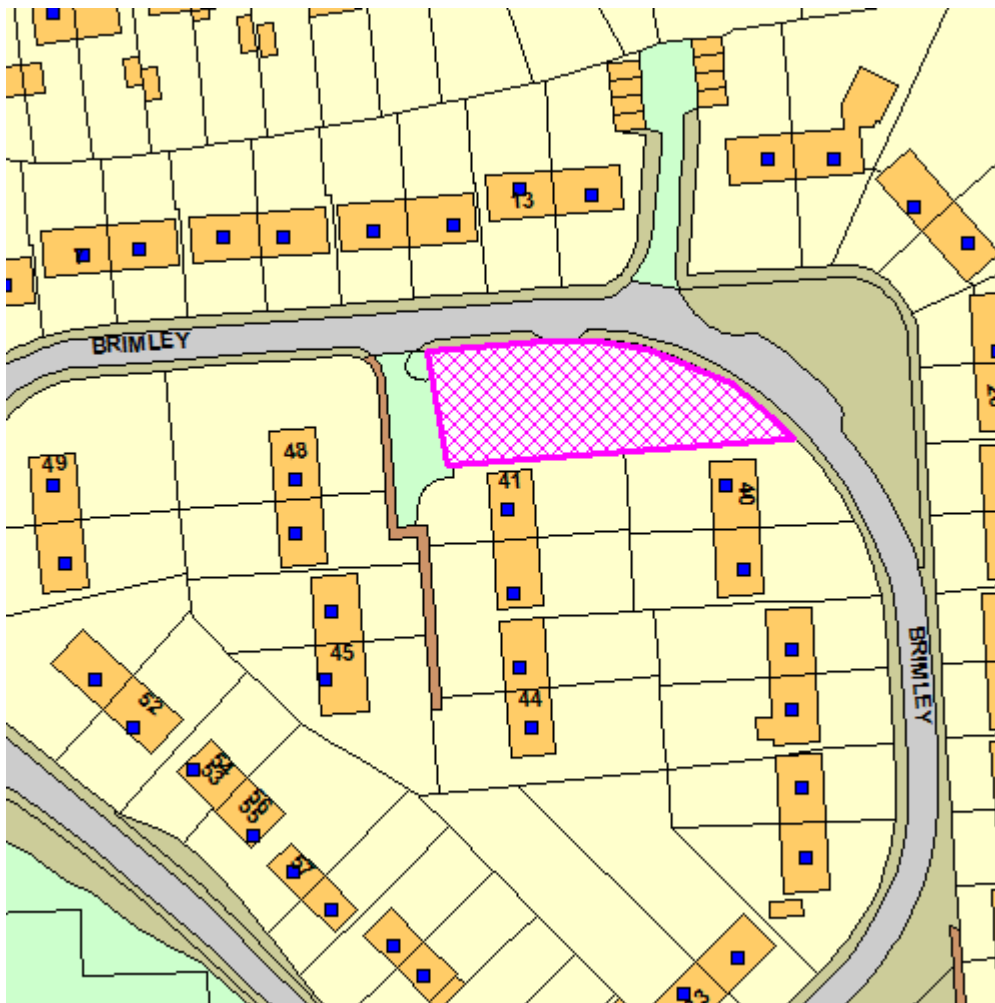




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Item No:	05
Application No.	S.18/1009/FUL
Site No.	PP-06939797
Site Address	Land Adjacent To 40 And 41, Brimley, Leonard Stanley, Gloucestershire
Town/Parish	Leonard Stanley Parish Council
Grid Reference	380902,203710
Application Type	Full Planning Application
Proposal	Erection of 3 no. single storey residential dwellings, with associated vehicle parking and landscaping plus 5 no. unallocated parking spaces (amended scheme).
Recommendation	Resolve to permit
Call in Request	Requested by Planning Manager





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Applicant's Details	Trower Davies Ltd 8 Manor Park, Mackenzie Way, Cheltenham, GL51 9TX,
Agent's Details	None
Case Officer	Ceri Porter
Application Validated	08.05.2018
	CONSULTEES
Comments Received	Development Coordination (E) Biodiversity Officer Leonard Stanley Parish Council Contaminated Land Officer (E)
Constraints	Consult area SAC SPA 7700m buffer Settlement Boundaries (LP)
	OFFICER'S REPORT

MAIN ISSUES

- * Background
- * Principle of development
- * Design and Layout
- * Residential Amenity
- * Highways
- * Ecology
- * Obligations

DESCRIPTION OF SITE

The application site is located to the south of Brimley between no's 48 and 40 Brimley within the defined settlement boundary of Leonard Stanley and comprises of 2 blocks, one of 5 garages and one of 17. The surrounding area is residential, primarily consisting of bungalows.

