

APPLICATION NO: 18/02186/FUL		OFFICER: Mr Ben Hawkes	
DATE REGISTERED: 27th October 2018		DATE OF EXPIRY: 22nd December 2018	
DATE VALIDATED: 27th October 2018		DATE OF SITE VISIT: 22nd November 2018	
WARD: Oakley Ward		PARISH:	
APPLICANT:	Pivotal		
AGENT:	Brodie Planning Associates		
LOCATION:	245 Prestbury Road, Cheltenham		
PROPOSAL:	Proposed change of use to 13 bed supported living accommodation (sui generis), internal and external alterations to include the addition of an office at ground floor, an infill extension to the northeast elevation, replacement of glazed roof lean to at rear and additional roof lights		

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application sites relates to a detached property located on Prestbury Road. Immediately adjacent and to the rear of the site are residential properties with a day centre opposite.
- 1.2 The applicant is seeking planning permission for a change of use to 13 bed supported living accommodation (sui generis), internal and external alterations to include the addition of an office at ground floor, an infill extension to the northeast elevation, replacement of a glazed lean to roof at the rear, addition of roof lights and the removal of a small existing lean to structure on the southwest elevation.
- 1.3 The application is at planning committee at the request of Councillor Rowena Hay who has concerns regarding the management of the building as well as requesting members review the application on behalf of the neighbour who has raised additional concerns.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Relevant Planning History:

01/01553/FUL 14th December 2001 PER

Erection of single storey extension

84/00889/PC 24th January 1985 REF

Change Of Use/Alterations To Proposed Dwelling To Provide Hotel Annexe With Residential Accommodation Above

87/00071/PC 19th February 1987 PER

Change Of Use From Hotel To Rest Home

88/01319/PF 27th October 1988 PER

Conversion Of Loft Space To Living Accommodation

94/00912/PC 17th November 1994 PER

Change Of Use From Hotel To Supported Lodgings For The Recovering Mentally Ill

98/00531/FUL 25th October 2001 PER

Proposed conversion to 2 self contained flats plus 7 bedsits (as amended by revised plans)

06/00597/COU WDN

Conversion of property (internally) to nine self contained flats as per previous application 98/00531/FUL

83/01045/PF 26th May 1983 PER

Change of use to rest home

83/01046/PF 15th December 1983 PER

Change of use from residential to hotel/guest house

3. POLICIES AND GUIDANCE

Saved Local Plan Policies

CP 3 Sustainable environment
CP 4 Safe and sustainable living
CP 7 Design

Adopted Joint Core Strategy Policies

SD4 Design Requirements
SD14 Health and Environmental Quality
INF1 Transport Network

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Gloucestershire Centre For Environmental Records

5th December 2018

Report available to view.

GCC Highways Planning Liaison Officer

15th November 2018

I refer to the above planning application received on the 5th November 2018 with Plan Nos: 353A3-P1A-01 REV G, Design & Access Statement, 353A3-P1A-01 REV E, 353A3-P1A-02 REV E.

I recommend that no highway objection be raised subject to the following condition(s) being attached to any permission granted:-.

1. The development hereby permitted shall not be occupied until the cycle storage facilities have been made available for use in accordance with the submitted plan ref: 353A3-P1A-01 rev G and those facilities shall be maintained for the duration of the development.

Reason:- To give priority to cycle movements by ensuring that adequate cycle parking is provided, to promote cycle use and to ensure that the appropriate opportunities for sustainable transport modes have been taken up in accordance with paragraph 108 of the National Planning Policy Framework.

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.

Environmental Health

4th December 2018

I have no comments or objections to this proposed change of use to 13 bed supported living accommodation at 245 Prestbury Road.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	5
Total comments received	2
Number of objections	2
Number of supporting	0
General comment	0

5.1 5 letters were sent to neighbouring properties, 2 letters of objection have been received.

5.2 The objections received have been summarised but are not limited to:

- Location of proposed bin/recycle store
- Over development of the site
- Noise and disruption
- Loss of privacy
- Management of the building/use

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The main considerations of this application are the principle of the change of use, the design and impact on neighbouring amenity.

6.3 The site and its context

6.4 The site is a large building sat in a reasonable plot. The properties directly adjacent and to the rear of the site are residential properties, directly opposite the application is 'The Prestbury Day Centre' run by Gloucestershire County Council.

6.5 Infill extension and external alterations

6.6 As part of this application the proposed work includes an extension to the northeast elevation, this extension is a small scale addition that will infill a small courtyard area. The design is considered to be appropriate with materials to match. In addition, the works include the replacement of a lean to roof to an existing single storey rear projection and the removal of an existing single storey structure to the southwest elevation, these alterations are considered to be an improvement for the building and are acceptable. The addition of roof lights is also considered to be acceptable.

