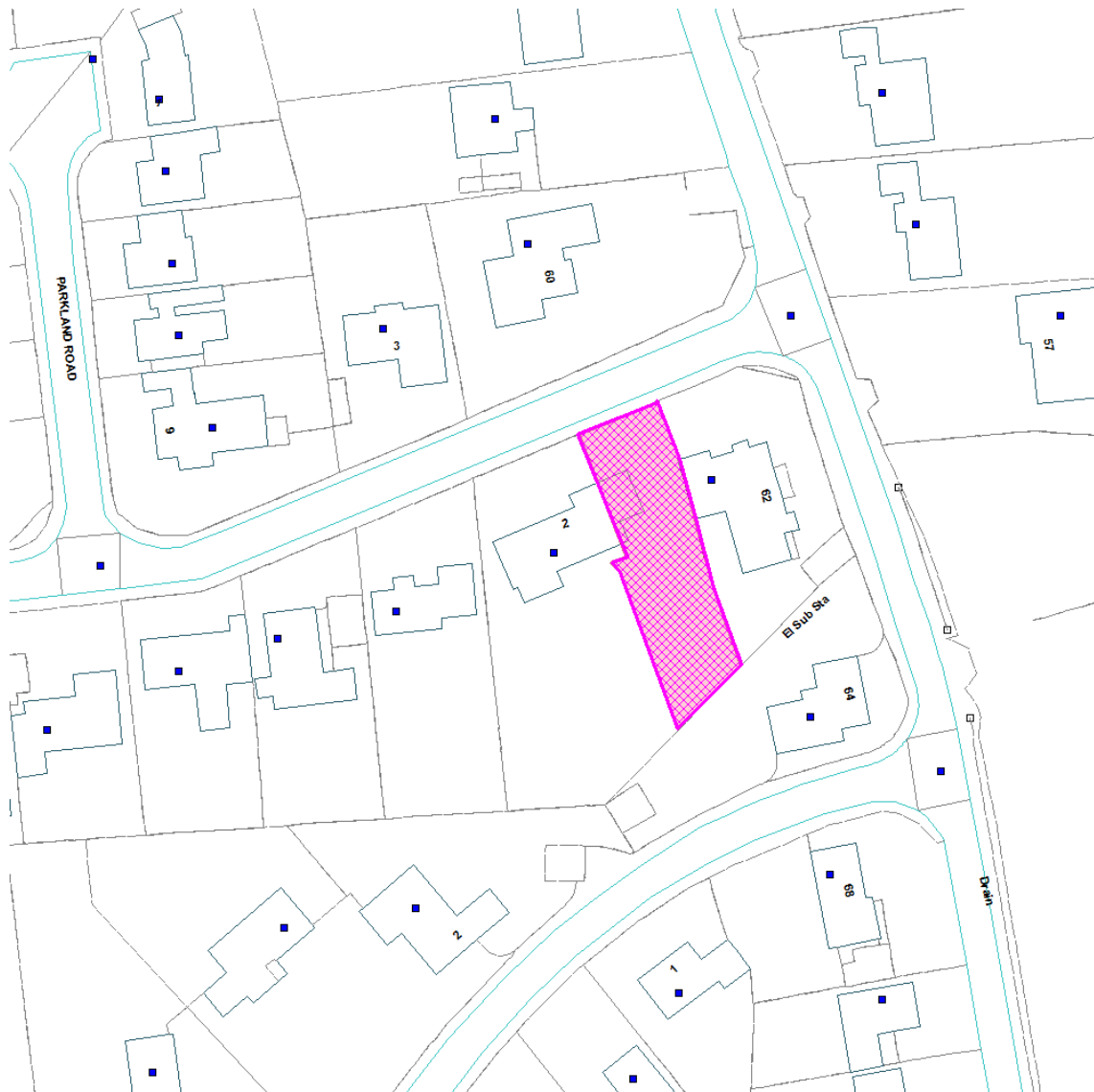


APPLICATION NO: 15/01405/FUL		OFFICER: Mr Ed Baker	
DATE REGISTERED: 11th August 2015		DATE OF EXPIRY: 6th October 2015	
WARD: Charlton Park		PARISH:	
APPLICANT:	Mrs Mary Bridgewater		
AGENT:	Urban Aspects Ltd		
LOCATION:	2 Highland Road, Cheltenham		
PROPOSAL:	Proposed dwelling and garage		

