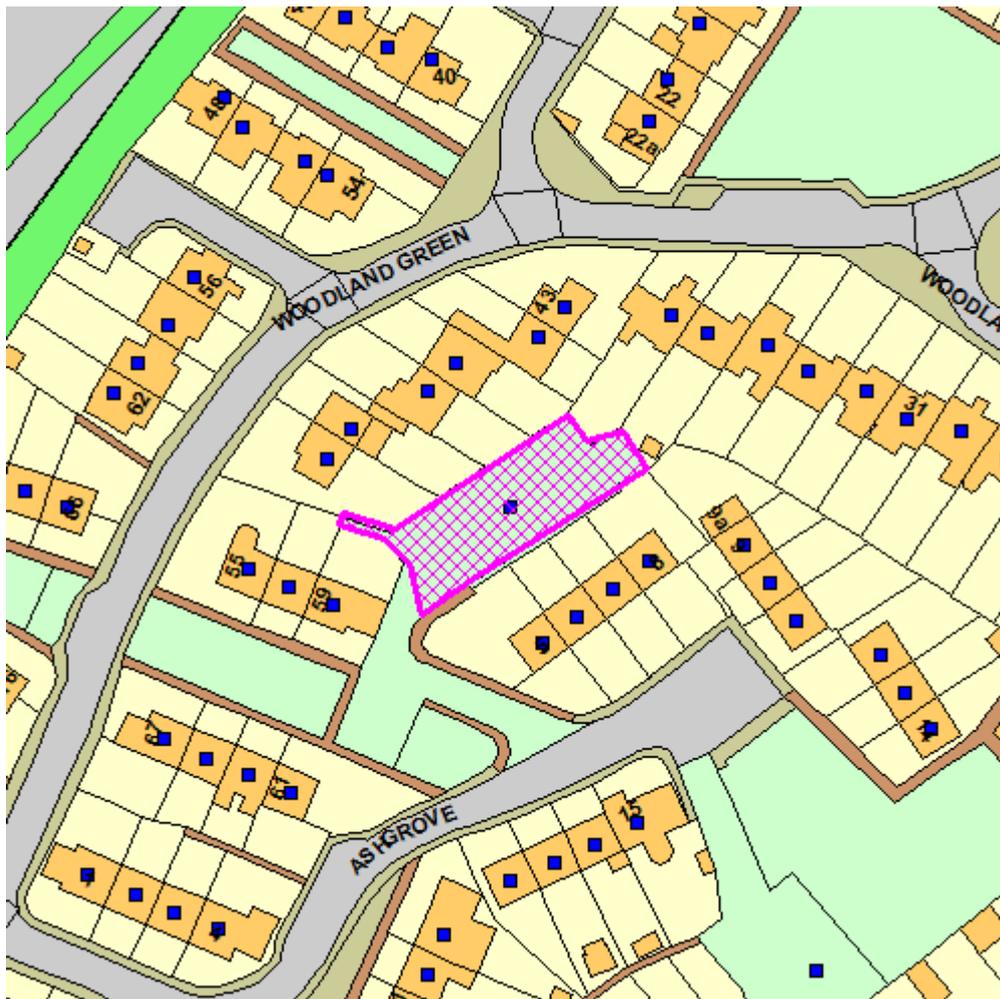




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Item No:	06
Application No.	S.18/2219/FUL
Site No.	PP-07350048
Site Address	Land Adjacent To 59, Woodland Green, Upton St Leonards, Gloucestershire
Town/Parish	Upton St Leonards
Grid Reference	386351,215242
Application Type	Full Planning Application
Proposal	Erection of two dwellings.
Recommendation	Permission
Call in Request	Planning Manager



Applicant's	Coombes Everitt Architects
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Details	105-107 Bath Road, Cheltenham, GL53 7LE, ,
Agent's Details	None
Case Officer	Gemma Davis
Application Validated	12.10.2018
	CONSULTEES
Comments Received	Upton St Leonards PC Environmental Health (E)
Constraints	Within 200m of M5 Upton St Leonards Parish Council Settlement Boundaries (LP)
	OFFICER'S REPORT

MAIN ISSUES

- o Background
- o Principle of development
- o Design and layout
- o Residential amenity
- o Highways
- o Obligations and affordable housing
- o Other matters

DESCRIPTION OF SITE

The application site comprises an area of hard-surfacing that was once a central car park area that served the homes that surrounds the site. The site is accessed off of Ash Grove and sits amongst residential properties to all four sides.

