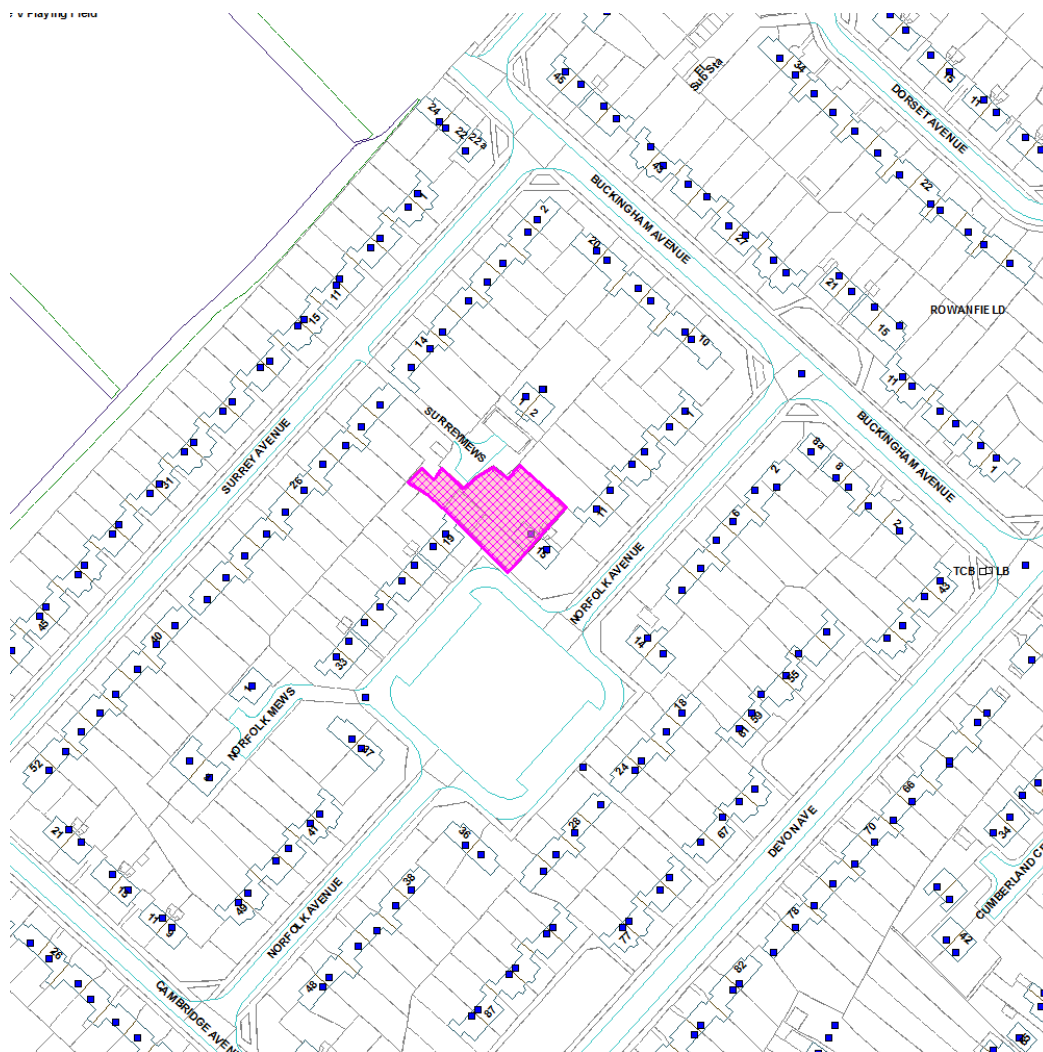


APPLICATION NO: 17/00304/FUL	OFFICER: Miss Michelle Payne
DATE REGISTERED: 22nd March 2017	DATE OF EXPIRY: 17th May 2017
WARD: St Marks	PARISH: N/A
APPLICANT:	Mr S Price
AGENT:	PSK Architect
LOCATION:	17 Norfolk Avenue, Cheltenham
PROPOSAL:	Erection of 2no. semi-detached three bed houses with detached garaging facilities

