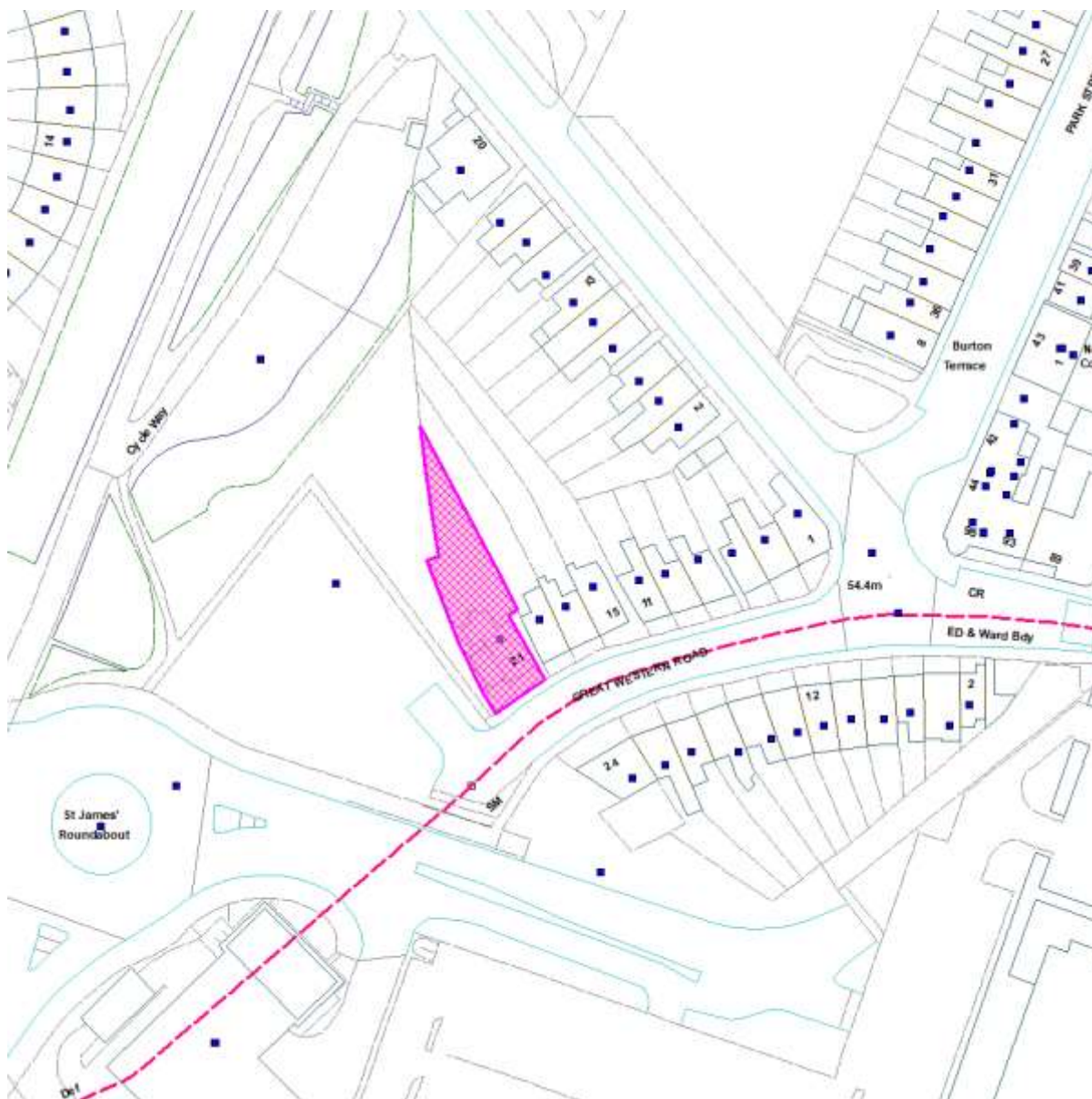


APPLICATION NO: 20/00273/FUL	OFFICER: Mrs Emma Pickernell
DATE REGISTERED: 14th February 2020	DATE OF EXPIRY: 10th April 2020
DATE VALIDATED: 14th February 2020	DATE OF SITE VISIT: 27th February 2020
WARD: St Peters	PARISH:
APPLICANT:	Mr Stephen Harper
AGENT:	RRA Architects
LOCATION:	21 Great Western Road, Cheltenham
PROPOSAL:	Demolition of the existing garage and outbuilding and erection of 2 storey extension to form 4 x 1 bedroom flats.