RECOMMENDATION: Permit



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site forms part of the side and rear garden of No. 2 Highland Road. No. 2 Highland Road is a large two storey detached dwelling and is located close to the entrance of a large housing estate of late 20th Century origin.
- 1.2 The site has a frontage with Highland Road on its north side. There are neighbouring houses to either side including No. 2 Highland Road to the west and No. 62 Sandy Lane to the east. No. 60 Sandy Lane is located to the other side of Highland Road to the north, as is No. 3 Highland Road. At the rear (south) the site backs onto Hartley Close.
- 1.3 The application seeks full planning permission for the erection of a detached two storey dwelling with single storey integral garage. The dwelling would have 3 bedrooms. No. 2 currently benefits from two vehicular accesses and the most eastern one will form the access to the new dwelling. The proposal involves demolition of the existing link extension /double garage on the eastern side of No. 2 to make room for the new house. The proposal also involves the erection of a single detached garage for No. 2.
- 1.4 The application is referred to the Planning Committee at the request of Councillor Sudbury and because the Planning Committee considered an application for a dwelling house on the same site previously (15/00185/FUL).

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Landfill Sites boundary
Smoke Control Order

Relevant Planning History:

15/00185/FUL 25th March 2015 REF

Erection of dwelling and single garage

82/00470/PF 28th January 1983 PER

Erection Of Bungalow

82/00324/PF 5th October 1982 PER

Adjoining 2 Highland Road - Erection Of 1 No Dwelling

82/00055/PF 7th April 1982 PER

2 Storey Extension To Form Enlarged Living Room And Bedrooms And New Porch

81/00172/PO 21st May 1981 PER

2 D Adjoining 2 Highland Road Cheltenham Gloucestershire - Erection Of 1 No Dwelling

72/00139/PO 4th May 1972 REF

2 D Adjoining 2 Highland Road Cheltenham Gloucestershire - Erection Of One Detached Dwelling And Construction Of Vehicular Access

82/00470/PF 28th January 1983 PER

Erection Of Bungalow

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development
CP 4 Safe and sustainable living
CP 7 Design
HS 1 Housing development
HS 2 Housing density
RC 6 Play space in residential development
RC 7 Amenity space in housing developments
TP 1 Development and highway safety
TP 2 Highway standards
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
National Planning Policy Guidance

4. CONSULTATIONS

GCC Highways Planning Liaison Officer

13th August 2015

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 you with the aid of our guidance.

Building Control

4th August 2015

No comment

Gloucestershire Centre for Environmental Records

25th August 2015

In summary, during the past 12 years, there has been evidence of common frogs, slow-worms and grass snakes within 160 metres of the site; pipistrelle bats within 105 metres; and moths within 60 metres.

Environmental Health Officer

7th September 2015

MANAGEMENT OF ASBESTOS (The Control of Asbestos Regulations 2006 Regulation 5)

WHEN REFURBISHMENT OR OTHER WORK WHICH DISTURBS THE FABRIC OF THE BUILDING ARE PLANNED THEN IT WILL BE NECESSARY TO COMPLETE A REFURBISHMENT AND DEMOLITION SURVEY, IN AREAS WHERE THE MANAGEMENT SURVEY HAS NOT BEEN INTRUSIVE, BEFORE THE WORK IS CARRIED OUT.

This type of survey is used to locate and describe, as far as reasonably practicable, all asbestos contain materials in the area where the refurbishment work will take place or in the whole building if demolition is planned. The survey will be fully intrusive and involve

destructive inspection, as necessary, to gain access to all areas, including those that may be difficult to reach.

A refurbishment and demolition survey may also be required in other circumstances, e.g. when more intrusive maintenance and repair work will be carried out.

The full guidance document (HSG 264) is available on line

Architects Panel

1st September 2015

The Architects Panel has met and their comments will be relayed to the Planning Committee via updating.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	10
Total comments received	4
Number of objections	4
Number of supporting	0
General comment	0

5.1 Comments Received

Please see attached.

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions are made in accordance with the Development Plan, unless materials considerations indicate otherwise.