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site forms part of the curtilage to no.17 Norfolk Avenue in St Marks ward. The site is irregular in shape and is currently occupied by a semi-detached two storey property.
- 1.2 Planning permission was recently refused by officers, in November 2016, for the erection of 2no. two bed detached bungalows on the site. The reason for refusal was twofold; design and layout, and a lack of highway information.
- 1.3 Prior to this, in March 2016, an application for the erection of 3no. three bed houses with accesses from Norfolk Avenue and Surrey Mews was withdrawn by the applicant prior to a refusal of permission.
- 1.4 This application is now seeking planning permission for the erection of a pair of semi-detached two storey houses which would sit alongside the existing property, together with a detached double garage.
- 1.5 The application has been referred to committee by Cllr Coleman due to concerns that the proposal represents an overdevelopment of the site. Members will visit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

None

Relevant Planning History:

16/00183/FUL

WITHDRAWN

18th March 2016

Erection of 3no. three bed houses in rear and side garden of 17 Norfolk Avenue with access from Norfolk Avenue and Surrey Mews

16/01622/FUL

REFUSED

3rd November 2016

Erection of 2no. two bed bungalows in rear and side garden (revised scheme following withdrawal of planning application ref. 16/00183/FUL)

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

HS 1 Housing development

TP 1 Development and highway safety

Supplementary Planning Guidance/Documents

Development on garden land and infill sites in Cheltenham (2009)

National Guidance

National Planning Policy Framework

4. CONSULTATION RESPONSES

Wales and West Utilities

3rd April 2017

Letter and Plan available to view on line.

Architects Panel

13th April 2017

Design Concept:

The panel had reviewed two previous schemes for development on this site. This new scheme limits the development to just two semi-detached houses which fit more comfortably on the site and are of a scale and character in keeping with adjoining properties.

Design Detail:

The design submitted was acceptable although the scheme would be much improved if the plans were handed so the porches were coupled and staircases either side of the party wall. This would improve acoustic separation as well as the overall look of the front elevation.

Recommendation:

Support subject to handing the design.

5. PUBLICITY AND REPRESENTATIONS

- 5.1 Letters of notification were sent out to 12 neighbouring properties. In response to the publicity, four letters of objection have been received. The comments have been circulated in full to Members but, in brief, the main concerns relate to access, traffic and parking; and impact on light levels to nos.1 & 2 Surrey Mews.

6. OFFICER COMMENTS

6.1 Determining Issues

6.1.1 The main considerations when determining this application relate to the principle of development, design and layout, impact on neighbouring amenity, and highway safety.

6.2 Principle of development

6.2.1 Paragraph 49 of the NPPF advises that when determining applications for housing they *"should be considered in the context of the presumption in favour of sustainable development. Relevant 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"*; as it stands, the Council is currently unable to demonstrate such a five year supply.

6.2.2 Where housing policies are not considered to be up-to-date, the NPPF is quite clear that development proposals should be approved without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies within the framework, taken as a whole.

6.2.3 In addition to the above, paragraph 53 of the NPPF suggests that *“Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens”* and this is what the Council’s adopted SPD relating to ‘Development of Garden Land and Infill Sites in Cheltenham’ seeks to achieve. The document is therefore a material consideration when determining this application.

6.2.4 The aim of the Garden Land SPD is not to prevent development on garden land but to ensure that development proposals are based upon a thorough understanding of the character of the neighbourhood, and in particular the street and block within which the site is located.

6.2.5 Therefore, in conclusion, there is no fundamental reason to suggest that the principle of developing this site for housing is unacceptable; subject to the material considerations set out below. The principle of development did not form part of the previous reasons for refusal.

6.3 Design and layout

6.3.1 Local plan policy CP7 requires all new development to be a high standard of architectural design and to complement and respect neighbouring development. Additionally, part 7 of the NPPF highlights the need to secure high quality and inclusive design for all development. In particular, paragraph 58 sets out that all developments should be “visually attractive as a result of good architecture and appropriate landscaping”.

6.3.2 The proposed dwellings in terms of scale, height, siting, massing and materials would respond appropriately to their context and would sit comfortably in the street scene. The properties would sit in line with the existing property, and the eaves and ridge heights, and roof pitch would match that of the neighbouring buildings. Additionally, the materials proposed in the external construction, painted render, concrete roofing tiles, and white UPVC windows and doors, would reflect the palette of materials found in the locality.

6.3.3 The suggestion made by the Architects’ Panel that the design could be improved if the plans were handed so that the porches were coupled has been noted, and officers would not necessarily disagree; however, the design as submitted is considered to be acceptable.