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is an existing, detached, two storey dwelling located at the terminus of Great Western Road, a cul-de-sac leading off Market Street. The house, along with those on this side of the street are rendered, with those opposite being brick. To the west of the site is a green space and beyond is the petrol station for the Waitrose supermarket.
- 1.2 The site is located within the Lower High Street character area of the Central Conservation Area and also within the Principal Urban Area of Cheltenham.
- 1.3 The Honeybourne line footpath passes by the site and connects the site to the town centre and the railway station.
- 1.4 The site is within Flood Zone 3 and has therefore been accompanied by a Flood Risk Assessment.
- 1.5 The existing dwelling has three bedrooms (1 accommodated in the downstairs front room), lounge, kitchen/diner and a garage located in a lean-to side extension, there is a further single storey side addition to the kitchen. Planning permission is sought to demolish these extensions and to construct a two storey side extension which would in essence be an extrapolation of the main dwelling. The proposal also includes a two storey gabled rear extension. The resultant building would be divided to form 4 x 1 bedroom flats ranging from 36 – 44 sqm. The proposal also includes a bin and bike store within an area of shared garden at the rear of the plot, accessible via a shared path between 21 and 19 Great Western Road.
- 1.6 Revised plans have been submitted during the course of the application which clarify the extent of the shared access to the rear and add fenestration to the southwest elevation.
- 1.7 The application is to be determined by planning committee at the request of Cllr Willingham.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Conservation Area
Flood Zone 2
Flood Zone 3
Honeybourne Line
Principal Urban Area
Residents Associations
Smoke Control Order

Relevant Planning History:

17/00214/PREAPP 17th February 2017 CLO

Removal of existing garage and replace with 2 bedroom dwelling

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 4 Decision-making

Section 5 Delivering a sufficient supply of homes

Section 8 Promoting healthy and safe communities

Section 9 Promoting sustainable transport
Section 12 Achieving well-designed places
change, flooding and coastal change
Section 16 Conserving and enhancing the historic environment

Saved Local Plan Policies

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

Adopted Joint Core Strategy Policies

SD3 Sustainable Design and Construction
SD4 Design Requirements
SD8 Historic Environment
SD10 Residential Development
SD14 Health and Environmental Quality
INF1 Transport Network
INF2 Flood Risk Management

Supplementary Planning Guidance/Documents

Development on garden land and infill sites in Cheltenham (2009)
Central conservation area: Lower High Street Character Area and Management Plan (July 2008)

4. CONSULTATIONS

Ward Member Comments

Cllr Willingham:

I have received representations from the public expressing concerns about this application.

The specific issue of most concern is the loss of parking and the detrimental effect that this will have on the extant local community. If this development is approved, I want the council to specifically state and agree with Gloucestershire County Council that they will be car-free and will NOT be entitled to parking permits (except visitor permits or blue badge holders) for the area. I already get complaints from residents that there are insufficient spaces for permit parking in the area, and if this development is permitted with parking, then with will cause significant loss of amenity to extant residents.

Other Member Comments

None

Gloucestershire Centre For Environmental Records

17th February 2020

Report available to view on line.

GCC Highways Planning Liaison Officer

3rd March 2020

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: -3144P(2)04- 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.

2. No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- 24 hour emergency contact number;
- Hours of operation;
- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Routes for construction traffic;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud being carried onto the highway;
- Measures to protect vulnerable road users (cyclists and pedestrians)
- Any necessary temporary traffic management measures;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

Informative

Restrictions of Parking Permits - Controlled Parking Zone/Residents Parking Scheme.

You are advised that the Local Highway Authority has recommended to the Local Planning Authority (LPA) of which the development forms part and shall be treated as car free/low-car and the occupiers are ineligible for resident parking permits as well as visitors parking permits if in a residents parking scheme.

Environmental Health

18th February 2020

The current plans have living areas over/under bedrooms which has the potential for noise nuisance and may receive adverse comments from EP.

Is it possible to suggest to the applicant that they redesign the layout?

24th April 2020

Reviewed revised plans for the above application. No comments or objections.

St James Action Group

20th February 2020

1. The proposal

The application, as described, seeks to understate what is proposed and should be viewed more accurately as a change of use from a 2 bed detached (but end of terrace) house to form 2 x 1 bed flats, and the demolition of existing attached garage and outbuilding to build 2 x further 1 bedroom flats.