6.7 The proposed infill extension and other external alterations will not result in any unacceptable impact on neighbouring amenity in terms of a loss of light or loss of privacy.

6.8 Officers note the concerns raised by the neighbouring land user regarding a potential loss of privacy as a result of side elevation windows. The windows shown are all existing windows, no new openings are proposed. Planning permission for internal alterations to this building would not be required, therefore officers do not feel it would be reasonable to control the windows within this application.

6.9 Principle of use and impact on neighbouring amenity

6.10 Officers have reviewed the planning history of the site, reviewed the applicants design and access statement and discussed the site with the council's enforcement team. It would appear the last established and operational use was that granted in application number 94/00912/PC which granted permission for use of the building as supported lodgings for the recovering mentally ill. The application allowed for the provision of 10 bedrooms and additional communal facilities.

6.11 This application seeks permission for a very similar use to that already approved and is detailed within this application as 'supported living accommodation'; the proposal however includes the provision for 13 units, an increase of 3 from that already approved.

6.12 Whilst officers duly note the concerns raised by the neighbouring land user at number 247 Prestbury Road and the reasons highlighted by Councillor Hay for the application to come to planning committee. The proposed use is very similar to that already established and therefore the use within this application is also considered to be acceptable. The main consideration of this application is the acceptability of increasing the number of units from 10 to 13. It is the view of officers that an increase in 3 occupants will not result in over development of the site or result in an unacceptable impact on neighbouring amenity in terms of noise and disturbance.

6.13 Officers have discussed the application in more detail with Councillor Hay who wants officers and committee members to consider adding a condition which would require a member of staff to be on site 24 hours a day. When adding a condition to any planning permission, the condition must be reasonable, necessary and enforceable. Officers have considered a condition of this nature and have discussed this with our enforcement team. It is the view of officers that this condition would not meet these tests and has therefore not been suggested.

6.14 The applicant's design and access statement states that the use will 'include the provision of a house manager on site from 09.00-17.00 Monday to Friday and a daily concierge service between the hours of 17.00-09.00 and at weekends'. The applicants therefore appear to be aware of the needs for this site.

6.15 Officers consider the principle of the change of use to provide 13 bedroom supported living accommodation to be acceptable.

6.16 Other considerations

6.17 Gloucestershire Highways were consulted on this application and their full response can be read in section 4 of this report. No objection is raised however a condition has been suggested regarding the provision of bike storage which has been included.

6.18 Officers and the neighbours at 245A Prestbury Road raised concerns regarding the provision of bin/bike storage proposed in front of the building, this was discussed with the applicants agent. As access to the rear will be provided following the removal of the structure to the southwest elevation, officers suggested that the bin/recycling storage could be located to the rear of the site. A revised plan has been submitted and shows it located at the rear and is now acceptable.

- 6.19** Whilst on site officers discussed the provision of secure bike storage with the applicant's agent, it was identified on site that there were a number of existing sheds/outbuildings to the rear of the site which could be used. A revised plan has been submitted 353A3_P1A_01 rev H which identifies these outbuildings and a condition has been added to ensure these are available for use prior to occupation of the building and are maintained available thereafter.
- 6.20** Whilst records show that important species or habitats have been sighted on or near the application site in the past, it is not considered that the proposed small scale development will have any impact on these species.

7. CONCLUSION AND RECOMMENDATION

- 7.1** Having considered all of the above, officer recommendation is to grant planning permission, subject to the conditions set out below;

8. CONDITIONS / INFORMATIVES

- 1 The planning permission hereby granted shall be begun not later than the expiration of three years from the date of this decision.

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 planning permission hereby granted 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 All external facing and roofing materials shall match those of the existing building unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to saved policy CP7 of the Cheltenham Borough Local Plan (2006) and adopted policy SD4 of the Joint Core Strategy (2017).

- 4 The development hereby permitted shall not be occupied until the cycle storage facilities have been made available for use in accordance with the submitted plan ref: 353A3-P1A-01 rev H and those facilities shall be maintained for the duration of the development.

Reason:- To give priority to cycle movements by ensuring that adequate cycle parking is provided, to promote cycle use and to ensure that the appropriate opportunities for sustainable transport modes have been taken up in accordance with paragraph 108 of the National Planning Policy Framework.

- 5 Prior to first occupation of the development, refuse and recycling storage facilities shall be provided in the location shown on the approved plan 353A3_P1A_01 Rev H and shall be retained as such thereafter.

Reason: In the interests of sustainable waste management and recycling, having regard to Policy W36 of the Gloucestershire Waste Local Plan.

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, the authority sought revisions regarding the provision of bin and bike storage;

Following these negotiations, the application now constitutes sustainable development and has therefore been approved in a timely manner.