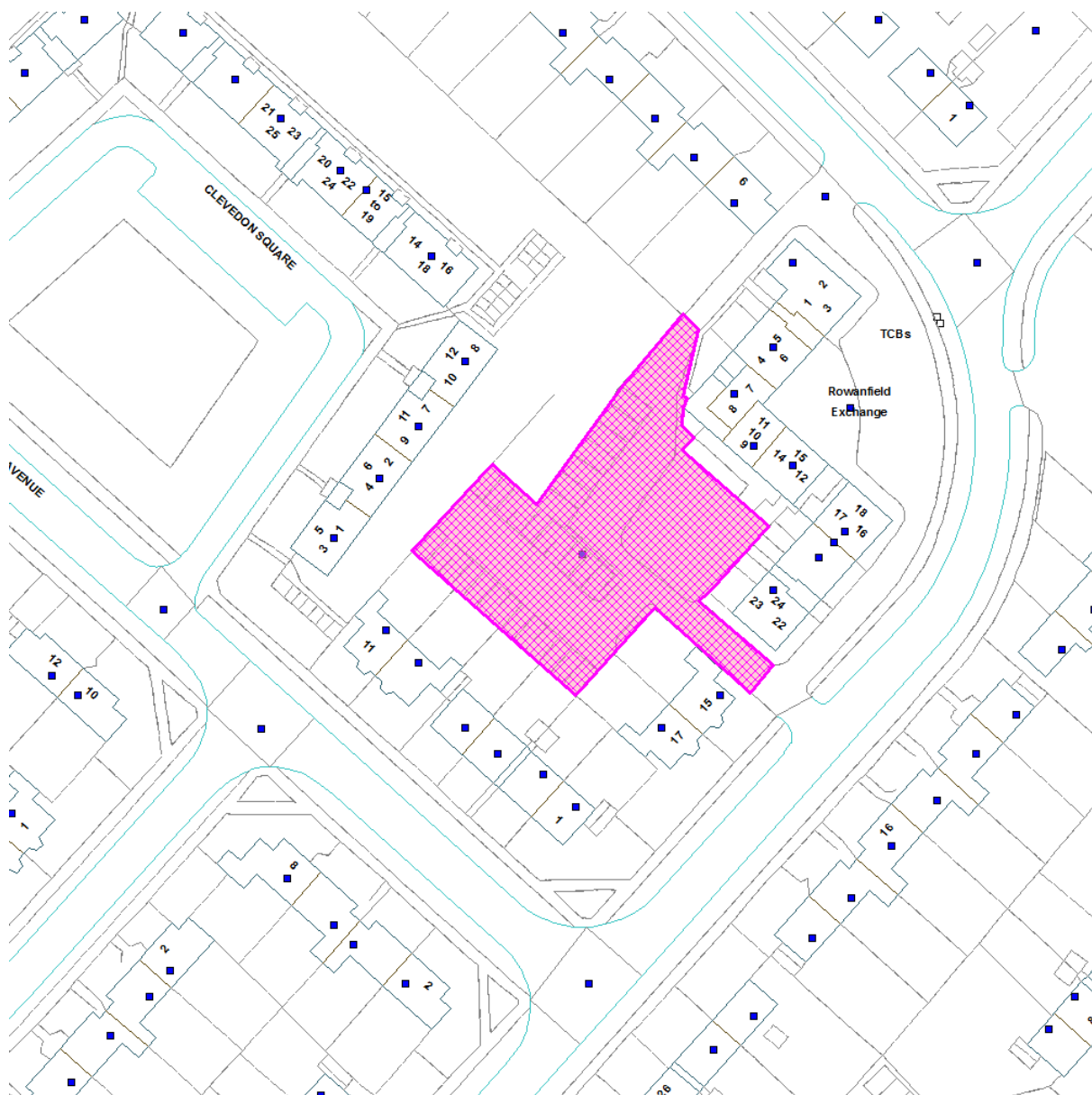


<b>APPLICATION NO:</b> 15/02105/FUL	<b>OFFICER:</b> Mrs Emma Pickernell
<b>DATE REGISTERED:</b> 2nd December 2015	<b>DATE OF EXPIRY:</b> 27th January 2016
<b>WARD:</b> St Marks	<b>PARISH:</b>
<b>APPLICANT:</b>	Cheltenham Borough Homes
<b>AGENT:</b>	Quattro Design Architects Ltd
<b>LOCATION:</b>	Land At Garage Site, Rowanfield Exchange, Devon Avenue, Cheltenham
<b>PROPOSAL:</b>	Erection of 3no. dwellings and associated hard and soft landscaping

