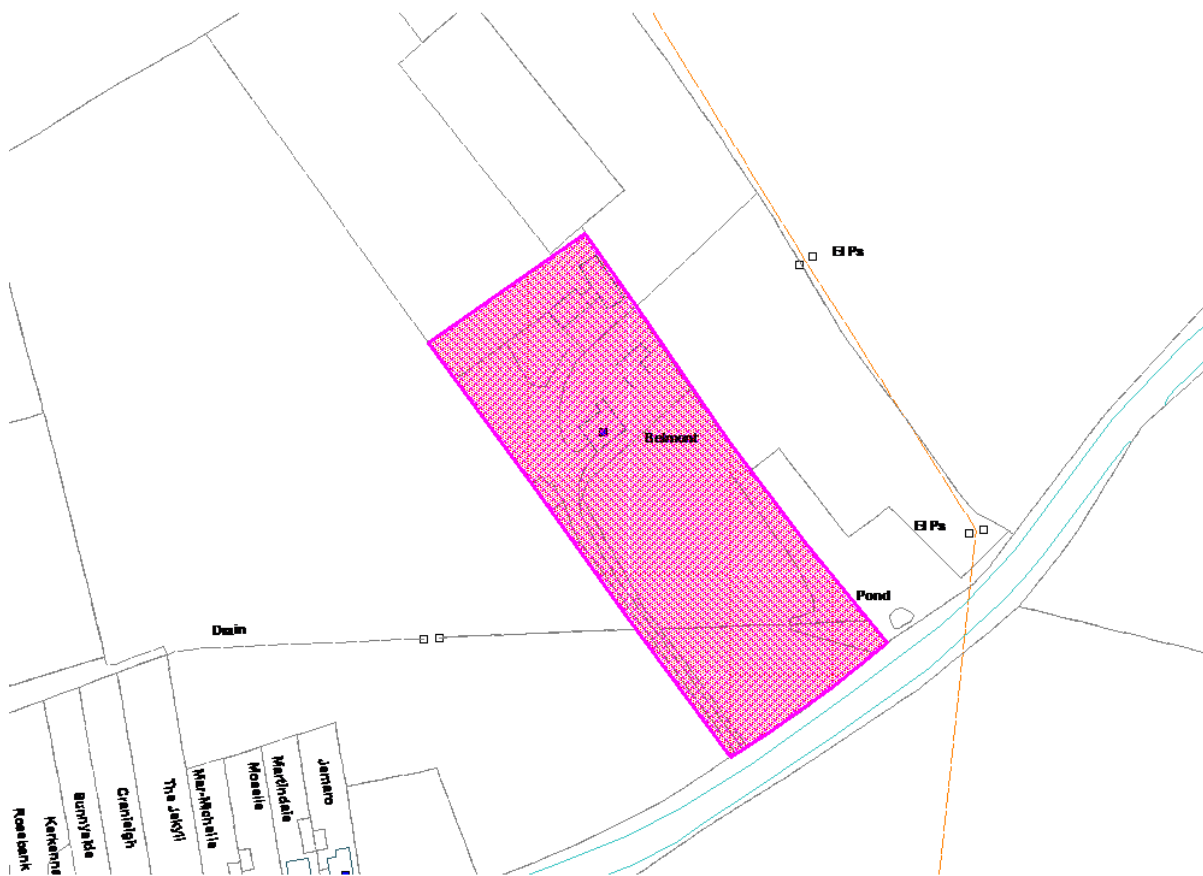


APPLICATION NO: 15/00646/FUL	OFFICER: Mrs Victoria Harris
DATE REGISTERED: 8th May 2015	DATE OF EXPIRY: 3rd July 2015
WARD: Swindon Village	PARISH: Swindon
APPLICANT:	Mr Daniel Deacon
AGENT:	Steve Mitchell Building Design
LOCATION:	Belmont Hyde Lane Swindon Village
PROPOSAL:	Erection of dwelling (revised scheme following approval of planning permission ref. 13/00854/FUL)

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The proposal involves the construction of a revised detached dwelling.
- 1.2 Planning permission was granted for a replacement dwelling on this site in 2013 13/00854/FUL. The building of this approved dwelling has started.
- 1.3 The current application seeks an amendment to 13/00854/FUL. The difference between the current scheme and the approved scheme, comprise:
 - An increase in the first floor height above ground level by 450mm,
 - an increase in the first floor width by 5.1m,
 - an extension to the landing at first floor.
- 1.4 Under the 2013 permission the topography of the site was used so as to allow for a design of replacement dwelling where part of the new dwelling would have been located below natural ground level. The existing vehicular access off Hyde Lane has been used to serve the proposed dwelling.
- 1.5 The site is located in the Green Belt. A Green Belt justification statement has been submitted with the application and this is available to be read on-line.
- 1.6 The application site is sited just beyond a row of detached and semi-detached houses marking the extent of the built-up area of Swindon Village at this point. Immediately surrounding the application site is open farm land. The site initially falls gently from the road and then rises in a northerly direction. The previous dwelling (a bungalow) was located roughly in the centre of the site. The bungalow was rendered on the rear and sides with a brick elevation to the front; the roof was corrugated iron. It had fallen into a state of disrepair and had very little merit, visually. There were a number of breeze block outbuildings on the site that was demolished as part of the overall scheme.
- 1.7 The application is brought to Planning Committee at the request of Cllr Fisher, on the grounds that the revised scheme is a much larger development than the granted permission.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Greenbelt

