

APPLICATION NO: 16/00238/FUL	OFFICER: Miss Chloe Smart
DATE REGISTERED: 6th May 2016	DATE OF EXPIRY: 1st July 2016
WARD: Warden Hill	PARISH: Leckhampton With Warden Hill
APPLICANT:	Miss Clare McShane
AGENT:	
LOCATION:	28 Gwernant Road, Cheltenham
PROPOSAL:	Proposed porous asphalt driveway and dropped kerb.

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This application relates to no.28 Gwernant Road, which is a semi-detached property within a residential area. The applicant is seeking planning permission for a proposed porous hardstanding across an existing area of soft landscaping to the front of the property. A dropped kerb is also proposed.
- 1.2 The application is before committee as the land to the front of the property to which this application relates is owned by Cheltenham Borough Council.
- 1.3

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

N/A

Relevant Planning History:

N/A

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

P 4 Safe and sustainable living

CP 7 Design

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Cheltenham Borough Homes

23rd February 2016

Not sure how to approach this but wanted to bring to CBC attention as we are concerned that crossing this piece of land would mean CBC giving away HRA land.

This could cause ongoing maintenance issues, questions over managing the land around it?

What are your thoughts on this, we are looking to appeal against the planning application on these grounds and would require your views and support in the matter

16th February 2016

I have had a look at the map and they would be crossing a highway grassed area and highway public path. So not sure if they intend creating a drive going across this??

11th May 2016

As Managing Agents for this piece of land, I can confirm that, subject to a Licence that has been agreed and is being issued by the owners of the Land (Cheltenham Borough Council), Cheltenham Borough Homes would have no objection to this application. For details of the Licence, please contact Chris Finch at Cheltenham Borough Council.

Parish Council

8th March 2016

The Council does not object to the application, but requests that the following comments are taken into account:-

Gwernant Road is a busy through road. Cars parked on the road force a single lane for the traffic. Any reduction in parked cars would help the traffic flow and reduce the risk of accidents. The house next door (number 26) has a tarmac access way that cuts across the grassed area with a drop kerb and so precedence has been set. According to the occupier of number 26 this was done before she moved into the property in 1990.

Currently cars are being driven across the grassed area to access driveways in front of properties causing the grass to be churned up and mud on the pavement which looks unsightly. A tarmac access way would look better. There may be other options to provide a solution eg utilising the access way to No 26 so reducing the need to remove too much grassed area.

GCC Highways Planning Liaison Officer

29th February 2016

LOCATION: 28 Gwernant Road Cheltenham Gloucestershire GL51 3ES

PROPOSED: Proposed porous asphalt driveway and dropped kerb

I refer to the above planning application received on 16th February 2016.

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.

If you have any queries please do not hesitate to contact me.

Statement of Due Regard

Consideration has been given as to whether any inequality and community impact will be created by the transport and highway impacts of the proposed development.

It is considered that no inequality is caused to those people who had previously utilised those sections of the existing transport network that are likely to be impacted on by the proposed development.

It is considered that the following protected groups will not be affected by the transport impacts of the proposed development: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, other groups (such as long term unemployed), social-economically deprived groups, community cohesion, and human rights.

5. PBLICITY AND REPRESENTATIONS

Number of letters sent	3
Total comments received	0
Number of objections	0
Number of supporting	0
General comment	0

- 5.1 Three letters have been sent to neighbouring properties and no responses have been received.

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The main considerations in relation to this application are the design of the proposal and the impact on neighbouring development.

6.3 Design

6.4 Local Plan Policy CP7 requires development to be of a high standard of architectural design and to complement and respect neighbouring development.

6.5 The proposed hardstanding would be introduced in what is currently a grassed area in between the front of the dwelling and the highway. The grass verge is narrower at the point of the application proposal, but widens significantly to the south. The landscaped open space is considered to make a positive contribution to the character of the locality and is a common feature amongst residential housing developments.

6.6 Whilst officers have considered the positive contribution of this grassed area as a whole, in this instance, the proposed introduction of hardstanding would not be considered harmful. This is because, as stated, at the point of the application proposal, the grass verge narrows significantly and does not form part of the larger extent of soft landscaping to the south. In addition, it is noted that directly to the north of the application site is a large extent of hardstanding which has resulted in the removal of the grass verge at this point. The Parish Council considers that the introduction of a formalised tarmac area would look better due to cars currently driving across and damaging the grass. These comments appear to relate to the area as a whole rather than just the application proposal which goes beyond the parameters of this application, however as stated above, officers consider in this instance the proposal is acceptable.

6.7 For these reasons, officers consider that this specific proposal directly adjacent to the existing hardstanding would not be harmful to the character of the locality and therefore accords with Local Plan Policy CP7.

6.8 Access and highway issues

6.9 The application incorporates the dropping of the kerb. These works would require separate Gloucestershire County Council Highways approval.

6.10 Other considerations

6.11 Comments have been received from Cheltenham Borough Homes regarding issues relating to ownership of land and wider corporate considerations for this proposal. Whilst these have been noted, they are not relevant considerations as part of the planning permission. The applicant has served the necessary notice on the owner of the land for planning purposes and it is for the planning authority to consider the acceptability of this in relation to the relevant planning policy considerations. In relation to the housing revenues account comment, officers can confirm that the possibility of this parcel of land being developed in the future seems very remote; as a space it makes an important contribution to the locality and whilst this would not be compromised by this specific proposal, any proposed buildings would be detrimental.

7. CONCLUSION AND RECOMMENDATION

- 7.1 In summary, officers consider that the proposal would not be harmful to the character of the locality and accords with Local Plan Policy CP7.
- 7.2 The recommendation is to approve this application subject to the conditions below.

8. CONDITIONS / INFORMATIVES

- 1 The development hereby permitted shall be begun before the expiration of three 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.

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.

- 2 The applicant is reminded of the need to also obtain approval for the vehicle crossing from Amey Gloucestershire before any works commence; you can contact them on 08000 514 514 or alternatively email: GCCHighways@Amey.co.uk.