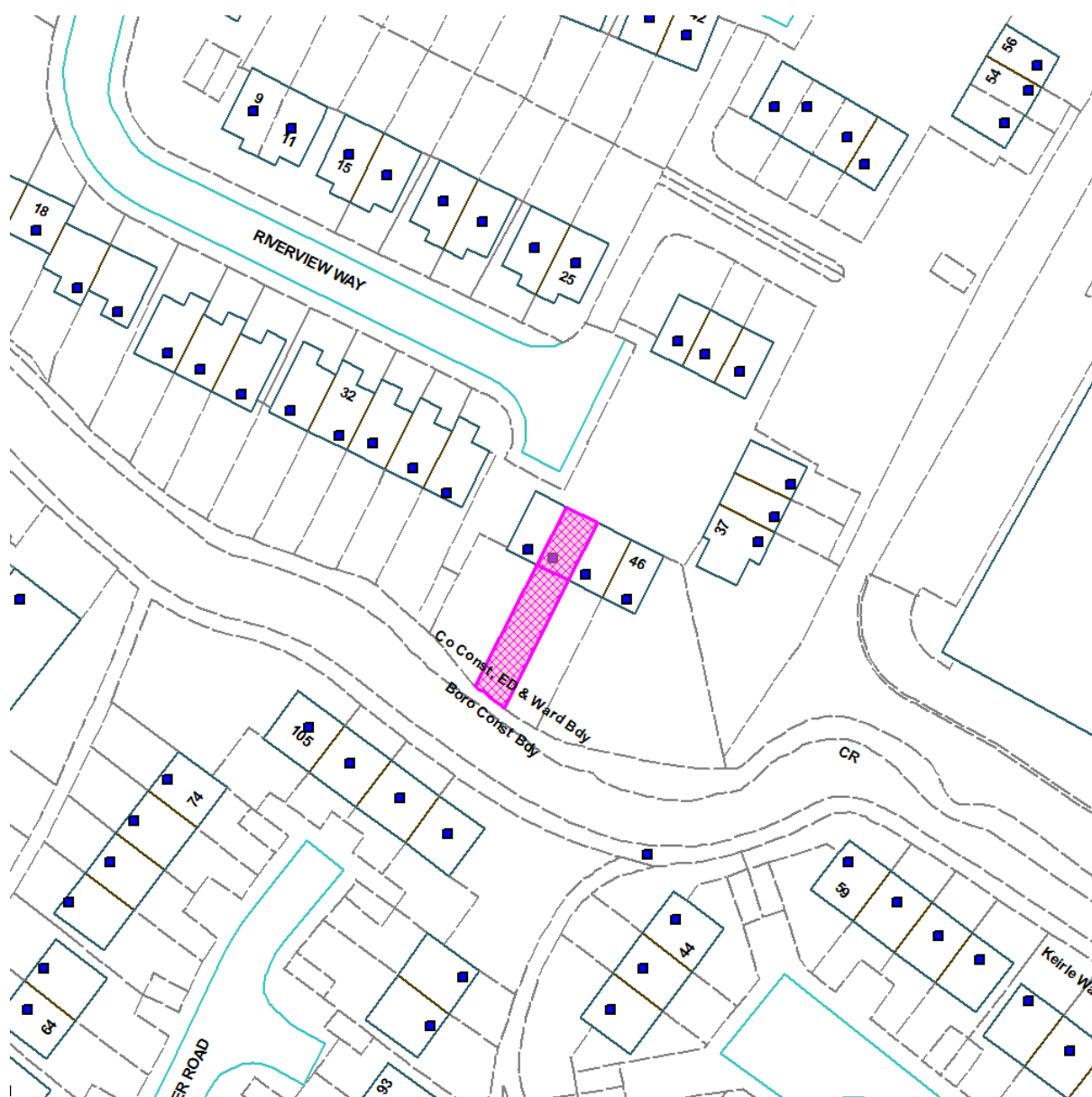


<b>APPLICATION NO: 18/01812/CONDIT</b>		<b>OFFICER: Mr Gary Dickens</b>	
<b>DATE REGISTERED:</b> 6th September 2018		<b>DATE OF EXPIRY:</b> 1st November 2018	
<b>WARD:</b> Swindon Village		<b>PARISH:</b> Swindon	
<b>APPLICANT:</b>	Mr Terry Swanton		
<b>AGENT:</b>			
<b>LOCATION:</b>	42 Riverview Way Cheltenham Gloucestershire		
<b>PROPOSAL:</b>	Variation of condition 1 on planning permission 16/02257/FUL. Extend the temporary permission to December 2019		

**RECOMMENDATION:** Permit



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application relates to 42 Riverview Way. The site is a mid-terraced property on a residential development which dates from the mid-1970s and located to the north-west of the borough.
- 1.2 Permission was granted in 2016 for the retention of a metal storage shed on a temporary basis (ref: 16/02257/FUL). This application proposes the variation of condition 1 (temporary use) to extend the permission until 31<sup>st</sup> December 2019.
- 1.3 The application is before committee at the request of Cllr Flo Clucas due to detrimental impact on neighbouring amenity. Members will visit the site on planning view.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### **Constraints:**

Airport Safeguarding over 45m  
Flood Zone 2

### **Relevant Planning History:**

**97/00891/PF 15th January 1998 PER**

Flood Defence Works On The River Chelt From Hayden Road To Coxs Meadow And At Balcarras Farm, London Road

**16/02257/FUL 13th February 2017 PER**

A temporary secure metal storage shed (4.4m x 2.4m) (retrospective).