Relevant Planning History:

02/01232/FUL 15th November 2002 REF

Continued use of building for dog breeding

03/01222/COU 8th August 2011 DISPOS

Continued use of building for dog breeding (re-submission)

08/01378/FUL 21st November 2008 PER

Replacement dwelling

11/01108/TIME 4th October 2011 PER

Application to extend the time limit for implementation of planning permission ref. 08/01378/FUL for the erection of replacement dwelling

13/00848/FUL REC

The demolition of the existing dwelling and associated outbuildings and the construction of a single replacement detached dwelling. This is to address the issues and constraints identified in the currently active planning consent ref:08/01378/FUL

13/00854/FUL 24th July 2013 PER

The demolition of the existing dwelling and associated outbuildings and the construction of a single replacement detached dwelling. This is to address the issues and constraints identified in the currently active planning consent ref:08/01378/FUL

14/01221/DISCON 29th August 2014 DISCHA

Discharge of conditions 6, 7, 9 and 10 (part) on planning permission ref:13/00854/FUL

15/00476/AMEND 2nd July 2015 PAMEND

Non material amendment to planning permission 13/01378/FUL - alterations to internal layout and associated windows/external doors

15/00789/CONDIT INV

Variation of condition 10 on planning permission 13/00854/FUL - temporary car parking area

08/01378/FUL 2_ACTV

Replacement dwelling

C14/00001/DEMO REC

Demolition of property and out buildings.

15/00789/CONDIT INV

Variation of condition 10 on planning permission 13/00854/FUL - temporary car parking area

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

CO 5 Definition of green belt

CO 6 Development in the green belt

CO 7 Rebuilding or replacement of dwellings in the green belt

CO 8 Extension of dwellings in the green belt

TP 1 Development and highway safety

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Parish Council

10th June 2015

The council has no objection to the proposal but is disappointed that changes to the building height have been made by adding notes to the drawing rather than changing the drawing itself (which should be scaled).

Tree Officer

16th June 2015

The Tree Section has no objections with regards to this application. Should this application be granted please use the following condition:

Detailed Landscaping

The landscaping proposal shall be carried out no later than the first planting season following the date when the development is ready for occupation or in accordance with a programme agreed in writing with the Local Planning Authority. The current Landscape Planning Proposals must be modified to also specify species, planting size, root type (it is anticipated that container grown trees will be planted) and protection so as to ensure quick successful establishment. The size of the trees shall be at least a Selected Standard as per BS 3936-1:1992. The trees shall be maintained for 5 years after planting and should they be removed, die, be severely damaged or become seriously diseased within this period they shall be replaced with another tree as originally required to be planted.

Reason: To preserve the visual amenities of the locality in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees

GCC Highways Planning Liaison Officer

15th June 2015

I have reviewed the submitted application, I note that there are no highway considerations submitted in the application.

Therefore I have no further comment to make.

5. PUBLICITY AND REPRESENTATIONS

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

- 5.1** 10 letters were sent to neighbouring residents. No representations have been received to date.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.1.1** The key consideration in relation to this application is if the revised scheme has an impact on the Green Belt. The principle, concept of the design and the suitability of the access have all been approved under the previous consent.

6.2 The site and its context

- 6.2.1** Policy CO7 relates to replacement of buildings in the Green Belt. This refers to a limit to the increase in volume of any building by 15% or 70 m³. However, given that these restrictions relate to a now superseded General Permitted Development Order (which itself introduces more relaxed means of extending houses) these size limits are now considered to be somewhat date. However criterion c of this policy is still very pertinent to the consideration of any application. This states that "the rebuilding or replacement of existing buildings in the Green Belt will only be permitted where...there is no harm to the openness and visual amenity of, or encroachment upon, the Green Belt." This is consistent with national policy guidance (NPPF) relating to development within and protection of Green Belt land.

- 6.2.2** The officer's report for the previous application sets out why the approved scheme was acceptable and states: *"The current proposed dwelling has been designed so as to shield the bulk of the house from public view so whilst it is not technically 'underground' the impact on the openness of the green belt is much reduced. When this point is considered in combination with the fact that a fairly extensive range of unsightly outbuildings are to be demolished there would undoubtedly be visual benefits in approving the scheme.*

That part of the proposed dwelling sited at first floor (i.e. that which is most visible within the Green Belt and therefore affecting its openness) is significantly less than that of the existing house and its outbuildings; 88.5m² as compared to the current 304m². Looking at the volume, the existing cubic capacity will be reduced from 543 m³ to just 221 m³. Furthermore, the most prominent element of the proposed dwelling is a predominately glazed pavilion. It is this one element of built form which will be most visible from public vantage points. It is agreed that the replacement dwelling should in fact offer a reduction in the perceived volume in the Green Belt and should therefore result in a positive impact upon the openness of the area."