The existing house is entirely similar, although detached, to those adjacent which form a Victorian terrace, and the proposed 'extension' will replace the existing garage with a building not dissimilar in scale to the existing house.

2. Character of the neighbourhood

With the development of the St James site, Great Western Road was severed by the construction of the roundabout and access road to the Waitrose supermarket.

The remaining small 'enclave' of period houses are single household dwellings. 4 x 1 bedroom flats is high density and possibly over-development of this site.

The applicant seeks to confuse the matter of 'density' and consistency and standard of the neighbouring properties, thus:

'the proposed scheme looks to increase the sites density bringing it up to a much more consistent (sic) standard to the existing building and the neighbouring properties'

No 'development' of similar houses has taken place in Great Western Road, except for extensions to improve the existing dwelling, and not to create additional dwellings, and yet there is an attempt by the applicant to suggest the opposite.

Reference to or comparison with the entirely different character of the large apartment buildings in the area to support this proposal is a 'stretch' at best.

The conversion to residential of 2 closed public houses in nearby New Street/Park Street also has little relevance to this particular application.

There has been building of modest residential units on previously non residential industrial sites in last 10 years, all in Market Street. These consist of 1 x 3 bed house, 3 x 2 bed houses, and 2 x apartments, all with off street parking.

3. Adverse Impact

Like almost any other area, parking is a major problem, and proposing a development with no parking provision is wholly detrimental to residents who already have to compete for space on a daily basis.

The residents' permit scheme in the area forces payment of a fee, yet parking, particularly in the evening, is often impossible anywhere near the homes, or even within the immediate area.

Having no parking on the site does not mean that residents will not own a car. 4 x 1 bedroom flats could potentially result in 8 extra cars competing for the limited parking space available in an area with little or no off-street parking.

It is particularly significant in this case because it will lead to the loss of very valuable off-street parking.

It is difficult to see how this application, as proposed, will not have a negative impact on this neighbourhood community, or indeed on the new residents who may occupy these flats.

This application should be refused and the applicant urged to review and possibly amend the proposal to provide a more acceptable development of perhaps 2 dwellings which retain parking provision.

This has the potential to give more satisfactory living accommodation in terms of room sizes and outdoor amenity space, and be more in keeping with the character of the neighbouring properties.

Please accept this as an objection to this application.

Building Control

14th February 2020

The application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury borough council on 01242 264321 for further information.

15th April 2020

The application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

Environment Agency

26th March 2020

Thank you for referring the above consultation, which we received in full on 17 February 2020. I apologise for the delay in responding which has been caused by the February Flooding Incident, and the Coronavirus situation.

Further to the Flood Risk Assessment (FRA) submitted by Ambiental Environmental Assessment dated December 2019, in support of the above planning application we have the following comments to make:

The proposal is for the conversion and extension of an existing residential property into 4 self-contained flats. Hence the FRA is correct in identifying that the proposed use will remain unchanged as 'more vulnerable' as defined in Table 2 of sub-section 25 within the Flood and Coastal Change section of the National Planning Practice Guidance (NPPG).

Whilst the site is located within Flood Zone 3 (High Probability of river flooding, as defined in Table 1 of the Flood Risk and Coastal Change section of the National Planning Practice Guidance (NPPG), as shown on our Flood Map for planning, the FRA is also correct in identifying that this is based on generalised national modelling, known as Jflow, and that more detailed data is available as set out in Table 4. This information includes the presence of the Chelt Flood Alleviation Scheme which takes the form of a design channel at this location.

Using this data we can confirm that the site is effectively located in flood zone 1 (outside the floodplain) and that this would still be the case even when taking account of the potential impacts of climate change using our nominal allowances.

Hence the primary risk of flooding to the site has been identified as originating from surface water as a result of the local drainage system being unable to cope during a significant rainfall event. However, appropriate mitigation actions have been outlined with section 9.1 of the report which we recommend are adopted as part of the final designs.

In conclusion the proposals result in no change to the vulnerability classification of the building which is considered to effectively be located within Flood Zone 1 as a result of benefiting from the Chelt Flood Alleviation Scheme without having to rely on raised hard or soft defences.

I trust the above will assist in your determination of the application. Please do not hesitate to contact me if you have any queries. A copy of the subsequent decision notice would be appreciated.

