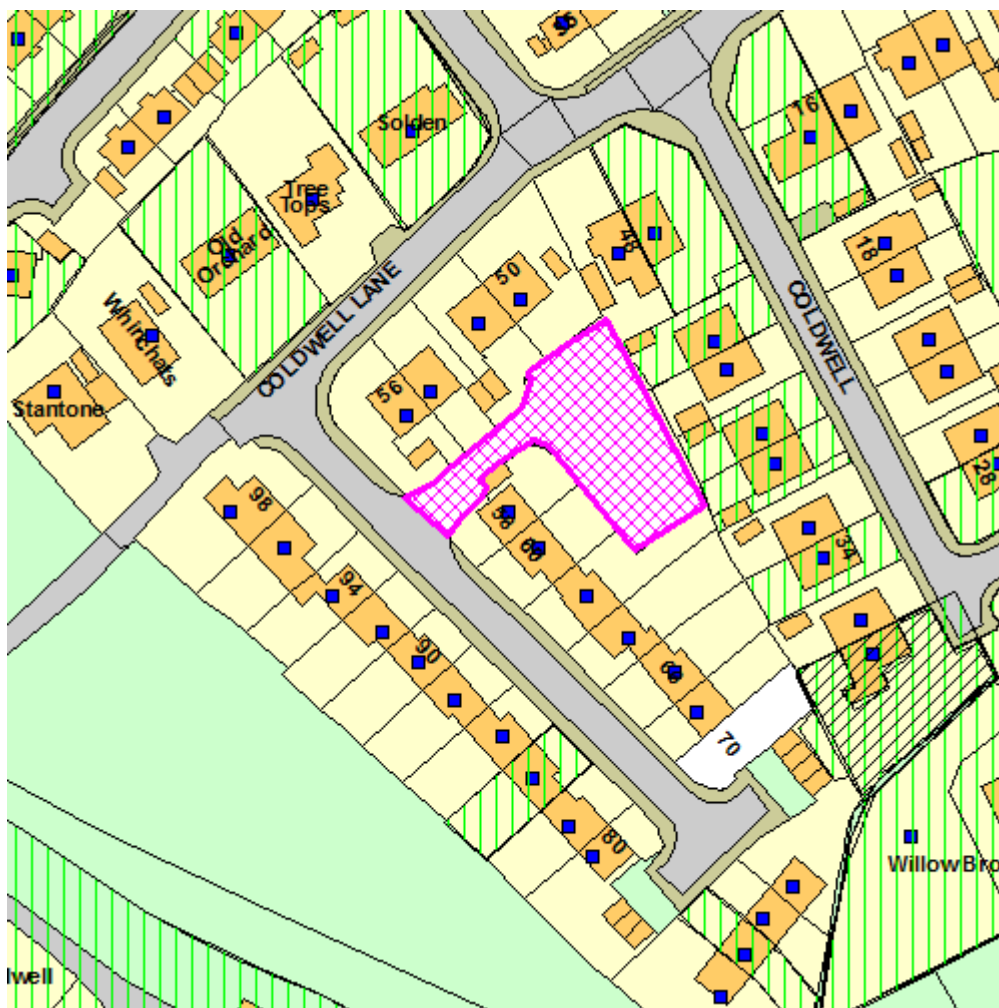




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Item No:	03
Application No.	S.18/1094/FUL
Site No.	PP-06980612
Site Address	Land Adjacent To 58, Coldwell Lane, Kings Stanley, Gloucestershire
Town/Parish	Kings Stanley Parish Council
Grid Reference	381701,203030
Application Type	Full Planning Application
Proposal	Two residential units (Revised Plans received 07.11.2018)
Recommendation	Permission
Call in Request	Requested by Planning Manager





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Applicant's Details	Coombes Everitt Architects Unit One, 105-107 Bath Road, Cheltenham, GL53 7LE,
Agent's Details	None
Case Officer	Ceri Porter
Application Validated	21.05.2018
	CONSULTEES
Comments Received	SDC Water Resources Engineer Kings Stanley Parish Council SDC Water Resources Engineer Kings Stanley Parish Council Contaminated Land Officer (E)
Constraints	Area of Outstanding Natural Beauty Kings Stanley Parish Council Rodborough 3km core catchment zone Settlement Boundaries (LP)
	OFFICER'S REPORT

MAIN ISSUES

- * Background
- * Principle of development
- * Design, appearance & Landscape
- * Residential Amenity
- * Highways
- * Ecology
- * Flood risk
- * Obligations /Affordable Housing

DESCRIPTION OF SITE

The site is located within a residential estate within the settlement development limits of King Stanley.

The site is a former car park located at Coldwell Lane and is surrounded on three sides by residential properties with its access from the south west.

The site is located within the Cotswolds Area of Outstanding Natural Beauty. There are no nearby listed buildings and the site is not within a Conservation Area.

