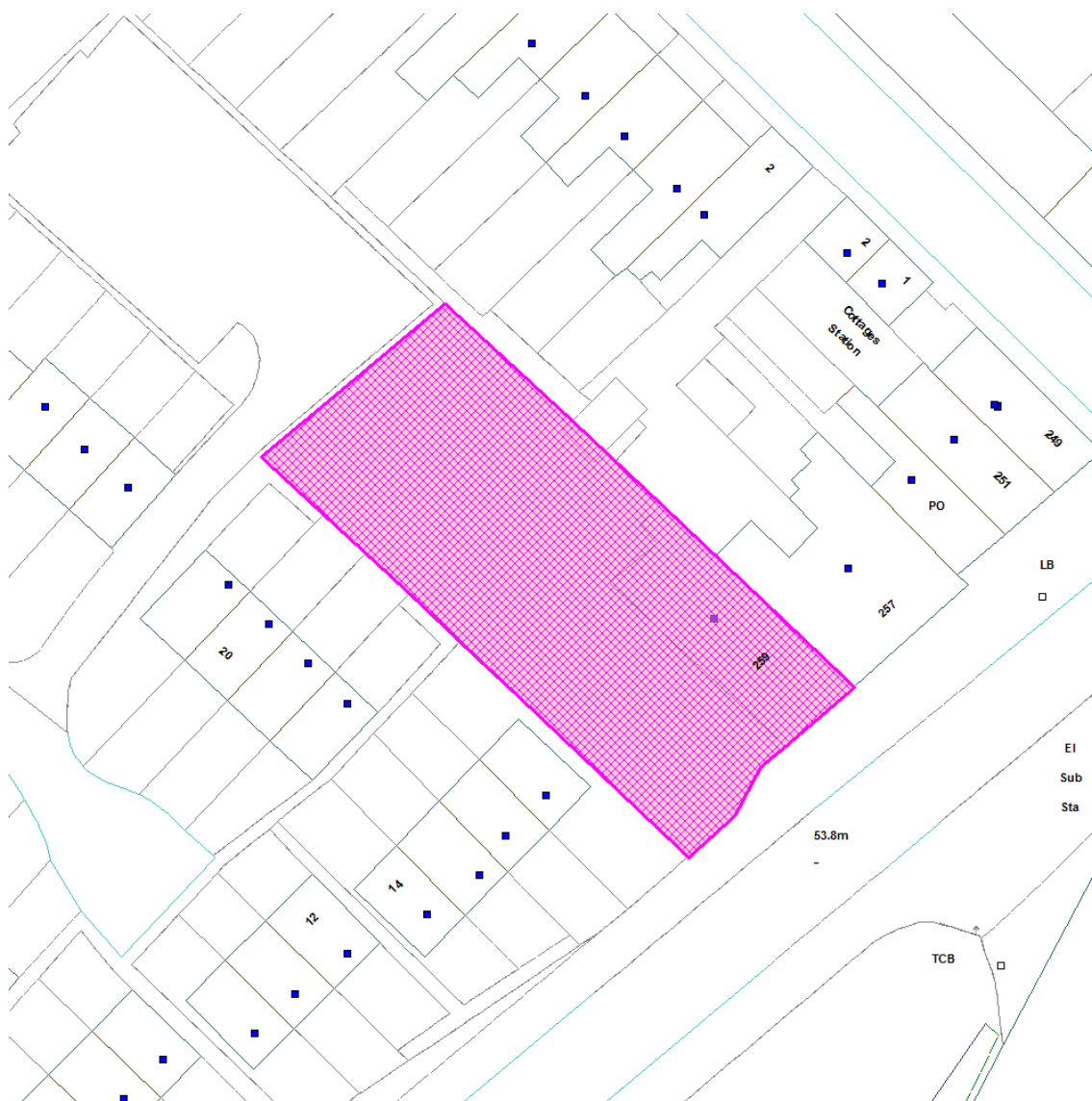


APPLICATION NO: 16/00243/FUL	OFFICER: Mr Craig Hemphill
DATE REGISTERED: 18th February 2016	DATE OF EXPIRY: 14th April 2016
WARD: St Marks	PARISH:
APPLICANT:	Homeward Properties Ltd
AGENT:	Architecnics
LOCATION:	259 Gloucester Road, Cheltenham
PROPOSAL:	Erection of four dwellings on land adjacent 259 Gloucester Road

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The site comprises land adjacent to a terrace of properties which front Gloucester Road, opposite Cheltenham Spa Railway Station. The existing terrace to the east contains shops and other commercial uses on the ground floor and is a neighbourhood centre. They present two storeys to Gloucester Road and three to the rear which face onto a lane leading off Roman Road. The remaining boundaries are adjoined by residential properties fronting Roman Road and residential properties at Libertus Court and their car parking area. Presently the application site is rough ground with no defined use. Pedestrian access is provided to the side of the site along with entrance to the existing property.
- 1.2 This application proposes a residential development of the site to create 4 units. To the rear of the site 2 two bed semi-detached properties are proposed, to the front facing towards Gloucester Road is proposed a building which would provide 2 two bed flats. Access would be via Roman Road with 3 off street car parking spaces proposed. The units are two storeys high with pitched roofs and detailed to be finished in red brick with elements render.
- 1.3 The application has been referred to Committee by Cllr Coleman and Cllr Holliday as the site has been previously considered by the Committee.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Honeybourne Line
Neighbourhood Shopping Area

