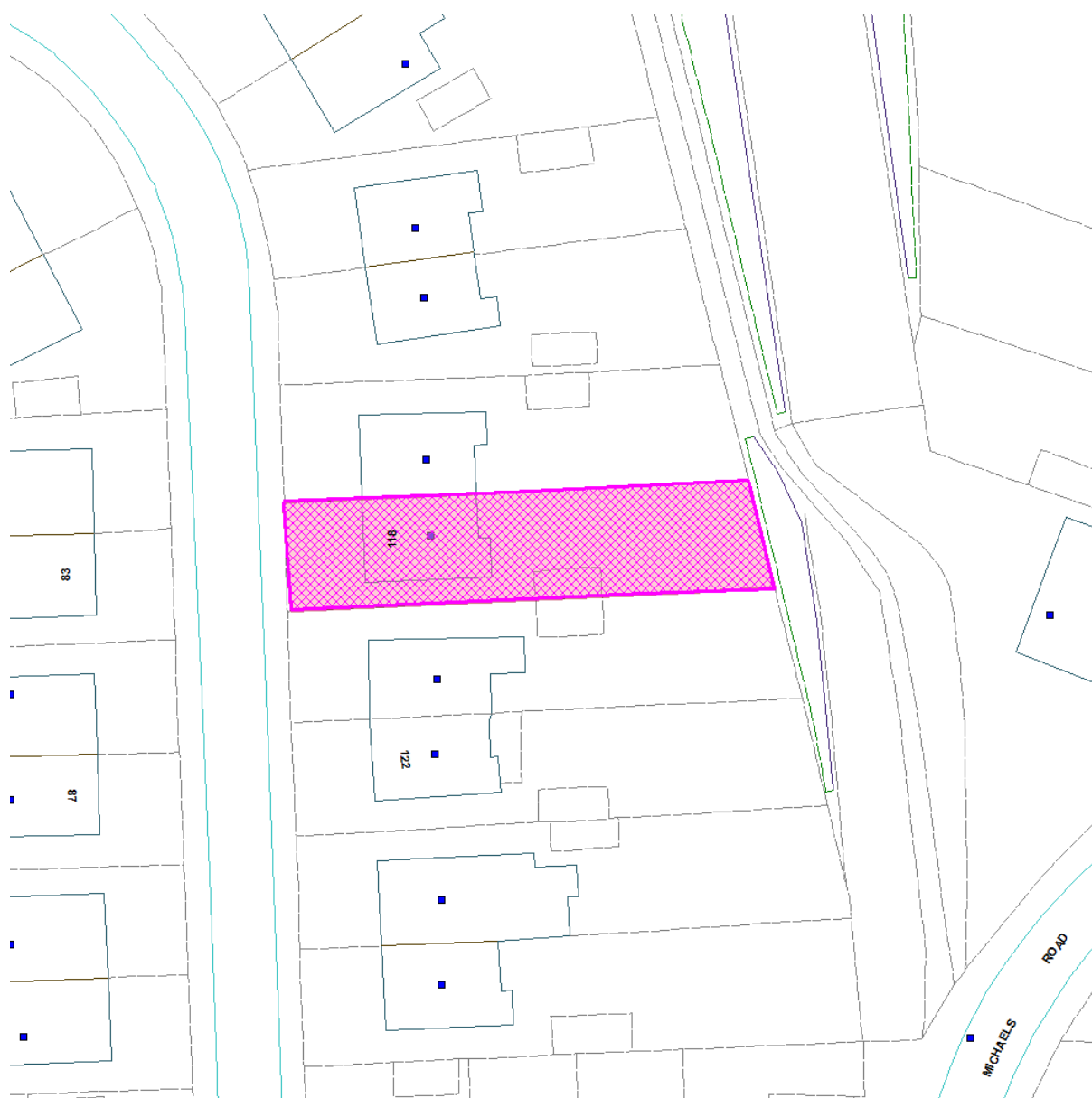


APPLICATION NO: 18/00350/FUL		OFFICER: Mr Gary Dickens	
DATE REGISTERED: 21st March 2018		DATE OF EXPIRY: 16th May 2018	
WARD: Warden Hill		PARISH: Leckhampton With Warden Hill	
APPLICANT:	Mr Simon Kimberley		
AGENT:	The Agent		
LOCATION:	118 Canterbury Walk, Cheltenham		
PROPOSAL:	Demolition of existing garage and erection of new outbuilding to operate as holistic beauty treatment business (sui generis use)		

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application relates to 118 Canterbury Walk. The site is a single storey dwelling located on a residential road in Warden Hill.
- 1.2 The proposal is for the demolition of an existing garage and a replacement outbuilding to be erected which will be used to operate the applicant's holistic beauty treatment business from.
- 1.3 The application is before the planning committee following a Parish Council objection and also at the request of Cllr Tony Oliver on behalf of adjoining neighbours. Members will visit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

None

Relevant Planning History:

18/00301/PREAPP 15th February 2018 CLO
Rebuild garage to side for use as a beauty salon

17/02424/FUL 16th January 2018 PER
Single storey flat roof extension to rear of property

3. POLICIES AND GUIDANCE

Joint Core Strategy

SD 4 Design Requirements
SD 14 Health and Environmental Quality
INF 1 Transport Network

Adopted Local Plan Policies

CP 4 Safe and sustainable living
CP 7 Design

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (February 2008)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Environmental Health

26th March 2018

No objections or recommendations for conditions.

The Council objects to the application, for the reasons noted below.

Reasons

After consultations requested by nearby residents the following objections are given.

