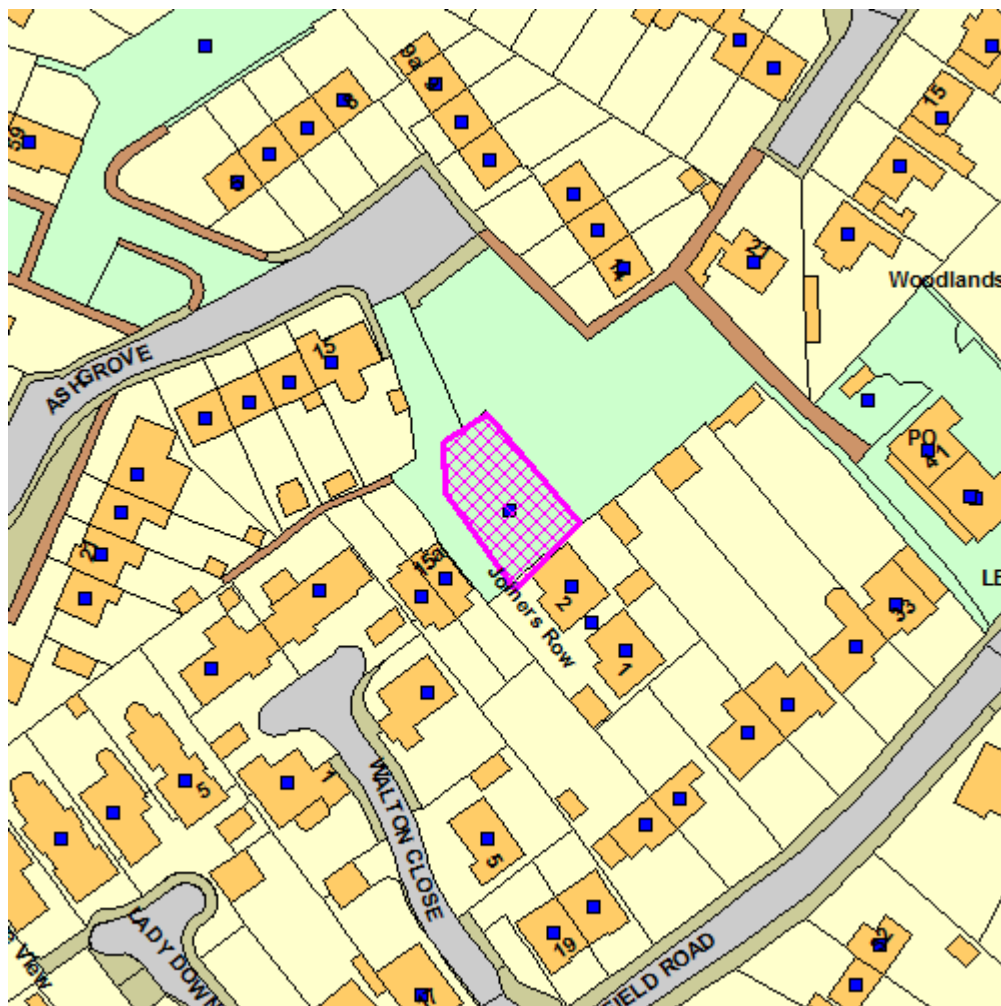




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Item No:	05
Application No.	S.18/2237/FUL
Site No.	PP-07355986
Site Address	Land Adjacent To 15A, Ash Grove, Upton St Leonards, Gloucestershire
Town/Parish	Upton St Leonards
Grid Reference	386401,215165
Application Type	Full Planning Application
Proposal	Detached dwelling.
Recommendation	Permission
Call in Request	Requested by the Planning Manager





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Applicant's Details	- 105-107 Bath Road, Cheltenham, Gloucestershire, GL53 7LE,
Agent's Details	Coombes Everitt Architects Limited 105-107, Bath Road, Cheltenham, Gloucestershire, GL53 7LE
Case Officer	Gemma Davis
Application Validated	16.10.2018
	CONSULTEES
Comments Received	Upton St Leonards PC
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 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 a detached dwelling.

REVISED DETAILS

None

MATERIALS

Walls: Render
Roof: Slate roof
Doors/windows: Composite timber / aluminium



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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

The Councils Tree Officer raises no objection to the proposal.

Public:

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

- o Loss of parking
- o Loss of bus service
- o Drainage
- o Village school over subscribed
- o Doctors oversubscribed
- o Encroachment on green space
- o Materials out of keeping
- o Brick wall out of keeping

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.

ES8 - Trees, hedgerows and woodlands.



