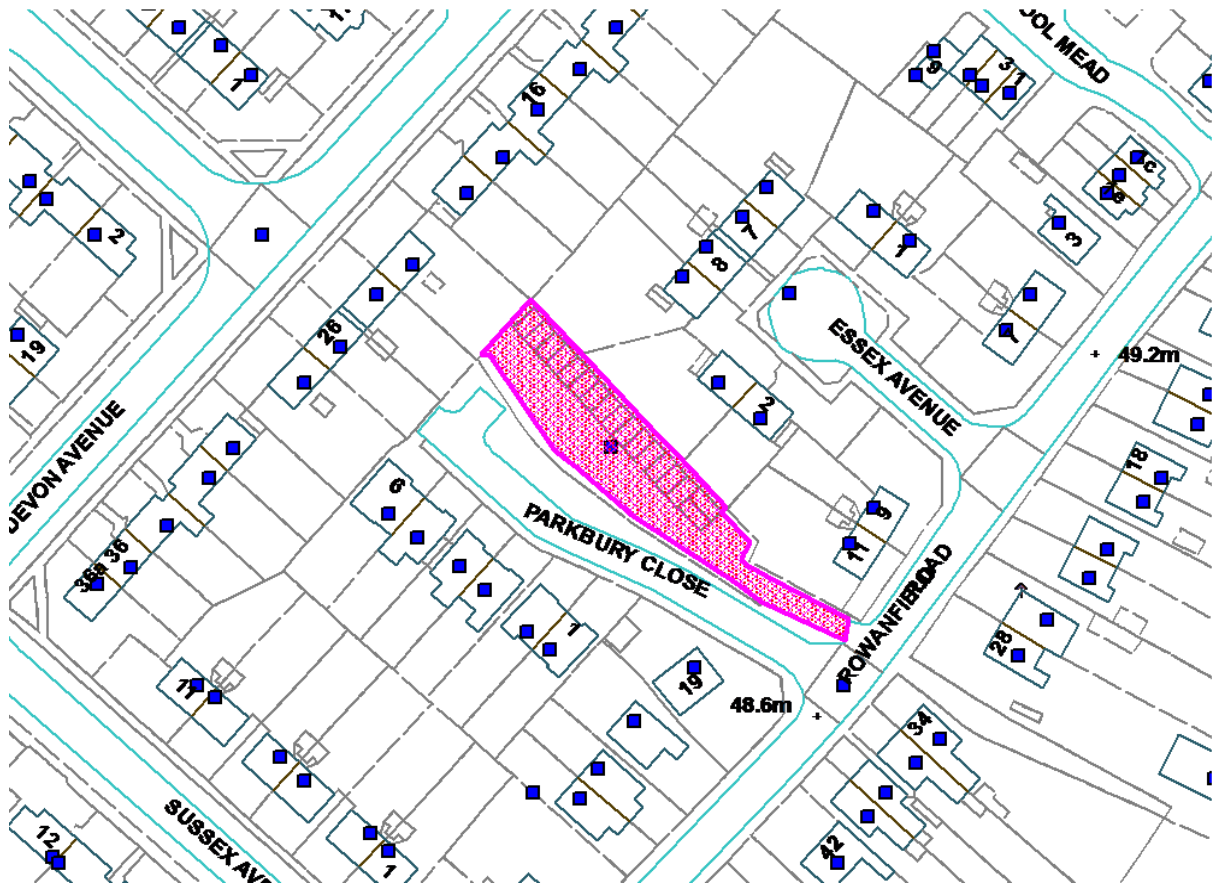


APPLICATION NO: 14/01677/FUL	OFFICER: Mr Martin Chandler
DATE REGISTERED: 19th September 2014	DATE OF EXPIRY: 14th November 2014
WARD: St Marks	PARISH:
APPLICANT: Mr Gordon Malcolm	
AGENT: Quattro Design Architects Ltd	
LOCATION: Garages Adj No 11 Rowanfield Road, Cheltenham	
PROPOSAL: Demolition of existing garages and erection of a 4 bed house and associated hard and soft landscaping including parking	