16th April 2020

Thank you for consulting us on the revised plans for the above application. The alterations would not have any material impact on our previous response, and we have no further comments at this stage.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	21
Total comments received	6
Number of objections	6
Number of supporting	0
General comment	0

5.1 The application was publicised by way of letters to 21 neighbouring properties, a site notice and a notice in the paper. 6 letters of objection have been received which raise the following issues:

- Loss of existing parking & lack of parking for proposed units will exacerbate existing problems
- Green area next to house should be used as parking
- Lack of security to side access
- Impact of shed on light to neighbouring garden & odour

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The key issues in determining this application are considered to be (i) principle of development, (ii) design and layout, including impact on the conservation area, (iii) impact on neighbouring properties, (iv) access and highways issues, (v) Flood Risk and (vi) any other material considerations.

6.3 Principle/Policy context

6.4 The relevant policy documents for consideration are the saved policies of the adopted Cheltenham Borough Local Plan (2006), the NPPF (2019) and the adopted Joint Core Strategy (2017) (JCS). The Council's adopted Supplementary Planning Document 'Residential Development on Garden land and Infill Sites: Cheltenham' (2009) is also relevant to the proposals.

- 6.5** Local Plan Policies CP7 (design requirements), CP4 (local amenity), CP3 (sustainable environment) and JCS Policies SD3, SD4, SD8, SD10, SD14, INF1 and INF2 are most relevant to the proposals. The corresponding policies of the emerging Cheltenham Plan are also relevant albeit the weight that can be attached to individual policies will be dependent on the stage reached in the plan's adoption and the level of objection received relevant to each policy.
- 6.6** The site lies within the Principal Urban Area (PUA) and in a sustainable location where the principle of infill development is supported by Policy SD10 of the JCS, unless otherwise restricted by policies within District Plans.
- 6.7** The site is within easy walking distance of the town centre, train station and Central Shopping Area. The site must therefore be considered a sustainable location for residential development in the context of the NPPF. As such, subject to any other material considerations, the principle of additional residential units on this site is considered acceptable.
- 6.8** Footnote 7 of paragraph 11 explains further that for applications involving the provision of housing, relevant policies must be considered out of date in situations where the local planning authority cannot demonstrate a five year supply of deliverable housing.
- 6.9** As at the time of writing, Cheltenham Borough Council cannot demonstrate a five-year supply of housing land with the latest figure (December 2019) set at 3.7 years. The proposal would provide for 3 additional dwellings which would make a modest and welcome contribution towards alleviating the shortfall. Paragraph 11(d) of the NPPF ('the tilted balance') would therefore be engaged.

6.10 Design and layout

- 6.11** Policy CP7 of the Adopted Local Plan states that development will only be permitted where it is of a high standard of architectural design and complements and respects neighbouring development and the character of the locality. Policy SD4 of the JCS reflects the principles of good design embodied in the NPPF and reiterates that development should respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness and addressing the urban structure and grain of the locality. The Council's adopted Supplementary Planning Document 'Residential Development on Garden land and Infill Sites: Cheltenham' (2009) reiterates a similar approach in assessing infilling and garden land developments.
- 6.12** The proposed dwelling is a detached house in a street which is generally made up on short terraces of properties. On the whole these are brick on the south side of the street and rendered on the north side. There is a degree of consistency to the rhythm of the dwellings, however the end dwellings on both sides of the street differ on style and form (including 21 Great Western Road as existing). The end-of-row property opposite, has some similarities to the application scheme in terms of elevational treatment and balance. The scheme has been designed to pick up on the features of the dwellings in the street, i.e. banding, window style, front door and canopy style and materials. As such it is considered that the resultant scheme will have a satisfactory appearance in the street scene. The rear extension is considered to be in keeping with the main building and to have a satisfactory appearance. Amended plans have been submitted to add windows to the side elevation. This adds interest to what was a blank elevation and has the added benefit of providing some passive surveillance to the adjacent footpath and public open space.
- 6.13** For these reasons the proposal is considered to be of an acceptable layout and appearance and to have an acceptable impact upon the conservation area.

6.14 Impact on neighbouring property

6.15 Policy SP4 of the Local Plan states that development will not be permitted where it would not cause harm to the amenity of adjoining land users and locality. This requirement is repeated in policy SD14 of the JCS and within the SPD.

6.16 The application site has one immediate neighbour at 19 Great Western Road. This property has a single storey rear extension which was approved in 2015. The rear extension to 21 Great Western Road passes the light test and would not result in a loss of light to this neighbouring property. There are no side facing side windows on the extension and the proposal would not result in a loss of privacy to any neighbour.

