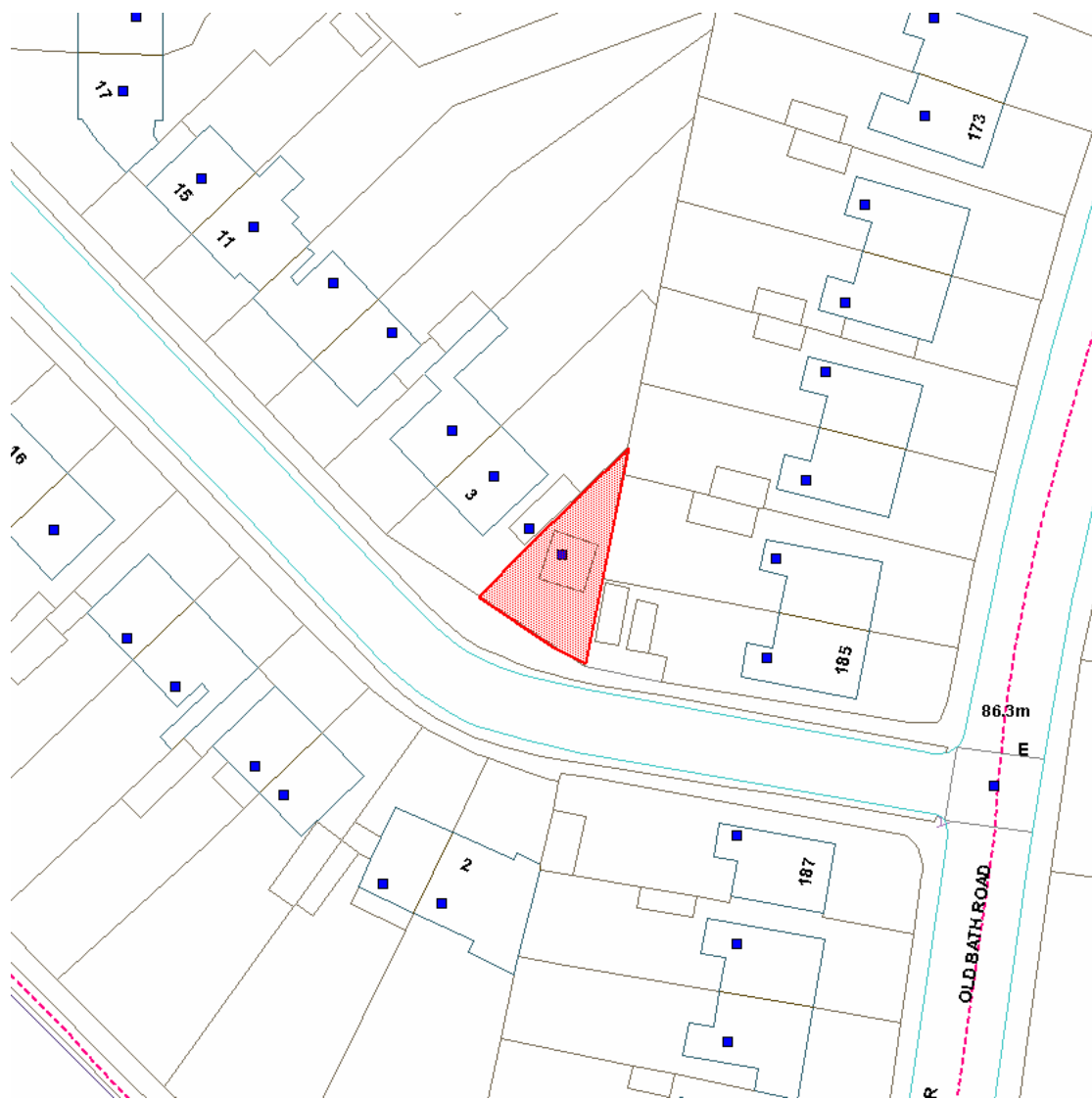


APPLICATION NO: 13/00576/FUL	OFFICER: Mr Ian Crohill
DATE REGISTERED: 13th April 2013	DATE OF EXPIRY: 8th June 2013
WARD: College	PARISH: None
APPLICANT:	FW Homes Limited
AGENT:	Mr Luke Hemming
LOCATION:	Land adjacent to 3 Mead Road, Cheltenham
PROPOSAL:	Demolish existing garage and build new 2 bedroom dwelling

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

1.1 The application seeks permission to construct a small 2 storey, 2 bed, dwelling on this relatively small triangular parcel of land in Mead Road.