RECOMMENDATION: Recommendation at Committee



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application proposes the erection of a single dwelling on a redundant parcel of land, the land having been previously occupied by a parking court.
- 1.2 The application is before committee because the site is owned by the Council.
- 1.3 Members will visit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Landfill Sites boundary

Relevant Planning History:

None

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 4 Safe and sustainable living

CP 7 Design

GE 5 Protection and replacement of trees

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

TP 6 Parking provision in development

Supplementary Planning Guidance/Documents

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

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Contaminated Land Officer

25th September 2014

Due to the potential for the presence of asbestos containing materials and other contaminants from the use of the site for garages, the inclusion of the small development contaminated land planning condition is recommended for this site.

Small development planning condition for potentially contaminated land

No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any significant contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the

local planning authority. The site shall be remediated in accordance with the approved measures before development begins.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

GCC Highways Planning Liaison Officer

23rd September 2014

With regards to the above site; under our Highway's Standing advice criteria we do not need to be consulted on this application and this can be dealt with by yourselves with the aid of our guidance.

Tree Officer

13th October 2014

It is regrettable that no account of trees appears to have been made whilst considering any constraints on this site.

I suggest that the following details are submitted and agreed prior to determination of planning permission:

A full BS 5837 (2012) Tree Survey indicating what trees are to be retained and what are to be removed. A policy of whole tree removal leaving this mature hedge line bisected and a large proportion of it removed entirely appears to have been adopted. This is regrettable in that it appears that a significant proportion of the hedge could be retained which would leave the a much 'greener'/'softer' outlook from Parkbury Close as well as provide instant screening, security etc from this proposed dwelling. Details of all access facilitation pruning and hedgerow/tree maintenance works should also be submitted as a part of the application. If an arboriculturalist had been employed in the first instance, such information could have been anticipated.

Please could the following details also be submitted and agreed prior to determination:

- 1) Protective fencing details of all trees to be retained both on and within the sphere of influence of the site;
- 2) Utility plans showing where underground utilities are to be routed;
- 3) A full landscaping scheme;
- 4) Shade analysis demonstrating the adjacent retained trees will not cast disproportionate shade on the gardens and house.

Building Control

2nd October 2014

No comment

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	15
Total comments received	12
Number of objections	10
Number of supporting	0
General comment	2

- 5.1** Letters were sent to 15 neighbouring properties to advertise the application. In response to this publicity, 10 objections have been received with two more 'general' comments. The concerns raised by residents are summarised below:

- Lack of parking provision for new dwelling and surrounding roads
- Inappropriate development for the area
- Impact on outlook from houses within Parkbury Close
- The development having an overbearing impact on neighbouring houses
- Impact on large and important trees
- Loss of sunlight
- Development will be harmful to the green character of the area
- Chain link fence adjacent to Parkbury Close is inappropriate

5.2 These matters will be duly considered in the main body of the report set out below.

6. OFFICER COMMENTS

6.1 Determining Issues

6.1.1 The key considerations with this application are the principle of developing the site, the design and layout of the dwelling, potential impact on neighbouring amenity, how the proposal affects the trees within the application site and any highway safety implications.

6.2 The site and its context

6.2.1 As advised earlier in this report, the application site is currently redundant in terms of land use. It was previously used as a garage court providing 17 garages but as members will see on planning view, this use has ceased.

6.2.2 The site is now bounded by mature vegetation to the south with a number of large trees on the site boundary. Internally, the site has been somewhat neglected with overgrown grass and hedging.

6.2.3 The application site is surrounded by residential development although it is of note that the Lansdown Industrial Estate is in relatively close proximity to the south. In terms of architecture and the general grain of the area, this can only be described as 'mixed'.

6.3 Design and layout

6.3.1 The application seeks to introduce one new dwelling onto the application site. The building is two storeys in height and sits relatively centrally within the site. Access is provided from Parkbury Close with parking and turning facilities located to the front of the dwelling. Amenity space is provided to the rear with a north-west aspect.