6.3 The Development Plan for the area is the Cheltenham Borough Local Plan (adopted 2006).

6.4 The National Planning Policy Framework is Governments latest guidance. The NPPF sets the weight to be attached to existing Local Plan policies. Annex 1 'Implementation' of the NPPF sets out at paragraphs 214 and 215 that for Local Plans which have not been adopted in accordance with the Planning and Compulsory Act 2004, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The Cheltenham Local Plan was adopted in accordance with pre-2004 legislation and therefore only policies which comply with the NPPF carry weight, and where the Local Plan is not in accordance or is silent then the NPPF is the lead document in making planning decisions.

6.5 The main issues relevant to the consideration of the planning application are:

- (i) Planning history
- (ii) Sustainability
- (iii) Impact on the character and appearance of the area
- (iv) Impact on neighbour amenity
- (v) Access and parking
- (vi) Other matters

6.6 Planning history

- 6.7** The Planning Committee refused a previous application for a dwelling on the site in March of this year (15/00185/FUL). The reason for refusal was as follows:

'The proposed dwelling, by reason of a combination of its front facing gable onto the road, bland and simplistic façade, and heavy use of timber effect cladding and grey powder coated window frames would appear strident in the street scene and would fail to complement and respect the character and appearance of the area. The proposed dwelling would not be of a sufficiently high standard of architectural design, which would otherwise be required in this prominent site at the entrance to the residential estate. The proposal fails to take the opportunity for a high quality design solution for the site with a substandard design. It therefore fails to accord with Saved Policy CP7 of the Cheltenham Borough Local Plan (2006) and paragraphs 56 and 64 of the National Planning Policy Framework (2012), which promote high standards of design, and is unacceptable.'

- 6.8** It should be noted that the previous application was found to be acceptable with regard to sustainability, impact on neighbours and the suitability of the access/transportation issues.
- 6.9** The previous refusal decision is an important material consideration when the current planning application is considered.
- 6.10** There has been no material change to planning policy or physically on the ground since the previous refusal. Therefore, the principal consideration for the current application is whether the revised design of the dwelling overcomes the previous grounds for refusal

6.11 Sustainability

- 6.12** The site is located within an established residential area and urban area of the town. The site is located in a sustainable location with reasonable access to jobs, services, public transport and shops. The proposal would make effective use of land. It would add to the housing stock and supply in the area.
- 6.13** The location of the site remains sustainable and the proposal raises no strategic concerns. It should be noted that this was not a refusal reason in the previous application.

6.14 Impact on the character and appearance of the area

- 6.15** It is considered that this is the main issue for the assessment of the application. The previous application was refused on grounds that the design of the dwelling was inappropriate for the site and not of sufficient quality.
- 6.16** The new application proposes a substantially different design. The previous design was gable end onto the road with its top half clad in timber effect materials. The new design is more orthodox and suburban with a front gable and cat-slide roof. It would have an integral garage. Facing materials would be brick and render. The roof would be finished in red/brown tiles. The proposed design is more reflective of the style of No. 60 Sandy Lane opposite (which is a dormer bungalow) and not dissimilar to No. 62 Sandy Lane next door.
- 6.17** The proposed dwelling is larger than before both in terms of width (including a single storey integral garage) and height. It occupies more of the space between the adjacent properties, No. 2 and No. 60. In this regard, it is felt that the previous scheme is more successful as there was more "breathing space" between the dwellings. The proposed dwelling would appear more cramped than the previous scheme. The integral garage has a hipped roof to reduce the massing of the roof and increase the sense of space between the proposed dwelling and No. 60.

6.18 The architectural style of the property better relates to Nos. 60 and 62 than the previous scheme did. However, it is quite distinct from the circa 1970s/1980s design of No. 2. In regard to the architectural relationship with No. 2, the current proposal is considered less successful. But its relationship with Nos. 60 and 62 is improved.

6.19 Notwithstanding, the design and massing of the proposed dwelling is considered to be, on balance, acceptable. The proposal is not a poor design and would relate satisfactorily to its context. The gap between No. 2 and No. 60 should not be overplayed in terms of importance because the existing link extension/garage which occupies this space is quite unattractive. When weighing up the sustainable benefits of the proposal against the slight design concerns as outlined above, the proposal is considered acceptable.

6.20 Impact on neighbour amenity

6.21 The neighbours most affected by the proposed dwelling are the applicant's property, No. 2, and the next door property, No. 62.