The site does not lie within any landscape designation.

PROPOSAL

The application seeks permission for the erection of two dwellings.

REVISED DETAILS

None

MATERIALS

Walls: Red brick and cement tile cladding
Roof: Concrete roof tiles
Doors/windows: White UPVc



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REPRESENTATIONS

Statutory Consultees:

Upton St Leonards Parish Council objects to the development on the following grounds:

- o Loss of parking
- o Impact on waste vehicles negotiating the site / wider area
- o Potential loss of bus service

Public:

A number of objection letters have been received raising the following concerns:

- o Loss of privacy and overlooking
- o Highway safety, inadequate parking and access
- o Impact on residential amenities
- o Drainage issues
- o Dwellings out of character
- o Loss of light
- o Loss of view
- o Loss of vehicular access to rear of site

The Council's Environmental Health Officer has recommended standard conditions and informatives should planning permission be forthcoming.

NATIONAL AND LOCAL PLANNING POLICIES

National Planning Policy Framework.

Available to view

at:<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

Stroud District Local Plan.

Policies together with the preamble text and associated supplementary planning documents are available to view on the Councils website:

https://www.stroud.gov.uk/media/1455/stroud-district-local-plan_november-2015_low-res_for-web.pdf

Local Plan policies considered for this application include:

- CP1 - Presumption in favour of sustainable development.
- CP2 - Strategic growth and development locations
- CP3 - Settlement Hierarchy.
- CP9 - Affordable housing.
- CP14 - High quality sustainable development.

HC1 - Meeting small-scale housing need within defined settlements.

ES1 - Sustainable construction and design

ES3 - Maintaining quality of life within our environmental limits.

ES4 - Water resources, quality and flood risk.

ES6 - Providing for biodiversity and geodiversity.



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ES8 - Trees, hedgerows and woodlands.

ES12 - Better design of places.

The proposal should also be considered against:

Residential Design Guide SPG (2000)
Planning Obligations SPD (2017)

BACKGROUND

The application is supported by the following statement:

“Stroud District Council is obliged to manage its assets and make the best use of its existing property to build new homes and safeguard its finances, therefore the retention of underused land requires investment that represents an unacceptable impact on Council finances, particularly as investment in housing takes a higher priority.

In September 2015 the Council's Housing Committee reviewed its district wide land and garage ownership and resolved to rationalise its stock via various options including their redevelopment and/or sale.

In this instance, the site itself was a central car parking area that once served the homes that surround it, these homes have since been privately purchased from the Council and therefore the new owners lost the right to park on the proposed site. The purchased properties have their own arrangements on driveways.”

This current application has been submitted following a withdrawn application for the erection of two dwellings. That proposal was considered unacceptable due to concerns regarding the design and the impact of the development on neighbouring properties. The previous scheme was wholly contemporary in appearance and concerns were also raised with respect to the impact on neighbouring properties. The revised scheme amends the design of the units to seek to overcome the above issues.

PRINCIPLE OF DEVELOPMENT

The site lies within the defined Settlement Boundary of Upton St Leonards designated as a Third Tier Settlement within the Local Plan, where there is a presumption in favour of development subject to design and amenity considerations and to a satisfactory means of access being provided.

The site is set amongst other residential properties. In this respect the principle of further residential development on the site can be supported; however, the further consideration of the design, layout and appearance of the scheme has to be assessed.

DESIGN AND LAYOUT

This part of Upton St Leonards contains dwellings which are largely uniform in appearance. The area is predominately characterised by a mixture of housing comprising two storey detached, semi-detached and terraced units and bungalows.