1.2 The site is located at the eastern end of Mead Road, close to the junction with Old Bath Road. The site currently comprises a large double fronted detached garage to the side of no 3 mead road and the rear garden to 185 Old Bath Road. It has previously been used for a variety of purposes but it is understood that it was last used for general storage. The plot is triangular having sides of approximately 23 metres and a base of 14 metres.

1.3 Applications have been made in the recent past to develop the site with a dwelling (see planning history section). One of those was the subject of an appeal to the Secretary of State in December 2007 (07/00173/FUL) when the Inspector, in dismissing the appeal drew attention to the impact on the amenity of occupiers of nos 183 and 185 Old Bath Road and 3 Mead Road due principally to its dominant and cramped appearance in the street. In the most recent application the applicant chose to apply for a lower, smaller structure in the hope that such adverse impacts could be addressed satisfactorily (10/01754/FUL). The application was recommended for refusal by officers for the following reason:

The new dwelling is proposed on a plot that is too small to support a separate dwelling resulting in an extremely cramped form of development that would appear incongruous and alien in the street scene. It would be out of scale and character with the surrounding established residential development. Furthermore, the development would have an unacceptable impact on the amenity at present enjoyed by the occupiers of adjoining houses, particularly those in Old Bath Road arising directly from the introduction of a separate independent dwellinghouse immediately adjacent to the boundaries with neighbouring properties with little or no space around it to satisfactorily absorb the impact of general noise and activity associated with a house. The proposal is therefore contrary to Policies CP4 and CP7 in the adopted Cheltenham Borough Local Plan (2006) and would run contrary to the provisions contained in the Supplementary Planning Document, Development of Garden Land and Infill Sites in Cheltenham adopted in June 2009 .

1.4 However, at the meeting on 21 January 2011 it was resolved by Members to grant planning permission contrary to officer's recommendation.

1.5 That 2010 application showed a dwelling partly sunk into the ground. This was not the case with the most recent application (submitted in 2012 under reference 12/00859/FUL). Planning permission was refused for that proposal (contrary to Officer's recommendation) and a subsequent appeal was turned away as the application was not accompanied by a Design and Access Statement.

1.6 A fresh application has now been submitted (and a D&A S submitted!) and at the same time the applicant has made some slight changes in an attempt to address some of the concerns expressed by the Committee.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Relevant Planning History:

10/01754/FUL 21st January 2011 PER

Erection of a detached two bed dwelling following demolition of existing garage/workshop on land adjacent 3 Mead Road

12/00859/FUL 24th August 2012 REF

Erection of 2 bedroom dwelling following demolition of existing workshop

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development
CP 4 Safe and sustainable living
CP 7 Design
GE 6 Trees and development
HS 1 Housing development
RC 2 Youth and adult outdoor playing facilities
RC 3 Outdoor playing facilities in educational use
RC 6 Play space in residential development
UI 3 Sustainable Drainage Systems
TP 1 Development and highway safety
TP 2 Highway Standards
TP 6 Parking provision in development

Supplementary Planning Guidance/Documents

Development on garden land and infill sites in Cheltenham (2009)
Landscaping in new development (2004)
Play space in residential development (2003)

National Planning Policy Framework 2012

4. CONSULTATIONS

HMO Division

25th April 2013

I have no fundamental objection to this proposal.

GCC Highways Planning Liaison

9th May 2013

There have been numerous previous applications for development of this site, including a previously approved application for a 2 bedroom dwelling under Application No. CB.10/001754.

