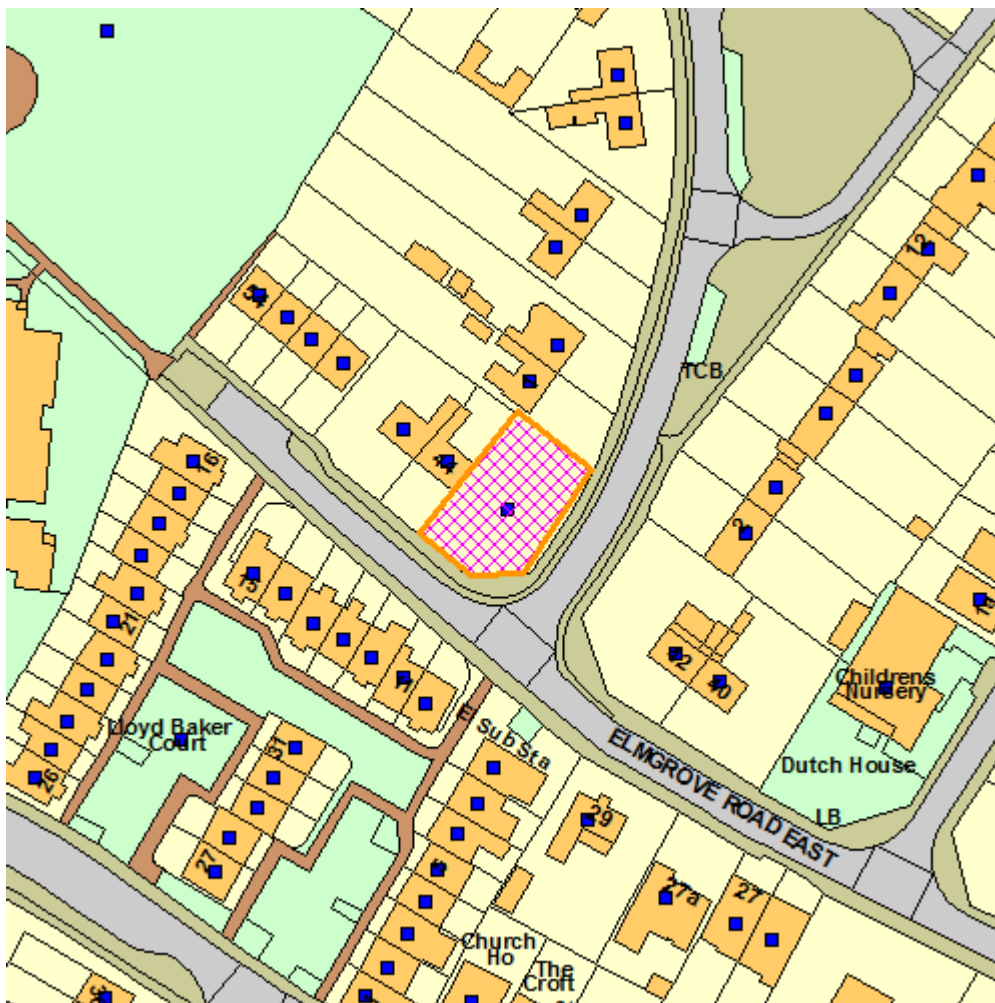




## Development Control Committee Schedule 27/11/2018

<b>Item No:</b>	<b>08</b>
<b>Application No.</b>	S.18/1679/FUL
<b>Site No.</b>	PP-07103859
<b>Site Address</b>	Land Adjacent No.44, Elmgrove Road East, Hardwicke, Gloucester
<b>Town/Parish</b>	Hardwicke Parish Council
<b>Grid Reference</b>	380359,213138
<b>Application Type</b>	Full Planning Application
<b>Proposal</b>	Erection of a two storey residential apartment block comprising of 2no. apartments with associated vehicle parking and landscaping. (Revised drawings received 26.10.18)
<b>Recommendation</b>	Permission
<b>Call in Request</b>	Planning Manager





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<b>Applicant's Details</b>	Trower Davies Ltd 8 Manor Park, Mackenzie Way, Cheltenham, Gloucestershire, GL51 9TX
<b>Agent's Details</b>	None
<b>Case Officer</b>	Gemma Davis
<b>Application Validated</b>	08.08.2018
<b>CONSULTEES</b>	
<b>Comments Received</b>	Environmental Health (E) Hardwicke Parish Council
<b>Constraints</b>	Neighbourhood Plan Hardwicke Parish Council Settlement Boundaries (LP)
<b>OFFICER'S REPORT</b>	

### MAIN ISSUES

- o Background
- o Principle of development
- o Design and layout
- o Residential amenity
- o Highways
- o Ecology
- o Obligations / Affordable housing

### DESCRIPTION OF SITE

The application site comprises an area of grassland located on a residential estate in Hardwicke. The site is bounded by an established hedgerow along its south-east boundary with Springfield and residential properties to the north and west.

The site does not lie within any landscape designation.

### PROPOSAL

The application seeks permission for the erection of a two storey building comprising two apartments with associated parking and landscaping.

### MATERIALS

Walls: Facing brick  
Roof: Pantiles  
Doors/windows: UPVc or similar



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### REVISED DETAILS

Revised site layout plan identifying three parking spaces and design and access statement received 26th October 2018.