**RECOMMENDATION:** Permit



## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is an area of land to the rear of Rowanfield Exchange, a neighbourhood centre, located on the junction of Cornwall Avenue and Devon Avenue.
- 1.2 Formerly the site was occupied by garage blocks but the majority of these have now been demolished and the site is laid to hardstanding.
- 1.3 This application proposes the demolition of the remaining garages and the redevelopment of the site to provide a terrace of three dwellings. Two of the dwellings would provide three bedrooms and one would provide two bedrooms. Each dwelling has an open plan kitchen-diner on the ground floor along with a living room and WC.
- 1.4 The buildings are primarily red brick under a pitched grey tiled roof, however the front elevation of the central dwelling would be rendered in an off-white colour.
- 1.5 The land to the rear of the proposed dwellings would be laid to lawn. To the front the vehicular route through the site would be reconfigured to provide a loading bay for delivery vehicles associated with the shops within Rowanfield Exchange. The land to the front of the proposed dwellings would be landscaped and 6 parking spaces would be provided. A bin store is also shown in this area.
- 1.6 The plans have been amended since their original submission. The amendments primarily involve sliding the buildings in a south easterly direction to avoid unit 3 being very close to the boundary wall on two sides and to avoid an imposing impact upon the properties of Clevedon Square. The front area has also been reconfigured to accommodate a revised parking layout.
- 1.7 The application is to be determined by planning committee by virtue of the fact that the Council are landowner.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### Constraints:

None

### Relevant Planning History:

None

## 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 5 Protection and replacement of trees  
GE 6 Trees and development  
HS 1 Housing development  
RC 6 Play space in residential development  
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)

Play space in residential development (2003)

National Guidance

National Planning Policy Framework

#### **4. CONSULTATIONS**

**Cheltenham Civic Society**

*30th December 2015*

No Comment

**Tree Officer**

*17th December 2015*

In principle the tree section has no objections with this application. However no information has been submitted with how the Birch on site as well as the neighbouring Birch and Ash will be protected during the construction of the development. The Tree Section would like a Tree Protection Plan to BS 5837:2012 to be submitted and agreed prior to the determination of this application.

**Landscape Architect**

*7th January 2016*

Further to:

- Site visit 14/12/2015
- Drawing No 4064/P/10 Proposed Site Plan
- Design Statement

Comments

- One of the difficulties of creating a landscaping scheme for the proposed residential development is the dominance of Rowanfield Exchange and the associated commercial paraphernalia which occupies the rear outside spaces. In order to address these problems consideration should be given to planting more trees in the landscaped areas to the NE of the proposed development. The submitted plan proposes only one new tree. Small trees, with spring flowers and autumn leaf colour, would add interest to the outlook and help to distract the viewer from Rowanfield Exchange.
- There is an existing silver birch tree in a 'central reservation' on the approach from Devon Avenue. It is shown faintly on the proposed plan, but it is not clear if it is to be retained. Please could this be clarified. It would be helpful if it could be retained because it would present a pleasing sight at the entrance to the proposed development and would lend maturity to the planting scheme.
- The proposed tall planting along the site boundary should help to screen large wheelie bins and other paraphernalia associated with the commercial properties on the ground floor of Rowanfield Exchange.

- The landscaped area to the north of the tall planting (with the proposed new tree in it) will require bollards, low fencing or a high kerb for protection, to prevent vehicle overrun.
- Access to the rear garden of P2 is by way of a long alleyway. Alleyways are to be avoided because they can give rise to anti-social behaviour. It is also awkward for residents to manage bins, bikes etc. Consider adjusting the layout so that there are 2 semis and 1 detached which would allow access to rear gardens without the need for an alleyway.
- In order to create as pleasant an environment as possible, both for the residents of the proposed dwellings and existing residents of the flats in Rowanfield Exchange, consideration should be given to replacing the tarmac area at the rear of Rowanfield Exchange with a landscaping scheme. This would create a more unified central space with greater 'greening' impact. In addition to improving the aesthetics of the space, increasing the area of soft landscape would have the advantages of contributing to sustainable drainage and improving urban biodiversity.
- Further information required:
  - Planting plan
  - Hard landscape details

## 5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	<b>51</b>
Total comments received	<b>2</b>
Number of objections	<b>0</b>
Number of supporting	<b>0</b>
General comment	<b>2</b>

The application was publicised by way of letters to 51 neighbouring properties. No objections were received. Upon re-consultation 2 neutral comments were received from ward members.

## 6. OFFICER COMMENTS

### 6.1 Determining Issues

The key issues in determining this application are considered to be (i) principle, (ii) design and visual impact, (iii) neighbour amenity, (iv) parking and access, and (v) trees and landscaping.

### 6.2 The site and its context

The site is an unattractive and unused area which formerly accommodated garages. It is no longer required for parking purposes. The surrounding area is primarily residential and as such it is considered that the residential use of the site is an appropriate one which makes good use of the site and contributes towards the housing stock in the borough.

### 6.3 Design and layout

The layout has been improved following negotiations with Officers. There was a concern regarding the plans initially that unit 3 was too close to the existing boundary wall adjacent

to the side and front elevations. The units have now been reconfigured and moved away from this wall. This significantly improves the approach to this unit for the occupiers and results in a scheme which does not feel 'shoe-horned' into the site. Each unit now has a good level of accommodation and usable amenity space. The parking space to the front of the site would be softened by the proposed planting and the proposed block paving would have an acceptable appearance.

