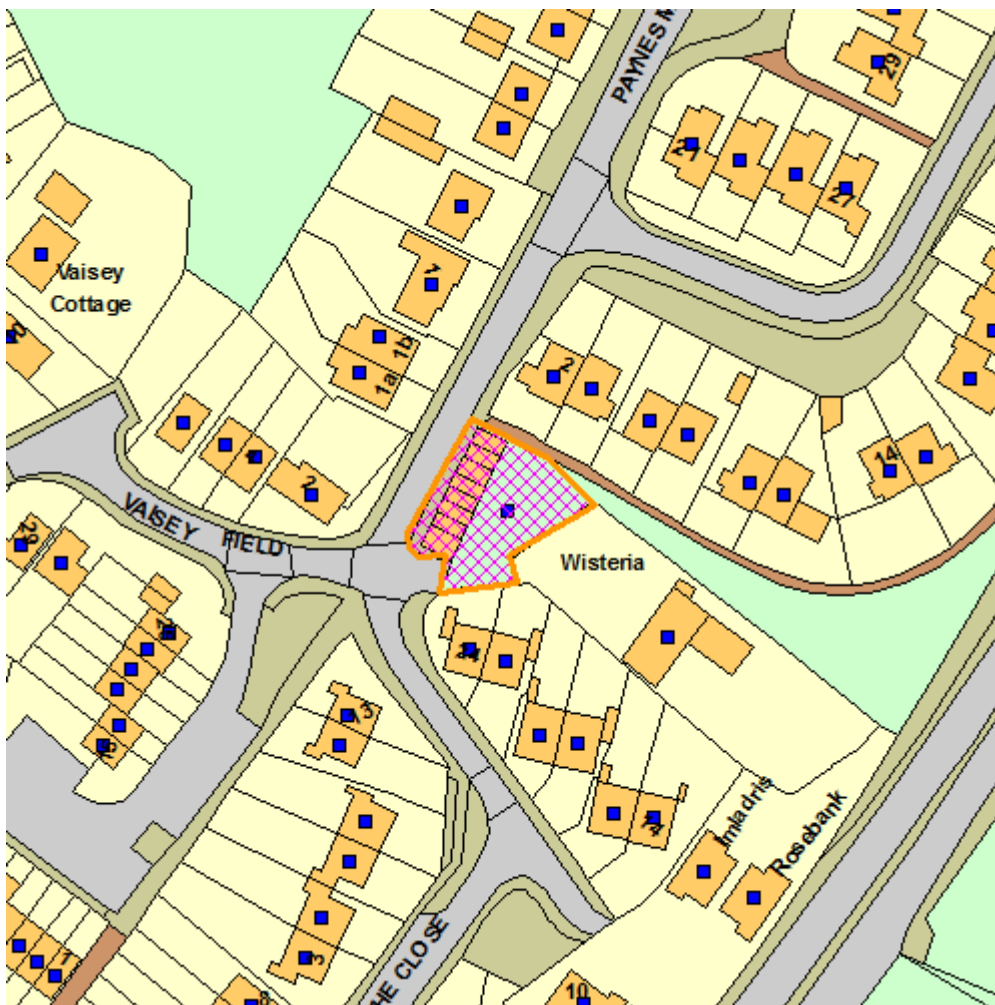




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Item No:	07
Application No.	S.18/1678/FUL
Site No.	PP-07097975
Site Address	Land Adjacent No.24, The Close, Whitminster, Gloucestershire
Town/Parish	Whitminster Parish Council
Grid Reference	377671,208190
Application Type	Full Planning Application
Proposal	Erection of two dwellings (semi-detached) with associated vehicle parking and landscaping (revised 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, Gloucestershire, GL51 9TX
Agent's Details	None
Case Officer	Rachel Brown
Application Validated	08.08.2018
CONSULTEES	
Comments Received	Policy Implementation Officer (E) Whitminster Parish Council
Constraints	Consult area Whitminster Parish Council SAC SPA 7700m buffer Settlement Boundaries (LP) Village Design Statement
OFFICER'S REPORT	

MAIN ISSUES

- o Principle of development
- o Design and appearance
- o Residential Amenity
- o Highways
- o Landscape
- o Ecology
- o Affordable Housing
- o Obligations

DESCRIPTION OF SITE

The site is located adjacent to 24 The Close, within the settlement of Whitminster. The site is currently car parking and garaging.

The site is not affected by any sensitive landscape designation. There are no nearby listed buildings and the site is not within a conservation area.

PROPOSAL

Erection of two dwellings (semi-detached) with associated vehicle parking and landscaping (revised scheme).

REVISED DETAILS

Revised drawings and design and access submitted amending the proposal to two dwellings (semi-detached).



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MATERIALS

Walls: Facing brick finish with areas of tile hanging

Roof: Pantile roof tile to match local aesthetic

Doors/windows: PVCu

REPRESENTATIONS

Statutory Consultees:

GCER - protected species have been recorded within the vicinity

SDC Policy Implementation Manager (Planning, Housing & Reneration) - No comment

SDC Environmental Protection Manager - recommends standard conditions and informative

Whitminster Parish Council Object to the application for the following reasons:

- Design of the development pays no regard to Whitminster Village Design Statement
- Type of dwellings proposed out of keeping with the locality; single storey dwellings would be more suited
- Inadequate parking
- Exacerbate on street parking problems
- Overbearing; loss of light; loss of privacy

Following the submission of revised plans at the time of writing this report, no response had been received from Whitminster Parish Council.