6.3.2 Members will be aware that local plan policy CP7 seeks to promote high quality design and to ensure that new development complements and respects neighbouring development. Further to this, to assist in the consideration of developments of this nature, the Authority has developed a supplementary planning document which advises on the acceptability or otherwise of garden land and infill developments within the town.

6.3.3 This application has been assessed against the requirements of this advice and is considered to be entirely acceptable. The proposal represents a modest development that

will sit comfortably on the application site. It is respectful of the constraints on the site, including the presence of large trees, and makes efficient and effective use of redundant brownfield land.

6.3.4 Architecturally, the dwelling is traditional in appearance and officers consider this to be an appropriate solution for the site. Whilst there is mix in architecture within the locality, there is a consistent theme of traditional buildings with pitched roofs and the proposed development will complement this.

6.3.5 The proposal is considered to comply with the requirements of policy CP7 and the SPD relating to infill development.

6.4 Impact on neighbouring property

6.4.1 Local Plan Policy CP4 requires development to protect the existing amenity of neighbouring land users and the locality and members will note that there has been some objection to this proposal in terms of an impact on amenity, particularly in terms of loss of sunlight, impact on outlook and the proposal constituting an overbearing form of development.

6.4.2 In relation to loss of sunlight, it is acknowledged that the proposed house does sit to the south of certain neighbours but this has to be considered in the wider context of the site. The surrounding dwellings all benefit from space about them and members will also note the presence of mature trees on the site. This combination makes it very difficult to resist any development on the basis of loss of sunlight. As members will be aware, the amount of sunlight received by a particular site is dependent on the season, aspect, time of day and other development; it is therefore extremely difficult to substantiate. In this instance whilst there may well be an impact on adjacent properties, this will not be to the extent that warrants the refusal of planning permission; indeed the development will result in a relationship that is very common in a suburban environment.

6.4.3 Officers do not consider that the proposal will have an overbearing impact on adjacent properties either. As already identified, the proposal represents a relatively modest development that is well separated by existing houses. The gable end of the house is some 21 metres from the houses opposite in Parkbury Close. Further to this, the proposed dwelling is 18 metres from its north-west boundary and over 14 metres from the nearest property in Essex Avenue (members should note that a distance of 12 metres is considered to be acceptable when assessing the relationship of gable ends and facing windows).

6.4.4 Finally, in terms of outlook, whilst officers have some sympathy that this will change, it is not considered that planning permission can be withheld on that issue alone. The dwellings in Parkbury Close currently benefit from an outlook over mature trees and vegetation, much of which will be retained by this development. Nevertheless, it cannot be expected that this will not change over time and the proposed development is considered to be a suitable compromise in this regard.

6.4.5 The proposal has been fully assessed in relation to local plan policy CP4 and is considered to be acceptable.

6.5 Access and highway issues

6.5.1 During the consideration of the application, the access arrangements have changed from Rowanfield Road to access from Parkbury Close. Members will note that there was some criticism in relation to initial access arrangements and the change is in response to this. It also limits the impact on two large trees close to Rowanfield Road.

6.5.2 Given the limited scale of the application and the access onto an unclassified road, the Highways Authority have not commented specifically on the scheme but instead have referred the planning authority back to their standing advice. Having assessed the proposal

against this advice, the scheme is acceptable. Visibility is adequate and the proposal will not bring with it any highway safety concerns. Furthermore, an appropriate level of car parking (two spaces) is being provided for the new dwelling.

6.5.3 No objection is raised to the proposal in relation to highway considerations.

6.6 Other considerations

6.6.1 At the time of writing this report, the final comments from the Council's tree officers were still awaited. Members will be updated once these have been received but it is not anticipated that any objection will be raised. The proposal has been amended in response to the initial comments provided and a tree survey has now been undertaken.

7. CONCLUSION AND RECOMMENDATION

7.1 In conclusion, the proposal is considered to be an acceptable development for this underused brownfield site. The scheme represents a more efficient use of land that will not compromise neighbouring amenity or highway safety. Subject to confirmation from the tree officers that they have no concerns, it is recommended that planning permission be granted.

7.2 Members will be updated with a full recommendation upon receipt of the tree officer comments.