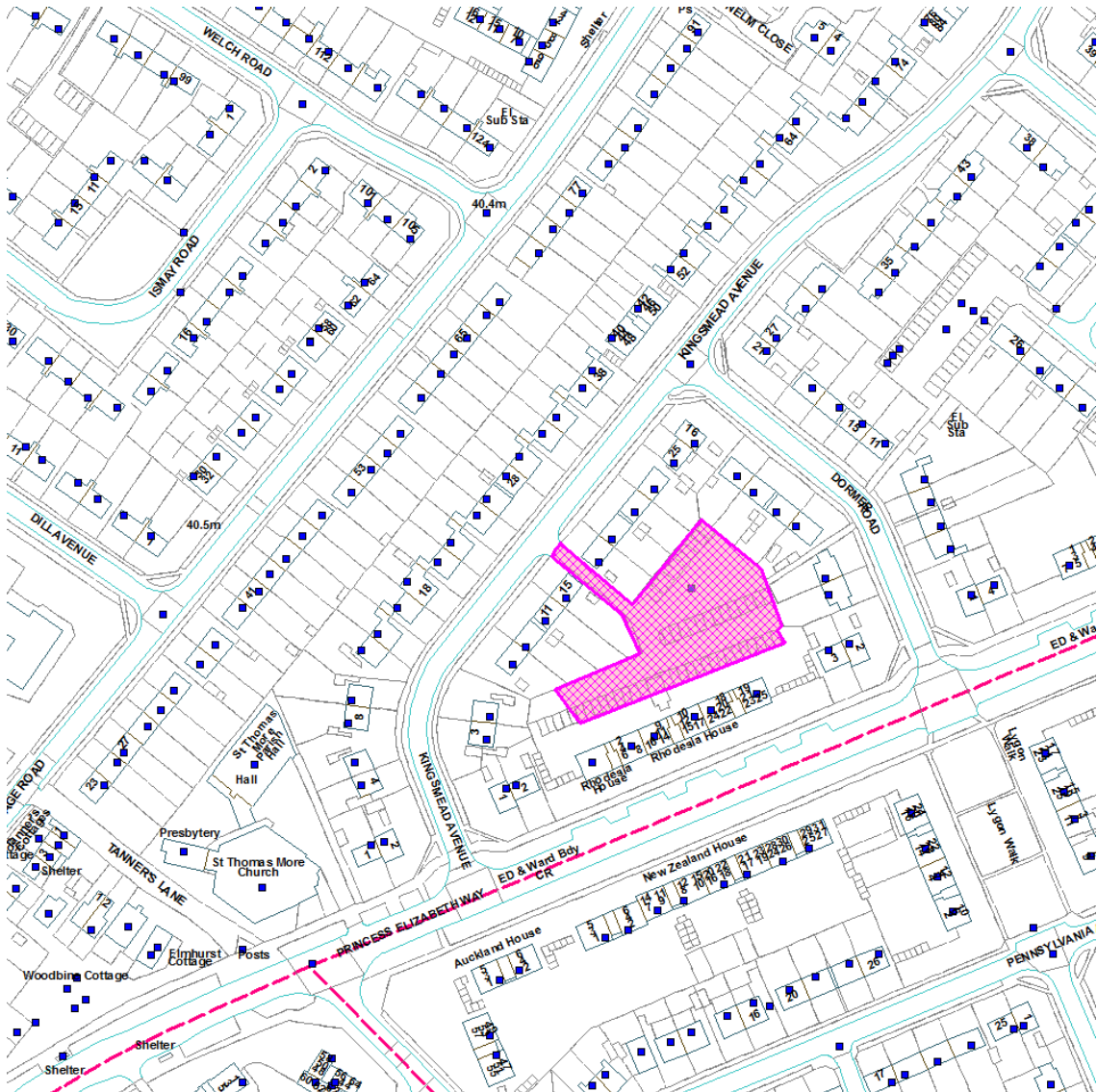


APPLICATION NO: 16/00969/FUL		OFFICER: Mrs Emma Pickernell	
DATE REGISTERED: 1st June 2016		DATE OF EXPIRY: 27th July 2016	
WARD: Springbank		PARISH:	
APPLICANT:	Cheltenham Borough Homes Ltd		
AGENT:	Quattro Design Architects Ltd		
LOCATION:	Garage Blocks, Kingsmead Avenue, Cheltenham		
PROPOSAL:	Construction of 4no. three bedroom houses and provision of 8no. parking spaces with associated hard and soft landscaping.		

RECOMMENDATION: Permit



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is an existing garage site to the rear of properties on Kingsmead Avenue, Dormer Road and Rhodesia House on Princess Elizabeth Way. It is accessed off Kingsmead Avenue. The site formerly accommodated over 40 garages however these have now been demolished and the site is unused. The site is irregularly shaped with a narrow section to the west of the site between the gardens of Kingsmead Avenue and the amenity space of Rhodesia House.
- 1.2 Planning permission is sought for the erection of 4 no. semi-detached dwelling located in the eastern part of the site. Parking would be provided at the frontage of each dwelling at a rate of two per household. Amenity space is provided to the rear. A 5m wide strip of land at the southern boundary of the site would be given over as amenity space to Rhodesia House. The remainder of the western 'finger' of land would be an informal landscaped area.
- 1.3 The application is to be determined by the Planning Committee as the land is owned by Cheltenham Borough Council.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Smoke Control Order

Relevant Planning History:

None

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 4 Safe and sustainable living

CP 7 Design

HS 1 Housing 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)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Cheltenham Civic Society

27th June 2016

This is another scheme where there is scope for a more inspired design

Gloucestershire Centre For Environmental Records

9th June 2016

Report available to view on line.