The site is not within any designated landscape and is not near any Tree Preservation Orders or heritage assets.

PROPOSAL

Planning permission is sought to construct 3 bungalows with associated parking and landscaping following demolition of the existing garages.



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The bungalows would be simple in design and face the highway with tandem parking to the side.

On the eastern end of the site, 5 no. unallocated parking spaces are proposed. On the western end of the site a footpath is proposed alongside Plot 1.

REVISED DETAILS

The scheme has been revised twice. The first revision changed the orientation of Plot 3 and then the introduction of unallocated parking spaces.

MATERIALS

Walls:	Brick
Roof:	Plain tile
Doors/windows:	PVC-u

REPRESENTATIONS

Statutory Consultees:

Land Contamination Officer – No comment
Leonard Stanley Parish Council – Support
Gloucestershire Highway Authority – Standing Advice
Biodiversity – No objection

Public: 7 objections plus a petition

- * No fencing to rear boundaries mentioned, currently a low chain link fence.
- * Loss of privacy to 41
- * Struggle to park in driveway already due to people parking on roads – this will only be made worse
- * Emergency access for vehicles will be difficult
- * How would road access be affected to properties during construction?
- * Revised plans do not provide a safer solution for parking in the future
- * Why do the new properties have 2 spaces?

Following the submission of the revised site layout one further objection has been received that appreciates the provision of 5 spaces but considers them to be at the wrong end of the site. The footpath alongside Plot 1 would be of no use.

NATIONAL AND LOCAL PLANNING POLICIES

National Planning Policy Framework.

Available to view at:

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Stroud District Local Plan.

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



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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.
- CP3 – Settlement Hierarchy.
- CP9 – Affordable housing.
- CP14 – High quality sustainable development.
- HC1 – Meeting small-scale housing need within defined settlements.
- ES3 – Maintaining quality of life within our environmental limits.
- ES6 – Providing for biodiversity and geodiversity.
- ES7 – Landscape character.
- ES8 – Trees, hedgerows and woodlands.
- ES12 – Better design of places.

The proposal should also be considered against the guidance laid out in:
Residential Design Guide SPG (2000)

The application has a number of considerations which both cover the principle of development and the details of the proposed scheme which will be considered in turn below:

BACKGROUND

The supporting information submitted with the application sets out the following background:

Due to ongoing maintenance requirements Stroud District Council's garage stock is in decline both in terms of being fit for purpose and their financial viability. Reduced demand for garage spaces and historic underinvestment has become a catalyst for anti-social and criminal behaviour in some residential areas which is a concern.

The retention of underused land and garages requires investment that represents an unacceptable impact on Council finances, particularly as investment in housing takes a higher priority. 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.

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

It must be noted that the strategy applies only to garages and parking spaces that are let independently of any other tenancies, and for which a separate charge is levied. Any garages or parking spaces managed by the Council (e.g. garages attached to houses, carports etc) are outside the scope of this policy and managed according to commercial arrangements.



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PRINCIPLE OF DEVELOPMENT

The site is located within the defined settlement boundary of Leonard Stanley, a third tier accessible settlement with limited facilities where the principle of new development is acceptable unless other material considerations indicate otherwise.

DESIGN AND LAYOUT

The proposed bungalows are of a scale, layout and design compatible with the character, appearance and amenity of this part of Brimley in accordance with policy HC1 of the SDLP.

RESIDENTIAL AMENITY

The proposed bungalows would be located directly to the north, and away from the boundaries with, no.'s 40 and 41 Brimley. This is an improvement from the bulk of the existing garages that currently sit on this boundary. The proposed properties would be single storey with a 1.8m close boarded fence forming the boundary with 40 and 41.