The site is served by good public transport facilities and is considered to be accessible. The proposed development will use the existing access point of a vehicle crossing from Mead Road which is an unclassified Highway. There are no records of any accidents at this point and in addition it would appear that the current site access is operating without any problems. The replacement of the existing garage facility with a single dwelling is not likely to significantly increase the volume of traffic accessing the site.

Therefore no Highway objection is raised.

Cheltenham Civic Society

8th May 2013

Although we are not necessarily opposed to a dwelling here, we do not like what is proposed. We think it is a poor design for this site, and will look out of scale with neighbouring properties

5. PUBLICITY AND REPRESENTATIONS

- 5.1 A total of 11 letters were sent out notifying local residents of the receipt of the application and a total of 5 letters of representation have been received. Copies of the representations have been circulated with this report.

6. OFFICER COMMENTS

Officer comments will follow as an update.

7. CONCLUSION AND RECOMMENDATION

7.1 That permission be granted subject to the following conditions.

8. CONDITIONS / INFORMATIVES /

- 1 The development hereby permitted shall be begun before the expiration of five 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 drawing numbers FWH/LH/01 and FWH/LH/02 received 12 April 2013
Reason: To ensure the development is carried out in strict accordance with the approved drawings
- 3 Prior to the commencement of development, a landscaping and planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a survey of all existing trees on the land showing the size and species and identifying those trees, if any, it is proposed to remove. In addition it shall show in detail all proposed tree and shrub planting, hard surfacing (which should be permeable or drain to a permeable area) and areas to be grassed.
Reason: To ensure that the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Local Plan Policies CP1 and CP7 relating to sustainable development and design
- 4 Prior to the commencement of development, a detailed scheme for boundary walls, fences or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority and the boundary walls, fences or other means of enclosure shall be erected before the development hereby permitted is first occupied.
Reason: To ensure that the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Local Plan Policy CP7 relating to design.
- 5 Prior to the commencement of development, samples of the proposed render finish, cedar cladding, roof slates and details of the sedum roof shall be submitted to and approved in writing by the Local Planning Authority, and the materials used in the development shall be in accordance with the samples so approved.
Reason: To ensure a satisfactory form of development in accordance with Local Plan Policy CP7 relating to design
- 6 Prior to the commencement of any work on site, details of the maintenance regime for the green roof shall be submitted to and approved in writing by the Local Planning Authority, and thereafter the green roof shall be retained as such and maintained in accordance with the maintenance regime so approved.
Reason: To ensure that the external appearance of the dwelling is maintained as proposed in accordance with Local Plan Policy CP7 regarding design.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and/or re-enacting that order with or without modification), no extensions, garages, walls, fences or other structures of any kind (other than those forming part of the development hereby permitted) shall be erected without planning permission.
Reason: Any further extension or alteration requires detailed consideration to safeguard the amenities of the locality in accordance with Local Plan Policies CP4 and CP7 relating to safe and sustainable living and design.
- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and/or re-enacting that order with or without modification), no additional openings shall be formed in the development without planning permission.
Reason: Any further openings require detailed consideration to safeguard the amenities of the locality in accordance with Local Plan Policies CP4 and CP7 relating to safe and sustainable living and design.
- 9 Prior to the commencement of development, a scheme for the provision or improvement of recreational facilities to serve the proposed dwelling shall be submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until the approved scheme has been implemented.
Reason: To avoid any increase in the Borough's imbalance between population and the provision of outdoor play space and related facilities in accordance with Local Plan Policy RC6 relating to play space in residential development

INFORMATIVES

- 1 The proposed development has been tested against the following policies of the Development Plan and, in the opinion of the Local Planning Authority, is not in conflict with the following policies:
- CP 4 Safe and sustainable living
 - CP 7 Design
 - GE 5 Protection and replacement of trees
 - GE 6 Trees and development
 - EM 2 Safeguarding of employment land
 - HS 1 Housing development
 - HS 4 Affordable Housing
 - RC 6 Play space in residential development
 - UI 3 Sustainable Drainage Systems
 - TP 1 Development and highway safety
 - TP 6 Parking provision in development
- 2 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.