1. Excess traffic on a very narrow road with extra parking by clients etc. Causing possible road congestion and danger to area. Policy JCS INF 1
2. The security of unknown clientele passing continually the side entrance front door of neighbouring premises until 8pm at night.

The following requests to be noted;

If this application is deemed an approval by the planning officer I request this should become a planning committee decision with a site visit by the committee.

That the hours of business should be reduced, to take into consideration the security of the neighbour.

That any extension of days/hours in the future should become a matter for a planning officer or licensing decision.

That soundproofing is added to the application as music and conversation from a wooden construction could be overheard in neighbouring garden.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	8
Total comments received	3
Number of objections	2
Number of supporting	0
General comment	1

- 5.1** Eight letters were sent to neighbouring properties and three responses have been received, of which two objected to the proposal.
- 5.2** All representations have been circulated in full to Members but, in brief, the main objections relate to:
- Parking provision and impact on the highway
 - Loss of privacy
 - Potential noise and disturbance

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2** The main considerations for this application relate to the acceptability of a business in this location, the proposed design of the outbuilding, and potential impact on neighbouring amenity. Subsequent impact on traffic and parking also needs to be considered.

6.3 The site and its context

- 6.4** Canterbury Walk is located within the Warden Hill area of the borough and is characterised by one and two storey residential dwellings dating from the 1950s. A small number of retail and commercial units, forming a local neighbourhood centre, are located approximately 290m from the application site.

6.5 Principle of proposed use

- 6.6** The principle of a business of this nature operating in this location is considered to be acceptable. Although predominantly residential in character, it is not considered that this small scale business will be detrimental to the character of this and surrounding properties. The business will not result in the loss of any residential accommodation and will be ancillary to the main house. A condition is recommended which will ensure the use is restricted to the applicant.

- 6.7** The Environmental Health Officer has been consulted on the application and no objection was raised. The application proposes opening hours of 09:30 to 17:30 on Tuesdays, Wednesdays, Fridays and Saturdays, and 14:00 to 20:00 on Thursdays. The business will be closed on Mondays and Sundays and will operate on an appointment only basis. The proposed opening hours are considered acceptable and an appropriate condition has been added accordingly.

6.8 Design and layout

- 6.9** Policy SD4 of the JCS and Local Plan Policy CP7 require development to be of a high level of design which respects the character of the area.

- 6.10** The proposed outbuilding would measure 2.4m in width and 8.4m in length, with a height of approximately 2.6m. The outbuilding will be timber constructed with a flat, single ply roof. The design and materials are typical for this form of development.

- 6.11** The outbuilding will not dominate or detract from the existing property nor impact the character of the area. The proposed outbuilding is considered to be a subservient addition to the site.

6.12 Impact on neighbouring property

- 6.13** Policy SD14 of the JCS and Local Plan Policy CP4 require development to not cause unacceptable harm to neighbouring properties. Whilst maintaining privacy is one of the five basic design principles within the SPD.

- 6.14** Two letters of objection have been received and the concerns raised are noted in section 5.2 above.

6.15 Traffic and Parking Implications

- 6.16** Comments were received regarding the impact on parking as a result of a business operating in this location. The application form states that four off-road parking spaces will be provided which in officer's opinion is unrealistic due to the limited space between the

property and the boundary fence. However, two off-road spaces will comfortably be provided and it is evident that unrestricted on-road parking is available along Canterbury Walk and adjacent roads. It is not considered therefore that the proposal for a small scale business such as this will have an unacceptable impact on parking in the area.

6.17 *Impact on Privacy and Noise*

6.18 Concerns were also raised regarding the impact the proposal would have on the privacy of the owners / occupiers at 120 Canterbury Walk. The main entrance to the single storey dwellings along Canterbury Walk are located on the side elevations and accessed along the driveway. The application site and neighbouring property are separated by a timber fence which is approximately 1m high. The location of the outbuilding would result in visitors to the proposed business passing, in relatively close proximity, the entrance of 120 Canterbury Walk.

6.19 At Officer's request, the applicant has provided additional information regarding the business which is currently located within the town centre and operates on a similar basis to what is proposed. Treatments are to be by appointment only, taking an average time of 90 minutes with 15 minutes between appointments. The current average number of appointments per day is four. The treatments provided are natural with no electrical equipment used therefore the noise emitted is minimal.

6.20 Whilst there will clearly be additional visitors to the site, it is Officer's opinion that this will not be to an unacceptable level. The hours of opening will be controlled by way of condition and are predominantly within day light hours aside from one evening.

6.21 There are no concerns with regards to loss of light and the outbuilding will not have an overbearing impact on neighbouring properties.

7. CONCLUSION AND RECOMMENDATION

7.1 In conclusion, the proposal is considered to be in accordance with the policy requirements of the JCS, the Cheltenham Local Plan and advice contained within the Supplementary Planning Document. The recommendation is therefore to permit this application subject to the conditions below.

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 The use hereby permitted shall not be open to customers outside the hours of 09:30 to 17:30 Tuesdays, Wednesdays, Friday and Saturday, and 14:00 to 20:00 on Thursdays.

Reason: To safeguard the amenities of adjoining properties and the locality in accordance with Joint Core Strategy Policy SD14 and Local Plan Policy CP4.

- 4 This permission shall be exercised only by the applicant for the purposes set out in the business plan.

Reason: The Local Planning Authority wishes to have the opportunity of exercising control over any subsequent use in the event of the existing user ceasing to operate, in the interests of neighbouring amenity and in accordance with Joint Core Strategy Policy SD14 and Local Plan Policy CP4.

INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 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.