Given the above, it is considered that the development would not result in an overbearing effect or cause a loss of light to neighbouring occupiers. The proposed new dwellings will not result in any unacceptable overlooking due to the height of the proposal, the layout and intervening fence. The proposal is therefore considered to comply with policies ES3 and CP14(7) of the SDLP.

HIGHWAYS

The proposed bungalows are provided with two tandem spaces and this is in accordance with the SDLP adopted parking standards for new development. In addition, following consultation and comments received from local residents the proposal has been amended to include 5 no. unallocated spaces to the east of the site.

Further comments have been received that whilst the spaces are welcomed they are located away from those who would benefit most (41-48 Brimley).

This was noted and the applicants were requested to amend the proposal to move the parking spaces to the west end of the site however the agent responded that parking at this location was discounted because of the lack of space for manoeuvring. It should also be noted that even if the spaces were relocated closer to 41-48 Brimley, as they are unallocated there is no guarantee of a space for those residents.

This application cannot influence inconsiderate parking in the area that blocks driveways. Where there are existing parking issues, residents should work with Gloucestershire County Council Highway Authority and the Parish Council to identify possible solutions.



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ECOLOGY

The site as a whole provides negligible habitat for wildlife. There is however scope to enhance the site ecologically as suggested within the submitted ecological report. This would be welcomed in accordance with the Natural Environment and Rural Communities Act 2006.

The site is also located within the 7.7km of the Severn Estuary SPA/SAC/Ramsar site where Stroud District Council has adopted an interim strategy. Each new dwelling is required to pay £385 per dwelling to contribute to projects that relieve the recreational pressure on the designated site. This will be secured with the provision of a Unilateral Undertaking (S106) by the applicant.

OBLIGATIONS/AFFORDABLE HOUSING

The Council has implemented a Community Infrastructure Levy (CIL). A completed CIL additional questions form has been submitted with the application.

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.

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

RECOMMENDATION

In light of the above, it is considered that the proposal complies with the policies outlined.

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.



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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 listed below:

Drawing 501 - Site Location Plan - Received 03.05.2018

Drawing 502 Rev C – Site Plan – Received 24.09.2018

Drawing 503 Rev C - Context Plan - Received 24.09.2018

Drawing 510 – Proposed Floor Plans & Elevations - Received 03.05.2018

Drawing 511 - Proposed Elevations- Received 03.05.2018

Drawing 520 – Proposed Floor Plans & Elevations - Received 03.05.2018

Reason:

To ensure that the development is carried out in accordance with the approved plans and in the interests of good planning.

3. No works shall take place on the external surfaces of the building(s) hereby permitted until samples of the materials to be used in the construction works have been submitted to and approved in writing by the Local Planning Authority. Development shall then only be carried out in accordance with the approved details.

Reason:

In the interests of the visual amenities of the area.

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

Reason:

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



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5. The five unallocated vehicle parking spaces identified on the approved plans shall only be used for the said purpose and not for any other purposes.

Reason:

To ensure the provision and availability of satisfactory off-street parking.

Informatives:

1. In accordance with Article 35 (2) the Local Planning Authority have worked with the Applicant. The case officer contacted the applicant/agent and negotiated changes to the design which has enhanced the overall scheme; these have been detailed in the Officer Report.
2. The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise, dust, smoke/fumes and odour during the construction phases of the development. This should include not working outside regular day time hours, the use of water suppression for any stone or brick cutting, not burning materials on site and advising neighbours in advance of any particularly noisy works. It should also be noted that the burning of materials that gives 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, fume, noise or dust complaints be received. For further information please contact Mr Dave Jackson, Environmental Protection Manager on 01453 754489.
3. SDC's Interim strategy for avoidance of adverse impacts on Severn Estuary SAC is available on the website (link) <https://www.stroud.gov.uk/environment/planning-and-building-control/planningstrategy/other-policy-documents>. If applicants elect to provide bespoke mitigation, SDC will require evidence to demonstrate that it has been implemented, as approved, e.g. a letter of confirmation from a suitably qualified project ecologist at the end of the construction period and updates at agreed intervals in the event of a long-term mitigation commitment.