- 6.2.3** The revised design of the dwelling proposes an increase in the first floor width by 5.1m, which will enclose part of the approved roof terrace. This will increase the first floor from 88 m² to approximately 128 m². This is still significantly less than the 304 m² that previously stood on the site. The first floor landing will be increased in size and the height of the dwelling will be increase above ground level by 450mm compared to the approved dwelling.
- 6.2.4** The Green Belt Justification states, *"The scheme as approved (ref. 13/00854/FUL) does not have the requisite head height. This means that the overall height of the dwelling will increase to 6.3 metres. However, the ground floor level has also been lowered as much as possible (by 150mm) in order to minimise the increased height. The dwelling cannot be dropped into the ground any further due to the outfall levels in connection with the surface water drainage."*
- 6.2.5** The revised dwelling will not have a demonstrably greater impact on the Green Belt than the approved dwelling. It is unfortunate the approved plans did not have the requisite head height, but it is unlikely that the increase in height by 450mm will be perceptible and will have any greater impact on the openness of the Green Belt.

7. CONCLUSION AND RECOMMENDATION

- 7.1** It is considered that permission should be granted. The revised dwelling would satisfy the aim of the policies seeking to preserve the openness of the Green Belt and hence the intrinsic character and appearance of the countryside.

8. CONDITIONS / INFORMATIVES

- 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 numbers 978.08B, 15081.103, 12.113.104, 12.113.110 received 28/07/15 and 05/08/15.

Reason: To ensure the development is carried out in strict accordance with the approved drawings.

- 3 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.

- 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 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.

- 5 There shall be no variation to the information in respect of the existing ground levels and the proposed building levels shown on the submitted, approved drawings. The development shall be implemented strictly in accordance with those approved levels.

Reason: To ensure that the relationship of the proposed development to the topography within which it is to be constructed is acceptable. It is important to protect and maintain the character and appearance of the area and the openness of the Green Belt in which this development is located

- 6 The facing Cotswold stone and timber cladding and details of the proposed green roof shall be in accordance with the submitted details received 28/07/15.

Reason: To ensure a satisfactory form of development in accordance with Local Plan Policy CP7 relating to design.

- 7 The maintenance regime for the green (turfed) roofs shall be in accordance with the submitted details received 28/07/15 and thereafter the green roofs shall be retained as such and maintained in accordance with the maintenance regime so approved.

Reason: To ensure that the external appearance of the dwelling hereby approved is maintained as proposed and that the character, appearance and openness of the site is maintained in accordance with Policy CO7 and GP7 of the Cheltenham Borough Local Plan

- 8 The landscaping proposals hereby approved shall be carried out no later than the first planting season following the date when the development is ready for occupation or in accordance with a programme agreed in writing with the Local Planning Authority. All planted materials shall be maintained for 5 years after planting and any trees or plants removed, dying, being severely damaged or becoming seriously diseased within this period shall be replaced with others of similar size and species to those originally required to be planted.

Reason: To ensure that the planting becomes established and thereby achieves the objectives of Local Plan Policies CP1 and CP7 relating to sustainable development and design.

- 9 The drainage details shall be in accordance with the submitted details received 05/08/15 and the scheme shall subsequently be implemented in accordance with the approved details before the development is completed/occupied.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to reducing the risk of pollution.

- 10 The temporary car parking area for site operatives and construction traffic shall be in accordance with the submitted details received 05/08/15 and the area shall be retained available for that purpose for the duration of building operations.

Reason: To ensure that the access roads in the vicinity of the site are kept free from construction traffic in the interests of highway safety.

- 11 Prior to the commencement of development wheel washing facilities shall be provided within the curtilage of the site to the satisfaction of the Local Planning Authority. The wheel washing facilities shall be used and maintained in good working condition through out the construction works and for as long afterwards as considered necessary by the Local Planning Authority.

Reason: To prevent the development works resulting in mud on the road which would not be in the interests of highway safety.

- 12 Prior to the occupation of the proposed dwelling the access, car parking and manoeuvring facilities shall be completed in all respects in accordance with the submitted details and shall be similarly maintained thereafter for that purpose.

Reason: In the interests of highway safety.

Reason: To ensure that adequate turning space is provided within the curtilage of the site to enable vehicles to enter and leave the site in forward gear in accordance with Local Plan Policy TP1 relating to development and highway safety.

- 13 The development shall not be occupied until details for any external lighting proposed, particularly within the parking/circulation area, has been approved in writing by the Local Planning Authority,

Reason: To ensure whilst lighting may be required in the interests of safety and designing out crime it does not have any adverse impact on the visual amenity of this rural area.