The design of the houses is relatively plain, however this fits in well to the context which is a mixture of brick and render with pitched roofs. The building line and roof line have been broken up which helps the building not to look too linear. As such it is considered that the design and appearance of the building itself and the wider site is acceptable.

For these reasons the proposal is considered to be in accordance with policy CP7 and advice contained in the NPPF which encourages a high standard of design.

#### **6.4 Impact on neighbouring property**

The revisions which have been made to the proposal ensure that the distances between the proposed dwellings and neighbouring properties are acceptable.

##### Clevedon Square

The flats within Clevedon Square have rear facing windows which are 16m from the side elevation of unit 3. There is one window on the side elevation which serves a living room, however this would not result in overlooking due to the wall along the boundary between the two plots.

##### Somerset Avenue

The houses in Somerset Avenue are located 21m from the proposed building. This is an acceptable distance to ensure that there is no loss of outlook or privacy from these dwellings.

##### Devon Avenue.

17 and 15 Devon Avenue adjoin the site to the east. The proposed dwelling (unit 1) would be 13m from the rear of this dwelling. There are no windows in this elevation. As such it is considered that the proposal has an acceptable impact in terms of outlook and privacy.

##### Rowanfield Exchange

There are flats above the ground floor commercial uses which overlook this rear area. At its closest point the buildings are 14m apart and the majority of the building is much further away. As such there would be no loss of amenity.

Therefore it is considered that the impact on residential amenity is acceptable, in accordance with policy CP4, advice contained in the "Development on garden land and infill sites in Cheltenham" Supplementary Planning Document, and the NPPF.

#### **6.5 Access and highway issues**

The application was accompanied by a Technical Note in relation to parking including a parking survey. This shows that the existing area is rarely used for parking. The provision of 2 spaces per property is sufficient and should avoid excessive on street parking nearby. However it also shows that there is capacity on-street nearby if necessary.

The proposal also provides improved access for service and delivery vehicles to the rear of Rowanfield Exchange.

The comments of the Highways Officer are awaited, however it appears that the proposal would provide acceptable parking and access and not result in any adverse impacts further afield.

As such the proposal is considered to be in accordance with policies TP1, TP2 and TP6 and advice contained in the NPPF.

## **6.6 Trees and Landscaping**

The plans indicate a landscaping scheme around the perimeter of the front parking area. Further details of this are required, however it is considered that this area is sufficient to soften the appearance of this area and to introduce an acceptable level of planting to mitigate against the loss of the two trees. These trees are shown on the constraints plan to be a category U and C which means they are low value. The remainder of the trees on and near the site are to be retained and a tree protection plan will be required to ensure their survival.

The Landscape Architect has queried whether it would be possible to introduce an additional area of landscaping to the central concrete area to the rear of Rowanfield Exchange. The agent has explained that this is not feasible as it would introduce a service fee to the existing leaseholders of the commercial units. It is not considered that this can be insisted upon.

As such the tree and landscaping arrangements are considered to be acceptable and in accordance with policies GE5 and GE6 and advice contained in the NPPF.

## **7. CONCLUSION AND RECOMMENDATION**

- 7.1 The proposal is considered to represent an appropriate reuse of this site which is currently unsightly. The proposal has been well considered in terms of design, layout and neighbour amenity. As such, for the reasons outline above the application is recommended for approval subject to the following conditions.

## **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 the approved plans listed in Schedule 1 of this decision notice.  
Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Within the first planting season following the first occupation of any of the dwellings hereby approved the site shall be landscaped in accordance with a landscaping and planting scheme which shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a survey of all existing trees on the land showing the size and species and identifying those trees, if any, it is proposed to remove. In addition it shall show in detail all proposed tree and shrub planting, hard surfacing (which should be permeable or drain to a permeable area) and areas to be grassed.

Reason: To ensure that the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Local Plan Policies CP1 and CP7 relating to sustainable development and design.

- 4 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.

- 5 Prior to their use in the development samples of the proposed facing materials and roofing materials shall be submitted to and approved in writing by the Local Planning Authority, and the materials used in the development shall be in accordance with the samples so approved.

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

- 6 Prior to the commencement of any works on site (including demolition and site clearance) a Tree Protection Plan (TPP) to BS5837:2012 shall be submitted to and approved in writing by the Local Planning Authority. The TPP shall detail the methods of tree/hedge protection and clearly detail the positioning and specifications for the erection of tree protective fencing. The development shall be implemented strictly in accordance with the details so approved.

Reason: In the interests of local amenity in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.

- 7 Prior to the first occupation of any of the dwellings hereby approved, 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.

## **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, the authority sought amendments to the layout in order to make the scheme acceptable.

Following these negotiations, the application now constitutes sustainable development and has therefore been approved in a timely manner.