Public:

At the time of writing this report there have been 9 letters of objection received on the grounds of:

- Overbearing
- Loss of light
- Tall buildings out of context with the street scene being surrounded by bungalows
- Materials of context with street scene
- Lack of parking
- No garden
- Prefer to see 2 bungalows
- Over-development
- Loss of privacy
- Out of character with the area
- Loss of off-road parking; result in cars parking on road
- Highway safety
- Restricted age bungalow more appropriate and beneficial to community
- Not in keeping with Whitminster Design Statement
- The building is too high
- Impact on view
- Insufficient infrastructure
- Impeded access for emergency vehicles



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- Exacerbate existing parking issues
- Lack of consultation pre-application

Following the submission of the revised drawings 7 letters of objection have been received. Objections relate to:

- Overlooking
- Loss of privacy
- Parking issues
- 2 bungalows would be more in keeping
- Garages should have been offered for sale to local residents
- Loss of light
- Overbearing
- Not in keeping with area
- Previous objections still stand

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:

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.
- ES12 - Better design of places.

The proposal should also be considered against the guidance laid out in:

Residential Design Guide SPG (2000)

Stroud District Landscape Assessment SPG (2000)

Planning Obligations SPD (2017)

VILLAGE DESIGN STATEMENT

The Whitminster Village Design Statement was adopted on 23rd October 2014 and is a material consideration. The relevant policies include:



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WNE3 (protection of wider landscape character)
WBE1 (build design)
WBE2 (scale)
WBE3 (character/design)
WBE5 (pre-application consultation)
WBE6 (parking standards)
WCF2 (CIL)
WBM1 (building materials)
WBM3 (alternative energy/environmental solutions)
WRP4 (off-road parking provision)

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 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.

PRINCIPLE OF DEVELOPMENT

The site lies within the defined Settlement Boundary of Whitminster, 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 within walking distance of the village centre and 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.



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DESIGN AND LAYOUT

Initially the proposal was for the erection of a two storey residential apartment block comprising of 4 apartments with associated vehicle parking and landscaping. Following concerns raised regarding possible impact on neighbouring occupiers revised drawings have been submitted. The application now proposes two semi-detached dwellings with associated parking and landscaping. The surrounding area comprises a mix of single storey and two storey dwellings. Dwellings within The Close are principally two storeys in height and in varying materials including recon stone and concrete hanging tile, together with brick. The dwellings within Vaisey Field are two storeys in height and finished in brick. The dwellings within Paynes Meadow are a mix of single storey and two storey dwellings, faced in recon stone with the occasional hanging concrete tiles. Many of the objections refer to the recent development of bungalows on land adjacent to No 1 Paynes Meadow, and a preference for single storey dwellings for the application site. A supporting statement has been submitted with the application that explains a proposal for single storey dwellings has been discounted as the physical footprint of 2 no. single storey dwellings would be far greater than that of the dwellings proposed; and that this would significantly compromise the existing access and the provision of a turning head for the adjacent property.

The proposed dwellings are of a scale, layout and design compatible with the character, appearance and amenity of this part of Whitminster. Their siting and general layout would not compete with the surrounding form of the area and there would be no detrimental impact caused to the character and appearance of the street scene.

The arrangement of the plot as detailed 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. Ample space would remain so as to ensure the plots did not appear cramped or overdeveloped.

RESIDENTIAL AMENITY

A number of objections have been received with regards to loss of light and privacy to neighbouring properties.

Immediately to the North east of the site is Nos. 2 and 4 Paynes Meadow; these are single storey properties. There is a separation distance of approximately 11.8m between plot 1 and the porch to No 2 Paynes Meadow. That distance is increased to approximately 13m to the front elevation of the property. Whilst the proposal will have some impact upon the neighbouring property in terms of loss of light and overbearing impact, this impact would not be so significant as to be considered harmful. The 25-degree rule has been applied and the proposal complies with that rule.

To the South is the access road to 'Wisteria', the neighbouring property to the East. Beyond the access road is No. 24 The Close, a two storey dwelling. There is a separation distance of approximately 15m between plot 2 and No. 24.

To the west the new dwellings would overlook the gardens to properties on Vaisey Field and in particular the garden to No. 2 Vaisey Field. An objection has been received from the occupier of No. 2 Vaisey Field on the grounds of loss of privacy to their private garden area.



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Whilst overlooking from the development would occur, this would be from bedroom windows and across a public highway. Any overlooking that may occur would not be to an extent that would be considered harmful and that would warrant refusal of the application on amenity grounds.

Overall, whilst it is acknowledged that the application would affect the amenity of neighbouring occupiers; this would not be to an extent that would be considered harmful.

HIGHWAYS

Each dwelling would have a vehicular access directly off Paynes Meadow together with two parking spaces. This would be in compliance with the Council's adopted parking standards.

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.

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 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 can 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.



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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 listed below:

Site Plan Proposed of 30/10/2018
Plan number = 1002 Rev A

Proposed floor plan of 30/10/2018
Plan number = 1010 Rev A

Proposed Elevations of 26/10/2018
Plan number = 1011 Rev B

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.



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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.

5. Prior to the occupation of the development hereby permitted, a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved details before the dwellings are occupied and maintained as such thereafter.

Reason:

In the interests of the amenities of local residents and to ensure the satisfactory appearance of the development, in accordance with Policies HC1 and ES3 of the Stroud District Local Plan.

6. The dwellings hereby permitted shall not be occupied until the vehicular parking has been provided in accordance with the approved plans. The approved parking shall be permanently available and free of obstruction thereafter.

Reason:

To reduce potential highway impact by ensuring that parking is available within the site, in accordance with Policy ES3 of the adopted Stroud District Local Plan, November 2015.

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



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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.