the use of the existing point of access from Cleavelands Drive approximately 55 m west of its junction with Evesham Road that provides acceptable levels of intervisibility. A secondary pedestrian access will be provided onto Evesham Road to the east of the site. The proposal will result in the slight intensification of the use of the point of access.

The junction of Cleavelands Drive and Evesham Road offers acceptable vision splays and records indicate a low level of personal injury collisions over the previous 5 years.

On-site parking is proposed at a ratio of 2 per dwelling with secure cycle and bin storage being provided against the western boundary of the site.

I recommend that no highway objection be raised subject to the following conditions being attached to any permission granted:-

1) The buildings hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan PL003 (Proposed Plans) and those facilities shall be maintained available for those purposes thereafter.

Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the paragraph 39 of the National Planning Policy Framework.

2) Prior to the occupation of the development hereby permitted, the vehicular access shall be laid out and constructed in accordance with the submitted plan PL003 being a minimum width of 5.0 m with any gates situated at least 5.0 m back from the carriageway edge of the public road and hung so as not to open outwards towards the public highway, with the area of driveway within at least 5.0 m of the carriageway edge of the public road surfaced in bound material, the internal road to be at least 5.0 m wide and shall be maintained thereafter.

Reason: To reduce potential highway impact by ensuring that a safe and secure access is laid out and constructed that minimises the conflict between traffic and cyclists and pedestrians in accordance with paragraph 35 of the National Planning Policy Framework.

3) The vehicular access hereby permitted shall not be brought into use until the visibility splays are provided and maintained, extending from a point 2.4 m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 54 m distant in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05 m and 2.0 m at the X point and between 0.26 m and 2.0 m at the Y point above the adjacent carriageway level.

Reason: To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with paragraph 35 of the National Planning Policy Framework.

4) The development hereby permitted shall not be occupied until the cycle storage facilities have been made available for use in accordance with the submitted plan PL003 (Proposed Plans) and those facilities shall be maintained for the duration of the development.

Reason: To ensure that adequate cycle parking is provided, to promote cycle use and to ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the National Planning Policy Framework.

5) The development hereby permitted shall not be occupied until the car parking associated with each building within the development has been provided in accordance with the submitted plan PL003, with each parking space being at least 2.4 m x 4.8 m with an aisle width of at least 6.0 m and shall be maintained available for that purpose thereafter.

Reason: To reduce potential highway impact by ensuring that vehicles do not have to park on the highway resulting in a severe impact contrary to paragraph 32 of the National Planning Policy Framework.

6) No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed drive and parking area within the development have been submitted to and approved in writing by the local planning authority. The drive and parking area shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.

Reason: To ensure that safe, suitable and secure access is achieved and maintained for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the National Planning Policy Framework and to establish and maintain a strong sense of place to create attractive and comfortable places to live, work and visit as required by paragraph 58 of the Framework.

Landscape Architect

25th February 2015

There is little landscape detail shown on Drawing PL003 A 'Proposed Plans'. The following comments are therefore of a general nature, addressing landscape layout and issues which should be borne in mind when designing the landscape scheme.

Sustainable Urban Drainage (SUDS)

The Design & Access Statement states that the hard landscape areas will be formed in a permeable bound gravel finish with underground storage provided for surface water run-off.

In keeping with JCS Policy INF3: Flood Risk Management (Para iv), Cheltenham Borough Council encourages a soft landscape approach to SUDS for new development. As this approach could affect the footprint of the building and site layout generally, it should be investigated and the resulting scheme submitted to the LPA prior to determination.

In addition to surface water attenuation, a landscape approach to SUDS can provide the following benefits:

- Visual and practical amenity for residents
- Enhance the town's green infrastructure (see INF 4 Green Infrastructure (para 1.i, para 4))
- Contribute food and habitat for wildlife so aiding local biodiversity. (SD10: Biodiversity and Geodiversity (para iii))

Consideration should also be given to green roofs for the proposed apartment blocks. This would further reduce the adverse effect that an increased area of built form would have on surface water run-off.

Green Infrastructure

The garden of 3, Cleavelands Drive is a component of the local green infrastructure of Cheltenham. (See JCS Policy INF4: Green Infrastructure Para. 5.4.3). Private gardens form an important part of green infrastructure in general. INF4 states that existing green infrastructure will be protected in a manner that reflects its contribution to ecosystem services - which includes the contribution it makes to landscape/townscape quality. In this instance the garden is an established element of the local streetscape. Building on the garden would be in conflict with the aims of INF4. In addition Para 5.4.8 of INF4 states that incidental green infrastructure assets, such as private gardens, must not be allowed to be lost since they are an essential element of the wider green infrastructure network.

Should planning permission be granted for this application, a high quality landscape scheme will be required to mitigate for the increased area of built form. The landscape scheme should contribute to the green infrastructure of the locality in the following ways:

Local Character: The current house and garden add to the sense of spaciousness of this part of Cheltenham. They are in keeping with the character of the locality, in which private gardens are a significant element of the local streetscape. The new landscape scheme should seek to replicate this sense of spaciousness and make a positive contribution to the streetscene. (see JCS Policy SD5: Design Requirements paras. 1.i; Policy SD7: Landscape para. 4.7.2).

Amenity: The space and greenery contributed by the gardens of this residential area add to the visual amenity of the tree-lined streets. The proposal would remove garden land in favour of built form, so it is essential to set it within landscaped gardens which provide external space for residents and visual amenity for the locality. (see JCS Policy SD5: Design Requirements paras. 1.i & iii)).

The long-term maintenance of the landscape scheme should be considered from the outset.

Bin and Cycle Store

Good informal surveillance is required for the bin store and cycle store. It should be well lit. The bin store in particular should not be located where it could have an adverse effect on the amenity of neighbouring properties.

Conditions Required

Should planning permission be granted, please could the following conditions be applied:

- LAN02B Landscaping scheme (short version)
- LAN03B Landscaping - first planting season
- A long-term maintenance plan for the landscaped areas should be supplied.

5. PUBLICITY AND REPRESENTATIONS

5.1 On receipt of the original application, 51 letters of notification were sent out to neighbouring properties. Additional letters were sent on receipt of revised plans. Over the course of the application, a total of 100 objections have been received in response to the publicity, which have been circulated to Members in full.

5.2 In brief, the main objections relate to:

- Level of parking provision and highway safety concerns
- Size and scale of development
- Design is out-of-keeping
- Loss of privacy
- Drainage and flooding
- Not the site for apartments
- Precedent

6. OFFICER COMMENTS

Officer comments to follow