GCC Highways Planning Liaison Officer

8th June 2016

I refer to the above planning application received on 2nd June 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.

Tree Officer

16th June 2016

The Tree Section has no objections with this application. If permission is 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.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	54
Total comments received	2
Number of objections	1
Number of supporting	0
General comment	1

5.1 The application was advertised by way of letters to 54 neighbouring properties. 2 representations have been received which relate to the following issues:

- Concerns about Cheltenham Borough Homes' pre-application engagement with neighbours
- Concern about loss of existing high fence
- Concern about proximity of extended amenity space for Rhodesia House
- Potential for anti-social behaviour, litter etc
- Concern about potential impact on garden trees

6. OFFICER COMMENTS

6.1 Determining Issues

The key issues in determining this planning application are considered to be (i) principle, (ii) design and layout, (iii) neighbour amenity, (iv) highways and parking issues.

6.2 The site and its context

The site is an unused former garage court which is surrounded by existing residential development. The principle of developing this brownfield site within the Principle Urban Area is considered to be in accordance with policy HS1 of the Local Plan and advice contained within the NPPF. The proposal will provide 4 much needed socially rented 3 bedroom houses.

6.3 Design and layout

The site is a challenging shape and its backland location also provides challenges in terms of urban design and neighbour amenity. The scheme as proposed is considered to be an appropriate response to the challenges and constraints of the site. There is no existing street frontage in which the proposed dwellings will sit. However it is considered that grouping them in this way creates a sense of place to the development. The houses themselves are of an appropriate design. The civic society have criticised the proposal as uninspiring, however the size and scale of the buildings is appropriate and some interest has been added to the elevations through the use of non-standard windows, canopy porches and a mixture of render and brick. As such, given the context this is considered to be acceptable.

The layout involves the provision of a green wall to the southern part of the site. Details of this are requested by condition, however this is considered to be acceptable in principle and will soften the appearance of the boundary wall between the site and Rhodesia House when viewed from the driveway.

The southern and western parts of the site have proved complicated to resolve and therefore the provision of some additional amenity space for Rhodesia House is considered to be an appropriate use of this area. In addition to this 5m strip there is an 8m wide landscape buffer which provides some separation between sites and some softening of this part of the site.

The plots themselves are well laid out with good sized gardens, space for sheds and bin storage areas on plot and well located parking.

For the reasons outlined above it is considered that the design and layout is acceptable and is in accordance with policy CP7, advice contained within the Development on garden land and infill sites in Cheltenham (2009) SPD and advice contained within the NPPF.

6.4 Impact on neighbouring property

The proposed dwellings have been positioned in order to achieve sufficient distances from existing neighbouring properties thereby avoiding any loss of light or privacy.

Concerns have been raised about the treatment of the western 'finger' of the site. In particular the resolution between the gardens of Kingmead Avenue and the amenity space of Rhodesia House. The representations which have been received express a desire for the existing high fence to remain. This has not been indicated to be changed on the plans, however for the avoidance of doubt a condition is recommended requiring it to be retained. The plans indicate a 1.8m high close boarded fence inside this wall to demarcate the two sites and this is considered acceptable. Between 2 and 8m is retained between the amenity space and private gardens and this would be landscaped to enhance the site. Whilst it would be preferable from a maintenance point of view that all landscaped areas have ownership by residents, given the layout of the site this is not practical. In this instance it is not considered necessary to require a maintenance plan for the area given that the site will be managed by CBH.

For these reasons it is considered that the impact on neighbouring properties is acceptable and in this respect the proposal is in line with policy CP3 of the Cheltenham Local Plan.

6.5 Access and highway issues

The application falls to be determined in accordance with the Highways Standing Advice as a development of less than 5 houses. Highways have been asked to comment as the width of the access is 4.9m as opposed to the 5.2m required by the standing advice. It is not anticipated that an objection will be forthcoming given that the site has previously provided access for over 40 garages.

The level of parking provision is considered to be acceptable and the layout of the site is such that informal visitor parking could also be accommodated within the site.

The proposal was discussed with UBICO prior to submission and they agreed that the site would be serviced by refuse vehicles which would reverse into the site.

As such it is considered that the proposal is acceptable in terms of highway safety and is therefore in accordance with policies TP1, TP2 and TP6 of the Local Plan and advice contained in the NPPF.

7. CONCLUSION AND RECOMMENDATION

- 7.1 For the reasons outlined above and subject to the conditions listed below the proposal is considered to be acceptable and is therefore recommended for approval.

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.

- 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,
The 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 implementation of any landscaping, full details of a hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all walls, fences, trees, hedgerows and other planting which are to be retained; details of all new walls, fences, other boundary treatment and finished ground levels; details of the hard surface treatment of open parts of the site which shall be permeable or drained to a permeable area; a planting specification to include [species, size, position and method of planting of all new trees and shrubs]; and a programme of implementation.

All hard and/or soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority.

Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size to be first approved in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details [delete if not appropriate].

Reason: In the interests of the character and appearance of the area, having regard to Policies CP1 and CP7 of the Cheltenham Borough Local Plan (adopted 2006). Approval is required upfront because the landscaping is an integral part of the development and its acceptability.

- 5 The following elements of the scheme shall not be installed, implemented or carried out unless in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority:

Green Wall

Reason: To ensure a satisfactory appearance to the development, having regard to Policies CP 7 of the Cheltenham Borough Local Plan (adopted 2006).

- 6 The existing boundary fence along the north and western edges of the greenscape area as indicated on the approved drawings shall be retained to its current height in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity, having regard to Policies CP 4 of the Cheltenham Borough Local Plan (adopted 2006).

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.