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The submitted drawings indicate a very simple pair of detached dwellings with a traditional style yet with a nod to contemporary design. The units benefit from a rectangular form under both a flat and mono pitched roof arrangement with large glazing. The properties have largely been designed around the constraints of the site and therefore comprise buildings that are relatively narrow, low eaves and low ridge height. The unobtrusive form and bulk of the buildings, would not detract from the character and appearance of the area and would integrate with the surrounding built form.

The siting of the dwellings and their general layout would not compete with surrounding development and there would be no detrimental impact caused to the character and appearance of the street scene.

The arrangement of the plot would provide adequate garden for the proposed dwellings, compliant with the standards set out in the Council's Residential Design Guide and in keeping with the form of surrounding development. Sufficient space would remain so as to ensure the plots did not appear cramped or overdeveloped. To ensure that the plot size would not become cramped / overdeveloped in the future, a condition removing permitted development rights has been imposed.

The dwellings would be finished in materials similar to those found on the adjacent and neighbouring houses and as such would not look out of place.

RESIDENTIAL AMENITY

The site has neighbouring properties to all four sides, however the new dwellings have been designed to minimise the impact on the amenities of neighbouring properties. In terms of overlooking, the principle elevation contains fenestration overlooking the car park areas and the rear elevation overlooks the gardens. As such, there would be no issue in terms of privacy loss. Furthermore, it should also be noted that there would also be more than sufficient separation distance between the front and rear facing elevations to neighbouring properties to ensure that there would not be any significant level of overlooking. From the back wall of the rear facing elevation there would be a separation distance of approximately 13.2m and 11m to the common boundary with the rear neighbouring properties. With respect to the front elevation, there would be a separation distance of approximately 13m to the common boundary with neighbouring properties and this view would be oblique so again there would not be any issues in terms of overlooking.

Nor would there be any issues of overlooking to the properties located to the north and south (side elevation of proposed units) as the ground floor fenestration is screened by the existing boundary treatment and the roof lights are of high level and also provide light to the stairwell.

Due to the limited height, the design of the roof (that slopes away from neighbouring properties) and the separation distance between the application properties and its neighbours, there would be no issues of overbearing or overshadowing that would warrant refusal of the application. While it is acknowledged that the built form would be visible from these properties and will have a physical impact, this does not make the scheme unacceptable.



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HIGHWAYS

The proposal provides 2 parking spaces in accordance with SDLP parking standards to the front of the dwellings. Turning facilities are shown and would ensure that vehicles and pedestrians can successfully negotiate the site. As such, access arrangements are considered to be acceptable and in accordance with the provisions of Policy ES3. Furthermore, the site is located at the end of a private road with slow vehicle movements as such the proposed layout is not considered to result in any severe detrimental impact upon highway safety.

Moreover, the site is located within the defined settlement boundary and as such, the occupiers of the property would have easy access to local facilities without the need to travel by car.

Local residents have raised objections to the loss of the parking area; however the site's use to date for parking has been by informal permission only with the users having no known rights of the land. Furthermore, the site is not linked to any current Council tenancy agreement.

OBLIGATIONS / AFFORDABLE HOUSING

Adopted Local Plan policy CP9 specifies that small scale residential schemes (1 -3 dwellings) for should pay a contribution to affordable housing of at least 20% of the total development value (where viable). Given that this policy has now been tested and it has been shown that the majority of these very small sites have been unable to support a payment towards affordable housing, the Council will only be pursuing an affordable contribution in respect of sites less than 4 units where the combined floor area of the units exceeds 1000m².

OTHER MATTERS

There are 6 neighbouring properties that would appear to have had pedestrian access rights across parts of the site at some time, these are 57 & 59 Woodland Green, and 5-8 Ash Grove. The rear alleyway to the Woodland Green properties is overgrown and appears unused, whilst gates to the back gardens of 7 & 8 Ash Grove appear to be in use still. The proposal makes provision for all existing pedestrian access routes, regardless of whether they continue to be used or not.