### REPRESENTATIONS

#### Statutory Consultees:

Hardwicke Parish Council has raised the following concerns regarding the proposed development:

- o Use of the land
- o Insufficient parking provision
- o Lack of consideration with HNPD
- o Pre application advice
- o Lack of detail regarding materials
- o Impact on ecology
- o Out of character

The Councils Water Resources Engineer has identified that a drainage plan that was based on connection to the Severn Trent surface water sewer at manhole 3105 would be acceptable.

The Councils Environmental Health Protection Manager has recommended standard conditions and infomatives should planning permission be forthcoming.

The Councils Arboriculturalist raises no objection to the proposal.

The Councils Ecologist raises no objection to the proposal - however has recommended a condition.

#### Public:

One letter of objection received raising the following concerns:

- o Insufficient parking provision

### 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](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:



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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.

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.

ES12 - Better design of places.

ES15 - Provision of outdoor play space.

The proposal should also be considered against:

Residential Design Guide SPG (2000)

Planning Obligations SPD (2017)

Hardwicke Neighbourhood Development Plan (2017)

Neighbourhood Development Plan Policies include:

Gen1 - Settlement boundary

Gen3 - High quality inclusive design

HOU1 - Infill development

HOU2 - Providing well designed homes

HOU4 - Residential gardens

CT1 - Parking

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**

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. As such, a planning application has been submitted for the erection of two open market apartments.



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### **PRINCIPLE OF DEVELOPMENT**

The site is within the settlement limits of Hardwicke, designated as a third tier Settlement, as such the site is considered to be in a relatively sustainable location with access to services and facilities.

The application site is located on a residential estate within the settlement development limits of Hardwicke. In this respect the principle of further residential development on the site can be considered.

### **DESIGN AND LAYOUT**

The development is for a two storey building, comprising two flats. The building is to be positioned on a corner plot adjacent to No.44 Elmgrove Road East which comprises a two storey dwelling.

Whilst the site is relatively restricted, the building is considered to be proportionate to the plot size and therefore would not dominate or overdevelop the site. Moreover, the site is large enough to accommodate the detached building and required parking with acceptable amenity space for a flat.

The siting of the building and its general layout would not compete with the adjacent dwelling (No.44 Elmgrove Road East) as the built form would be within the established building line. While the building would be forward of the building line formed by Springfield, the development would be viewed against the properties positioned on Elmgrove Road East rather than Springfield. In addition, it should be further noted that there are similar layouts of built form within the immediate vicinity whereby built form is not within established building lines. As such, it would be difficult to warrant refusal of the application on the basis that the proposed development would be detrimental to the character and appearance of the street scene.

The design of the proposed development is simple and relates well to the surrounding area and street scene created by the adjacent properties.

The redevelopment of this site would not result in a loss of any open space that is important to the locality

### **RESIDENTIAL AMENITY**

The site is surrounded by built form. The new building is positioned to the east of No.44 Elmgrove Road. No.44 does not benefit from any side facing fenestration and no fenestration is proposed in the side (west elevation) of the proposed building, as such there would be no issues in terms of overlooking.

Ground and first floor fenestration is proposed to the rear of the proposed building. While it is acknowledged that there would be some level of overlooking, this would be over the amenity space that serves the proposed units and No.1 Springfield' driveway. Given that No.1 Springfield' driveway is not private amenity space, it would be unreasonable to refuse the application on amenity loss grounds. Furthermore, it should also be noted that there is an



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approximate 11m separation distance between No. 1 Springfields' driveway and the proposed building.

Given the degree of separation and position of new dwellings in relation to the neighbouring properties, there would be no significant overbearing issues that would warrant refusal of the application.

### **HIGHWAYS**

As Elmgrove Road East is subject to a 30mph speed limit, the required emerging visibility splays is 54m in both directions with a setback of 2.4m. It is clear from the submitted drawings that required visibility in both directions can be achieved on site.

Provision has been made for parking of three cars to serve the proposed flats in this respect the proposal would accord with Local Plan Policy.

The additional traffic generated by two new dwellings would not have a severe impact on the surrounding highway network and the development would not be detrimental to highway safety.

The site is considered accessible with Hardwicke containing local amenities such as a schools and shops/supermarkets etc and access to relatively high quality public transport services within walking and cycling distance. The wider issues of the network are noted but are beyond the scope of this proposal.

### **ECOLOGY**

The submitted report recommends that reptile surveys would be required prior to the clearance of the site, this is because the site did offer suitable habitat for reptiles and there are local records of reptile species within the area. Since the application has been submitted to the LPA for consideration, the site has been cleared and sterilised for reptiles.

### **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 1000m<sup>2</sup>.

### **REVIEW OF CONSULTATION RESPONSES**

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

The objections raised have been duly noted and the planning matters have been 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.

<b>Subject to the following conditions:</b>	<ol style="list-style-type: none"><li data-bbox="448 909 1511 1167">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.</li><li data-bbox="448 1205 1511 1496">2. The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans: 1110 Proposed floor plans, 1111 Proposed elevations and 1102 A Site plan.  Reason: To ensure that the development is carried out in accordance with the approved plans.</li><li data-bbox="448 1534 1511 2040">3. No development, site clearance, soil stripping, removal of materials shall take place until a Reptile Precautionary Mitigation Avoidance Strategy has been submitted to and agreed in writing by the Local Planning Authority. The approved strategy shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.  Reason: To ensure that protected species are safeguarded in accordance with the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, the National Planning Policy Framework (in particular section 11), and Policy ES6 of the Stroud District Local Plan 2015, and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.</li></ol>
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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 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.

5. The proposed dwelling shall not be occupied until all the car parking has been provided in accordance with the submitted plan (1102 A) 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.

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.