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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 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 a detached dwelling. That proposal was considered unacceptable due to concerns regarding the design and the impact of the development on neighbouring properties. Since the withdrawal, a few tweaks have been made to the scheme that includes removal of fenestration and a pitched roof added to the dormer windows.

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 that 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.

The submitted drawings indicate a very simple, modern designed 1.5 storey modular property that benefits from a rectangular form under a pitched roof arrangement. The ridge height of



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the proposed dwelling would be set at a level of the height of the adjacent neighbouring dwelling. The first floor accommodation is partially set within the roof space with dormer windows to the rear north-western elevation.

The unobtrusive form and bulk of the building, coupled with its curtilage, indicates that it would not detract from the character and appearance of the area and would integrate with the surrounding built form. While it is acknowledged that the design of the dwelling is not overly in keeping with the design of the surrounding built form, given that neighbouring properties in the vicinity vary in design and scale, it is considered that a house of the design proposed would not appear out of keeping in this location. Furthermore, it should also be noted that the site is a standalone location.

The proposed building follows the existing building line that has been established by the properties on Joiners Row. As such the proposed development would not appear as an incongruous addition.

The arrangement of the plot as detailed would provide adequate garden for the proposed dwelling, 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 plot does not appear cramped or overdeveloped. To ensure that the plot size would not be cramped / overdeveloped, a condition removing permitted development rights has been imposed.

Given the mixed palette of materials found within the vicinity, the proposed dwelling would not look out of place.

RESIDENTIAL AMENITY

The new dwelling has been designed to minimise the impact on neighbouring properties amenities. In terms of overlooking, no first floor fenestration has been proposed to the south-east and south-west elevation, therefore the proposed development will not give rise to privacy loss. While it is acknowledged that roof lights have been proposed to the south-west elevation, these are at high level and serve a landing, therefore there will not be any issues in terms of overlooking.

The rear elevation would benefit from ground and first floor protruding windows. Given that the outlook is across green open space, there will not be any issues in terms of privacy loss.

Given the degree of separation and position of new dwelling in relation to the neighbouring properties, there would be no significant overbearing issues.

HIGHWAYS

The site is located within a built up residential area, where traffic speeds are fairly slow. The proposed arrangements would necessitate vehicles reversing in to or out from the parking spaces in common with other arrangements in the area. Turning facilities are shown and would ensure that vehicles and pedestrian can successfully negotiate the site. As such, access arrangements are considered to be acceptable and in accordance with the provisions of Policy ES3



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The proposed scheme would utilise its own private access and would provide two parking spaces for the proposed unit, meeting the Council's parking standards. As such, the scheme is not considered to be detrimental to 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.

AFFORDABLE HOUSING / OBLIGATIONS

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). However, in May 2016, planning practice guidance was updated to stipulate that contributions for affordable housing should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016 which gives legal effect to policy set out in the Ministerial Statement on 28 November 2014.

In order to support the delivery of small scale housing, the Council will follow national guidance and not seek contributions for the proposal.

OTHER MATTERS

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 proposed dwelling is contained within the hard surfaced area. It does not encroach upon the open space beyond.

The proposed development is located adjacent to an ornamental cherry tree. The Council's Arboriculturalist has assessed the proposed development in relation to this tree and raises no objection.

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.

Upton St Leonards Parish Council's objection relates primarily to the impact of displacement car parking and a potential impact on the local bus service. As noted above, the provision of, or alteration to the current bus service falls outside of the planning remit and is not a material consideration.

With regard to the impact of displacement parking, an independent car parking study was requested by Stroud District Council and undertaken by Cotswold Transport Planning in October 2018. The survey studied three sites, all within U-S-L and all three applications are



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before Members at the February 2019 Development Control Committee meeting. The survey was carried out at intervals including mid week and weekend.

The survey found that by removing the cars parked at the identified 3 sites would result in up to 14 cars being displaced. A study of on-street parking within 200m (a reasonable walking distance to a dwelling) of the sites concluded that there was up to 23 spaces on the roads which could easily accommodate the displaced vehicles.

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

RECOMMENDATION

The application is considered to comply with the relevant policies 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: PL005/B Site plan as proposed, ground floor and landscape, PL102/B Elevations as proposed, PL103/A Sections as proposed, PL104/A Sections as proposed, PL101/B Plans as proposed and PL001 Site location plan.

Reason:

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



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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.

4. The proposed dwelling shall not be occupied until all the car parking has been provided in accordance with the submitted plan (PL005/B) 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:

- i. provide for the parking of vehicles of site operatives and visitors;
- ii. provide for the loading and unloading of plant and materials;
- iii. provide for the storage of plant and materials used in constructing the development;
- iv. 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



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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.

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.