02/00234/FUL 15th January 2007 UNDET

Alterations and extension to existing building containing six bed-sitters to provide six flats (retaining ground floor shop)

90/00762/PF 27th September 1990 PER

Installation of New Shopfront

11/00525/COU 8th August 2011 DISPOS

Temporary use of site for car sales and storage for 12 months

13/02180/FUL 24th February 2014 REF

Erection of three storey extension comprising 6no flats.

14/01802/COU 26th November 2014 PER

Change of use from A1 (retail) to A3 (restaurant/cafe) and A5 (takeaway). Installation of extract flue.

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development
CP 3 Sustainable environment
CP 4 Safe and sustainable living
CP 5 Sustainable transport
CP 7 Design
HS 1 Housing development
RC 2 Youth and adult outdoor playing facilities

RC 6 Play space in residential development
RC 7 Amenity space in housing developments
TP 1 Development and highway safety
TP 6 Parking provision in development

Supplementary Planning Guidance/Documents

Development on garden land and infill sites in Cheltenham (2009)
Residential Alterations and Extensions (2008)
Submission of planning applications (2004)
Sustainable buildings (2003)
Sustainable developments (2003)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

GCC Highways Planning Liaison Officer

19th February 2016

I refer to the above planning application received on 17th February 2016.

No objection, the site is located in a highly sustainable location.

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.

Cheltenham Civic Society

21st March 2016

We do not oppose development here, but would like more of a landmark building to enhance the area around the station

Architects Panel

2nd March 2016

Design Concept although the panel believed the site was suitable for an infill housing development, the submitted scheme isn't of sufficient quality to be supported.

Design Detail Refinements to the design are needed before the panel could support the applications as follows:

The scale and bland character of the new buildings makes them look out of place with surrounding architecture. The Gloucester Road building could address the street better and be designed to fill the gaps which as proposed would be very unsightly.

A less fussy design, simpler building forms without steps in the facades, perhaps with pitched roofs, could prove more successful.

5. PUBLICITY AND REPRESENTATIONS

5.1 In response to letters being sent to neighbouring properties 17 letters of objection have been received. The comments are circulated to Members in full at the end of this report.

5.2 Comments received raise concerns with:

- Lack of car parking
- Highway Safety
- Congestion
- Pedestrian Safety
- Storage of bins and access for refuse vehicles

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The key issues are:-

- the principle of residential development within this location
- the design and scale of the proposed development and impact upon the character and appearance of the locality and amenities of occupiers of neighbouring properties.
- suitability of the proposed access to serve the proposed dwelling and highway safety implications and parking

6.3 Principle of Development

6.3.1 The relevant policy documents for consideration are the Cheltenham Borough Local Plan (adopted 2006), the NPPF, NPPG and the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS). The JCS is currently undergoing public examination and although a material consideration the weight that can be afforded to the plan and its individual policies will be guided by levels of support and objection attributed to it as the JCS progresses through to its adoption.

6.3.2 At paragraph 14 the NPPF states that “At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking...” Further, when determining applications for housing, paragraph 49 of the NPPF similarly advises that they should be considered in the context of a presumption in favour of sustainable development.

- 6.3.3** The application site is located within the Principal Urban Area of the Local Plan and benefits from ease of access (by cycle and public transport) to all amenities and services provided in Cheltenham town centre. The application site must therefore be considered as a sustainable location for new residential development.
- 6.3.4** The NPPF requires local planning authorities to demonstrate a five year supply of housing; as at 1st April 2015 and using the JCS housing requirement for Cheltenham, the Council is currently unable to demonstrate such a requirement. The NPPF advises that relevant local plan policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
- 6.3.5** Where policies are not considered to be up-to-date, the NPPF advises that, with the presumption in favour of sustainable development (unless material considerations indicate otherwise) permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 6.3.6** Paragraph 14 of the Framework addresses how to proceed with decision taking where policies relevant to the supply of housing are absent or out of date, that planning permission should be granted unless specific policies in the Framework indicate development should be restricted. These include Green Belts, Local Green Spaces, Area of Outstanding Natural Beauty or designated heritage assets.
- 6.3.7** The Council's Supplementary Planning Document 'Development on Garden Land and Infill Sites in Cheltenham (2009)' assists in the determination of planning applications, as it provides a consistent and robust means of assessing the context and character of residential areas. The document also ensures only development which is in keeping with the character of the surrounding area, does not harm the amenities of nearby residents and that is of a high standard of design is approved. The SPD recognises that the character of a place is made up of a number of different elements, including the age of buildings and their layout which combine to create a sense of place.
- 6.3.8** The principle of residential development on this land is therefore considered to be acceptable. The following sections set out considerations on the detail of the application.