The Local Bus being unable to negotiate the roads due to on street parking would not be a material planning consideration. This is a matter that would be enforced by the Police.

The sewage and drainage system is not a material planning consideration. This is a matter that would be controlled via other disciplines such as building control.

REVIEW OF CONSULTATION RESPONSES

Letters of objection and comment have been received in response to the application and these are available to view on the electronic planning file.

The objections and comments raised have been duly noted and considered in full in the main body of this report.



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RECOMMENDATION

In light of the above, it is considered that the proposal complies with the policies outlined and is therefore recommended for permission.

HUMAN RIGHTS

In compiling this recommendation we have given full consideration to all aspects of the Human Rights Act 1998 in relation to the applicant and/or the occupiers of any neighbouring or affected properties. In particular regard has been had to Article 8 of the ECHR (Right to Respect for private and family life) and the requirement to ensure that any interference with the right in this Article is both permissible and proportionate. On analysing the issues raised by the application no particular matters, other than those referred to in this report, warranted any different action to that recommended.

Subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:

To comply with the requirements 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 all respects in strict accordance with the approved plans: PL001 Site location plan, PL003 Proposed site plan, PL004 Proposed layout and PL005 Proposed elevations.

Reason:

To ensure that the development is carried out in accordance with the approved plans.

3. No construction site machinery or plant shall be operated, no process shall be carried out and no construction-related deliveries taken at or dispatched from the site except between the hours 08:00 and 18:00 on Monday to Fridays, between 08:00 and 13:00 on Saturdays and not at any time on Sundays, Bank or Public Holidays.

Reason:

To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Stroud District Council Local Plan Policy ES3.



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4. The proposed dwelling shall not be occupied until all the car parking has been provided in accordance with the submitted plan (PL003) and that area shall not be used for any other purpose other than for the parking of vehicles thereafter.

Reason:

To ensure that adequate off road parking is provided, in the interests of highway safety and to comply with Policy ES3 of the adopted Stroud District Local Plan, November 2015.

5. No construction works shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

1. provide for the parking of vehicles of site operatives and visitors;
2. provide for the loading and unloading of plant and materials;
3. provide for the storage of plant and materials used in constructing the development;
4. undertake measures to control the emission of dust and dirt during construction

Reason:

To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in the interests of highway safety and accordance with Local Plan Policy ES3.

6. No development shall take place until details of the existing ground levels, proposed finished floor levels, ridge and eave heights of the dwelling and the proposed finished ground levels of the site, relative to a datum point which is to remain undisturbed during the development have been submitted to and approved by the Local Planning Authority. Such details shall also provide comparative levels of eaves and ridge heights of the proposed and adjoining properties. The development shall be carried out in strict accordance with the details as approved.

Reason:

Ground levels must be agreed prior to any works taking place in order to avoid a situation where unacceptable ground level alterations cannot be undone without significant reconstruction work. Ground levels need to be agreed to secure an acceptable finished building height to ensure the satisfactory appearance of the development, in accordance with Policies HC1 of the Stroud District Local Plan, November 2015.



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7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no development permitted under Article 3, and described within Classes A - E; of Part 1 of Schedule 2, shall take place.

Reason:

To ensure the satisfactory appearance of the development and to ensure that the site does not become cramped or overdeveloped, in accordance with Policy HC1 of the adopted Stroud District Local Plan, November 2015 and the provisions of the National Planning Policy Framework.

Informatives:

1. In accordance with Article 35 (2) the Local Planning Authority have worked with the Applicant.
2. The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of smoke/fumes and odour during the construction phases of the development by not burning materials on site. It should also be noted that the burning of materials that give rise to dark smoke or the burning of trade waste associated with the development, are immediate offences, actionable via the Local Authority and Environment Agency respectively. Furthermore, the granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated smoke or fume complaints be received. For further information please contact Mr Dave Jackson, Environmental Protection Manager on 01453 754489.