## 3. POLICIES AND GUIDANCE

### Joint Core Strategy

SD 4 Design Requirements  
SD 14 Health and Environmental Quality

### Adopted Local Plan Policies

CP 4 Safe and sustainable living  
CP 7 Design

### Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)

### National Guidance

National Planning Policy Framework

## 4. CONSULTATIONS

### **Parish Council**

*16th September 2018*

The Parish Council feels that there has been sufficient time for the applicant to make alternative arrangements for storage (with many local commercial solutions available) and that a further extension is inappropriate.

## 5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	5
Total comments received	1
Number of objections	1
Number of supporting	0
General comment	0

- 5.1 Five letters were sent to neighbouring properties and one response was received objecting to the proposal.
- 5.2 The comments for this application will be circulated in full to members together with the previous comments received in relation to the original application. In brief the concerns raised relate to:
- Noise disturbance;
  - The building having an oppressive and overbearing impact, and;
  - The unattractive design.

## 6. OFFICER COMMENTS

### 6.1 Determining Issues

- 6.2 The main considerations for this application relate to design and neighbouring amenity. Essentially, will the retention of this metal storage shed for an additional 12 months be to the detriment of the character of the area and will its retention have an unacceptable impact on the amenity currently enjoyed by neighbouring residents?

### 6.3 The site and its context

- 6.4 An application was submitted in late 2016 for the retention of this storage shed (planning ref: 16/02257/FUL). The application stated that *"the shed is intended as a temporary solution to recent theft issues and will be removed on departure from the property – planned to be by the end of 2018"*. Planning permission was approved under delegated authority with a condition requiring the shed to be removed by 31<sup>st</sup> December 2018. The condition was included as this is what the application was requesting.

### 6.5 Design and layout

- 6.6 The relevant design policies when considering the application are SD4 of the JCS and CP7 of the Local Plan. These policies stipulate how development should positively respond to and respect the character of the site and its surroundings. Additionally, JCS Policy SD4 also states in point v how development should be designed in a way that reduces *"the likelihood and fear of crime"*.
- 6.7 The design of this storage shed is typical for this form of development and it is not uncommon for a metal material to be used. The positioning of the outbuilding meanwhile, results in it being partially hidden from the public realm and therefore not immediately visible until the end of Riverview Way is reached. The storage shed is not of a scale which dominates or detracts from the parent dwelling or surrounding properties.
- 6.8 The application is considered to be in accordance with JCS Policy SD4 and Local Plan Policy CP7.

## **6.9 Impact on neighbouring property**

- 6.10** Policy SD14 of the JCS and Local Plan Policy CP4 both require development to not harm the amenity of adjoining properties.
- 6.11** One objection has been received from a neighbouring property (no. 38 Riverview Way) who expresses concerns over the outbuilding as per the original application. These related to the outbuilding being overbearing, oppressive and causing noise disturbances when occupied, as well as the design. The concerns relating to design have been discussed as part of the 'Design and Layout' section above.
- 6.12** The outbuilding is located adjacent to the garden areas of numbers 38 and 40 Riverview Way. The structure measures approximately 2.07m in height, 2.24m in width and 4.42m in depth. This is not considered to be of a significant size that would have an oppressive or overbearing impact on neighbouring properties and it is also noted that landscaping serves to separate the structure from no. 38.
- 6.13** Whilst officers fully acknowledge the concerns raised by the neighbour, it is difficult to articulate a significant level of harm which would be caused that would warrant refusal of this application. If the application had been for the permanent retention of this storage shed it is highly likely that the same conclusion would be reached.

## **7. CONCLUSION AND RECOMMENDATION**

- 7.1** Based on the above, it is officer's conclusion that the retention of this storage shed for a further 12 months is acceptable and is not contrary to relevant adopted policies within the JCS or the Local Plan. Furthermore, there is no conflict with the NPPF or advice published within the SPD.
- 7.2** The recommendation to members therefore is to approve the variation of condition 1 on application 16/02257/FUL and allow the outbuilding to remain in place for a further 12 months.

## **8. CONDITIONS**

- 1 The building(s) hereby permitted shall be removed and the land restored to its former condition on or before 31st December 2019.

Reason: The condition is included in response to what is being proposed to ensure the avoidance of doubt and in the interests of proper planning.