6.4 Planning History

- 6.4.1** The Planning History of the site has some relevance. The Planning Committee refused planning application 13/02180/FUL of the erection of a three storey proposal for 6 flats. The recommendation to the Committee was to refuse on the grounds of design and impact on the amenity of neighbouring properties. The 2013 application did not include any off street parking and Members in considering the application added a further highway safety refusal reason on the grounds that the development would result in increased pressure for on street parking resulting in highway danger in conflict with policy TP6 of the local plan.

6.5 Design and layout

- 6.5.1** The application originally proposed both buildings to be in the main rendered with a flat roof contemporary design approach. In response to concerns on the design from the architects' panel and the civic society the applicant has submitted revised plans.
- 6.5.2** The NPPF advises within paragraph 59 that "design policies and decisions should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, massing, height and materials of new development in relation to neighbouring buildings". Paragraph 60 goes on to say that "planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles".

- 6.5.3** The revised plans have simplified the elevations and fenestration arrangement, proposing more brick than render along with introducing pitched roofs which results in a more traditional design approach. The building proposed to the front of the site facing Gloucester road would fill the existing gap, without dominating it, and provides a visual step down between the larger building the east (259 Gloucester Road) and the residential properties at Libertus Court. These alterations do provide for an improvement from the original flat roofed proposal and respond in a better manner to the context of the site and its surroundings. It is evident however that the design is not of a significantly high standard to provide for a landmark building.
- 6.5.4** Officers consider that there may be a better design approach or way to develop the site; however this application needs to be considered on the details submitted. The design approach as revised does respond to the architects' panel comments, but it will not provide for a landmark building. The revised plans have improved the scheme providing for a more traditional built form which is considered to be competent and is to design standard which will not be out of keeping with the appearance of the locality.
- 6.5.5** The layout incorporates private amenity land for the units along with parking for 3 cars access road and turning facilities and bin storage. The layout provides for an efficient use of the land and would not be out of keeping with the surrounding established pattern of development.

6.6 Impact on neighbouring property

- 6.6.1** The proposed layout has considered its relationship and impact on neighbouring properties. The proposed two storey semi-detached units will be located to the rear of the site and would have a side to rear relationship with the existing adjacent properties. The proposed side elevations do not include any windows and would be located approximately 12.5 metres from the rear elevations of the nearest properties on Roman Road and Libertus Court, which exceeds the accepted dimension of 12m to avoid overbearing development. The building to the front of the site would have a side to side relationship with nearest property on Libertus Court and would be set 4 metres away with no windows proposed in the side elevations.
- 6.6.2** The proposed layout, positioning of windows and two storey scale of the development ensures that the proposal would not have an overbearing impact or create any overlooking of neighbouring properties and is therefore considered to accord with policy CP4 of the local plan.
- 6.6.3** In considering the future protection of neighbouring amenity, to ensure that no further windows are added or extensions built it is recommended that a condition is attached to remove permitted development rights. As the site is surrounded by residential properties a condition is also recommended for a construction method statement to be submitted prior to any development commencing.

6.7 Access and highway issues

- 6.7.1** Strong concerns have been received from local residents on highway safety, parking and that this proposal may result in occupants adding to existing problems in surrounding streets. Neighbour comments suggest that these streets are already heavily parked with the close proximity of the train station.
- 6.7.2** The current application includes 3 off street parking spaces and has been accompanied by a parking survey. GCC Highways Planning Liaison Team has considered the application providing no objection, commenting that the site is located in a highly suitable location.
- 6.7.3** The proposal was discussed with UBICO and they have confirmed that the site would be serviced by refuse vehicles which would reverse into the site.

- 6.7.4** Given the comments received by the GCC Highways the proposal is considered to be acceptable in terms of highway safety and accords with policies TP1 and advice contained in the NPPF.

7. CONCLUSION AND RECOMMENDATION

- 7.1** The statutory requirement is that a proposal must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.2** In reviewing the application and the planning balance regard must be given to the proposal as a whole.
- 7.3** The proposal would provide for 4 additional dwellings within the urban area, well related to services and facilities and the evidence shows there is a shortfall in the supply of housing land in the Borough. Consequently, whilst the contribution of four houses would be limited, this is a matter to which carries commensurate weight. The proposal would also bring economic benefits through the construction process and from the occupation of the proposed dwellings. The previous concerns relating to the impact on the amenity of neighbouring properties are considered to have been resolved through this application. These matters weigh in favour of the application.
- 7.4** There is a relatively fine line and subjective view on design. In this instance the revised plans have improved the scheme to a reasonable level. Strong concerns have been received on parking and highway safety grounds, which are understood. The site is located in highly sustainable location, with no objection being received by GCC on this matter.
- 7.5** Officers are mindful of the need to consider the NPPF advice on the presumption in favour of sustainable development and the implications of not being able to demonstrate a 5 year supply of housing as set out in paragraphs 6.3.2 to 6.3.6 above. In considering the application Officers are of the view that the planning balance is in favour of the application and is therefore recommended for permission.

8. CONDITIONS / INFORMATIVES

To follow as an update