6.3.4 Accordingly, officers consider that the development now proposed would make an efficient and effective use of this site and would achieve an appropriate standard of design. This view is generally shared by the Architects’ Panel who comment: “This new scheme limits the development to just two semi-detached houses which fit more comfortably on the site and are of a scale and character in keeping with adjoining properties”.

6.3.5 The proposal therefore accords with the requirements of policy CP7 and national design advice set out within the NPPF.

6.4 Impact on neighbouring amenity

6.4.1 Local plan policy CP4 requires all new development to avoid causing harm to the amenity of adjoining land users and the locality. The NPPF also highlights the need to secure “a good standard of amenity for all existing and future occupants of land and buildings”.

6.4.2 The siting of the properties within the site would not result in any unacceptable harm to neighbouring amenity in terms of privacy, outlook or daylight. The first floor windows in the rear elevation, which would serve bedrooms and be clear glazed, are in excess of 10.5 metres to the boundary with no.11 Norfolk Avenue. Additionally, the upper floor

window to the front elevation, furthest within the site, will serve a bathroom and can therefore be reasonably assumed to be obscurely glazed, thereby preventing any loss of privacy to the rear garden of no.19 Norfolk Avenue.

6.4.3 The proposed detached double garage has been orientated within the site so that its eaves run parallel to the garden with no.19 Norfolk Avenue, thereby further mitigating any impact on this neighbouring property.

6.4.4 Furthermore, whilst the concerns raised by the objectors in relation to a loss of light to nos. 1 & 2 Surrey Mews have been noted, given the distances involved, the new dwellings would not result in any loss of light to these properties; at their closest point, the buildings are some 25 metres apart.

6.4.5 The development therefore accords with policy CP4 and national advice set out within the NPPF.

6.5 Access, parking and highway safety

6.5.1 Local plan policy TP1 (development and highway safety) states that development will not be permitted where it would endanger highway safety, directly or indirectly, by creating a new access or generating high turnover on-street parking. The NPPF also advises of the need to ensure that a safe and suitable access can be achieved, and is quite clear that development should only be refused on highway grounds where the residual cumulative impacts of development are severe.

6.5.2 The proposed houses would be accessed via the existing access; the application form confirms that no new vehicular or pedestrian access is proposed.

6.5.3 Given the scale of the proposed development, the County Council as Highway Authority have not formally commented on this application, as it is one that should be assessed in accordance with their standing advice. However, the application has been discussed with members of the Highways Development Management Team who raised no concerns in relation to the proposal and have verbally advised that the existing access could be used to provide a safe and suitable access without harm to highway safety.

6.5.4 The concerns raised by the neighbour at no. 19 Norfolk Avenue have been noted but should the applicant wish to extend the existing dropped kerb and/or remove the existing hedge to widen the access point, these works could be carried out without the need for planning permission. The properties share a dropped kerb, not an access point.

6.5.5 Each property would benefit from a garage, with additional parking and turning facilities available within the site.

6.5.6 The application therefore accords with policy TP1, and advice set out within the NPPF.

7. CONCLUSION AND RECOMMENDATION

7.1 The proposed development would make an effective and efficient use of this site without causing unacceptable harm to neighbouring amenity or highway safety.

7.2 As such, the recommendation is to grant planning permission subject to the following conditions:

8. CONDITIONS

- 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 Notwithstanding the approved plans, a detailed scheme for landscaping, tree and/or shrub planting and associated hard surfacing (which should be permeable or drain to a permeable area) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify species, density, planting size and layout. The hard landscaping works shall be carried out in accordance with the approved details prior to first occupation of the development.
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).
- 4 All planting, seeding or turfing approved under condition 3 shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
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).
- 5 Prior to first occupation of the development, vehicular parking and turning facilities shall be provided in accordance with Drawing No. 16045.02A and those facilities shall be kept available for those purposes thereafter.
Reason: To ensure adequate car parking provision within the curtilage of the site and to ensure a safe, suitable and secure means of access in accordance with Local Plan Policy TP1 relating to development and highway safety and paragraph 35 of the NPPF.
- 6 Prior to first occupation of the development, refuse and recycling storage facilities (including appropriate containers) shall be provided for each dwelling and retained thereafter.
Reason: To ensure adequate provision and availability of refuse storage in order achieve sustainable waste management in accordance with Gloucestershire Waste Local Plan Policy W36 relating to waste minimisation.

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.