6.22 The relationship of the new dwelling with No. 2 is similar to before and remains acceptable.

6.23 The proposed dwelling does not have a significantly different relationship with No. 62 than before. Although the dwelling is higher (7 metres compared with 6.3 metres) and has a larger roof, it is considered that the overall impact of this would not be great. The main two storey element of the dwelling would be situated a reasonable distance from the boundary with No. 62 at 4 metres. The single storey garage is closer to No. 62 but should lead to no significant impact because of its size. Even taking in account that No. 62 is on lower ground than the site, the proposed dwelling would unlikely lead to significant overbearing or loss of light compared with the previous scheme, which was found to be acceptable.

6.24 In terms of overlooking, the rear facing first floor bedroom windows are at the same height and in a similar position as before. There would be no harmful overlooking of No. 62.

6.25 It is considered that the impact of the proposal on neighbour amenity would be acceptable.

6.26 Access and parking

6.27 The proposed access arrangements are essentially the same as the previous application. The new dwelling would use one of the two existing access points to No. 2 Highland Road. No. 2 would revert to using one access only, which would serve a new single detached garage to the side.

6.28 Whilst the concerns of local residents about access issues are understood, there is already an access in situ in this same location.

6.29 The turning space within the site has been improved with a larger turning head provided. The proposal includes adequate space for off-street parking and turning for two vehicles, which is considered acceptable.

6.30 The net transport impact of the new dwelling is likely to be minimal. No severe highway impacts are identified. It should be noted that this was not a refusal reason for the previous application.

6.31 Other matters

6.32 Ecology – there is no evidence that the proposal would harm ecological interests. The previous application was not refused on ecological grounds and it would be unreasonable for the Local Planning Authority to introduce this as a concern now.

- 6.33** Play space – in accordance with Policy RC 6 of the Local Plan, the applicant/developer should make a contribution to enhance local play space. This can be secured by means of a planning condition.

7. CONCLUSION AND RECOMMENDATION

- 7.1** It is considered that the design of the proposed dwelling relates satisfactorily to its context. The proposed dwelling displays a number of positive sustainability attributes and it is recommended that planning permission is granted.

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 BRW14.01 101, BRW14.01 102, BRW14.01 103, BRW14.01 106, BRW14.01 107 and BRW14.01 108 received on 10 August 2015; and drawing numbers BRW14.01 104 A and BRW14.01 105 A received on 19 August 2015.
Reason: To ensure the development is carried out in strict accordance with the approved drawings.
- 3 No external facing or roofing materials shall be applied unless in accordance with a) a written specification of the materials; and b) physical sample/s of the materials, details of which shall have been submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of the character and appearance of the area, having regard to Policy CP7 of the Cheltenham Borough Local Plan (adopted 2006).
- 4 Prior to the commencement of development, a scheme for the provision or improvement of recreational facilities to serve the proposed dwelling shall be 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 Local Plan Policy RC6 relating to play space in residential development.
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and/or re-enacting that order) the first floor window in the west elevation (shown as serving an en-suite bathroom on the approved drawings); shall be glazed with obscure glass and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level. The window shall be maintained as such thereafter.
Reason: To safeguard the amenities of the adjoining properties in accordance with Local Plan Policy CP4 relating to safe and sustainable living.
- 6 The dwelling shall not be occupied until the parking and turning areas have been laid out in accordance with drawing number BRW14.01 103 received on 10 August 2015. The said areas shall be retained at all times free of obstruction for the parking and turning of vehicles.

Reason: To ensure that adequate parking and turning space is provided within the curtilage of the site to enable vehicles to enter and leave the site in forward gear.

- 7 There shall be no obstruction to visibility exceeding 900mm in height above adjoining carriageway level within the area measured 2 metres back from the carriageway edge and extending across the entire frontage of the site with Highland Road.

Reason: In accordance with Local Plan Policy TP1 relating to development and highway safety.

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and/or re-enacting that order with or without modification), no fences, gates, or walls shall be erected forward of the front (north) elevation of the dwelling without express planning permission.

Reason: Any further boundary enclosures requires detailed consideration to safeguard the open plan character of the estate in accordance with Local Plan Policies CP4 and CP7 relating to safe and sustainable living and design.

INFORMATIVES

- 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, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.