6.17 A specific concern has been raised in relation to the bin and bike storey. This would be located alongside the common boundary, approximately 11m from the nearest point of the neighbours extension. The openings to the store are on the western side of the structure. It would be 5.5m long and 2.5m high. Given that 2m high fences between properties fall within permitted development it is not considered that the proposal would have a significant impact upon the neighbours enjoyment of their garden. Comments have been made about odour, however it is considered that this is less likely to be a problem with the bins being housed in a bespoke gated structure than being out in the open. As such, whilst the neighbours concerns in this regard are noted, it is not considered that they would warrant the refusal of the application.

6.18 For these reasons the proposal is considered to be acceptable in terms of neighbour amenity.

6.19 Access and highway issues

6.20 Policy JCS INF1, reflects the national policy position set out in Section 9 of the NPPF which is that planning permission will only be granted where the impact of development is not considered to be severe. The policy also states that developers should provide safe and efficient access to the highway, connections are made to existing walking, cycling and passenger transport networks and should be designed to encourage maximum usage.

6.21 The proposal results in the loss of 1 garaging space and one off road parking space in front of the garage. No parking spaces are proposed as part of the development.

6.22 Given the highly sustainable location of the proposal in terms of proximity to the town centre and convenient walking and cycling links to facilities and transport links, via the Honeybourne line, it is not considered that any objection could be sustained due to lack of parking. However it is acknowledged that there is pressure in the local area for on street parking and the Highways Officer has advised officers that no additional permits would be issued for occupants of these properties. An informative has been attached to this effect. As such, whilst it is unlikely that the proposal could be refused on these grounds in any event due to the location, these measures should prevent a worsening of the situation for existing residents.

6.23 For these reasons the highways and access arrangements are considered to be acceptable.

6.24 Flood Risk

6.25 The application site is within flood zone 3 which is land assessed as having a 1 in 100 or greater annual probability of river flooding in any year. Within such areas a Flood Risk Assessment (FRA) is required to determine whether it is specifically within zone 3b (functional flood plain) or 3a which is lower risk. In zone 3a dwellings will only be acceptable if an Exception Test is passed.

6.26 This approach is set out in section 12 of the NPPF and policy INF2 of the JCS.

6.27 The Environment Agency have responded to the application (full comments reproduced above). They explain that although the site is technically within floodzone 3, the provision of flood defence infrastructure in the form of the Chelt Flood Alleviation Scheme, effectively places the site in Flood Zone 1; the lowest risk category. They also confirm that there is no change in the vulnerability classification of the use of the site and as such raise no objection to the proposal.

6.28 Other matters

6.29 The Environmental Health Officer has requested revision to the layout so that bedrooms would be above bedrooms and living spaces above living spaces. Whilst the reasons for this are understood it is not considered appropriate to ask for revisions to the layout, bearing in mind the layout of the accommodation and that internal layouts can be changed without the need for planning permission.

6.30 A query has been raised in relation to the side entrance. It is understood that both 19 and 21 Great Western Road have access to this pathway. The removal of the existing gate is considered to be a matter for the neighbours to resolve between themselves.

7. CONCLUSION AND RECOMMENDATION

7.1 The proposal represents a modest but valuable net contribution of 3 units to housing supply. It is well designed, has an acceptable impact upon neighbouring properties and is in a highly sustainable location where the principle of new dwellings is supported.

7.2 For the reasons outlined above the application is recommended for approval subject to conditions.

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 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: - 3144P(2)04- 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.

- 4 No development shall take place, including any demolition works, until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- 24 hour emergency contact number;
- Hours of operation;
- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
 - Routes for construction traffic;
 - Locations for loading/unloading and storage of plant, waste and construction materials;
 - Method of preventing mud being carried onto the highway;
 - Measures to protect vulnerable road users (cyclists and pedestrians)
 - Any necessary temporary traffic management measures;
 - Arrangements for turning vehicles;
 - Arrangements to receive abnormal loads or unusually large vehicles;
 - Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

- 5 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).

- 6 Prior to first occupation of the development, refuse and recycling storage facilities shall be provided in accordance with the approved plans 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, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.

- 2 You are advised that the Local Highway Authority has recommended to the Local Planning Authority (LPA) of which the development forms part and shall be treated as car free/low-car and the occupiers are ineligible for resident parking permits as well as visitors parking permits if in a residents parking scheme.