PROPOSAL

Planning permission is sought for a pair of semi-detached 1.5 storey houses that would sit centrally within the site.



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Parking for both properties would be to the front with 2 visitor spaces along the north western boundary.

The proposal includes rear pedestrian access to no. 60.

REVISED DETAILS

A revised scheme has been submitted following negotiation. The scheme initially proposed 2 detached 4 bedroom units that were considered unacceptable in terms of design, layout and orientation.

MATERIALS

Walls: coursed stone at ground floor with render above
Roof: tile
Doors/windows: upvc windows in white

REPRESENTATIONS

Statutory Consultees:

Land Contamination Officer – No comment

Kings Stanley Parish Council - object. Loss of parking area, dwellings too large, overlooking (loss of privacy), proposal will create difficulties parking. Parish Council requests a parking survey be done. Ask for proposal to be called in.

Following re-consultation: The PC recognises that the revised application is for two semi-detached houses instead of the previous application for two larger detached houses. However, the issue of parking for existing residents has not been addressed, as we recommended in relation to the original application. In addition the rear access to 62 Coldwell Lane is shown to be blocked, which though possibly is not a legal access, provides essential amenity to the property. It is therefore not possible for King's Stanley Parish Council to support the revised application in its present form.

SDC Water Resources Engineer – no objections subject to condition

Public: 6 objections summarised as follows:

- Car park has been and is used as an overflow car park
- Land is not redundant, car park is used everyday
- Cars will need to park on road causing blocking of roads
- Land drainage will not be improved
- Proposed dwellings are too big
- Properties will overlook neighbours
- Loss of rear access

Following re-consultation of the revised scheme:

4 objections. Summarised as follows:



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- Block views
- Disturb privacy
- Well used car park
- Concerns over drainage
- Overbearing
- Narrow entrance

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.

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.

ES7 – Landscape character.

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)

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 application is supported by the following statement:

“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.



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

DESIGN, LAYOUT & LANDSCAPE

The revised scheme proposes a 1.5 storey building that would sit between the bungalows of Coldwell and 2 storey houses of Coldwell Lane.

The proposed dwellings are considered to be of a scale, layout and design compatible with the character, appearance and amenity of this part of Coldwell Lane in accordance with policy HC1 of the SDLP.

In respect of access to no. 62 Coldwell Lane, no rear access gate was visible onto the car parking area and the applicant has stated that there is no permission or authority to access the land.

The application site is located within Kings Stanley therefore whilst within the AONB there would be little impact upon the overall wider setting of the natural and scenic beauty of the landscape.

RESIDENTIAL AMENITY

The proposed properties would be located in the centre of the site. The front elevation would face across the proposed parking and turning area towards the rear elevation of 50 and 52 Coldwell Lane 25m to the north west to the north east. The proposed rear elevation would face across the bottom of the rear gardens of Coldwell and Coldwell Lane with windows serving a bathroom and landing.

The proposed new dwellings would not result in any unacceptable overlooking due to the distances involved, windows proposed and intervening fencing.



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The side elevations of the proposed houses would have a dining room window at ground floor level only. They would be set away from the boundary and separated by a distance of 10m, partially behind no. 58 and 60 Coldwell Lane and partially behind no. 42 of Coldwell.

Given the above and the orientation of the plot, it is considered whilst there would be an impact upon the amenity currently enjoyed by residents it would not result in an overbearing effect or loss of light to warrant a refusal of planning. The proposal is therefore considered to comply with policies ES3 and CP14(7) of the SDLP.

HIGHWAYS

Two car parking spaces would be provided for each dwelling plus 2 visitor spaces. This would be in compliance with the Council's adopted parking standards.

Local residents and the Parish Council 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.

Most properties surrounding the application site have a driveway and garage available for parking.

The access to the site has been cited as being too narrow for 2 houses however the number of traffic movements associated with a car park when compared with the proposal would be much reduced.

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 3km of the Rodborough Common SAC site where Stroud District Council has adopted an interim strategy. Each new dwelling is required to pay £200 per dwelling to contribute to projects that relieve the recreational pressure on the designated site. This has been secured with a S106 Unilateral Undertaking.

FLOOD RISK

Concerns have been raised within representations regarding drainage. Whilst no plans have been submitted regarding the nature of drainage for the development, the Water Resources Engineer has no objections subject to a condition requiring a detailed drainage strategy to be submitted and agreed prior to the commencement of development.

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



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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.

A unilateral undertaking has been submitted by the applicant in respect of the Rodborough Common SAC mitigation strategy.

REVIEW OF CONSULTATION RESPONSES

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

CONCLUSION

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.

Subject to the following conditions:	<ol style="list-style-type: none">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.The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below: Drawing PL003 A – Site Location Plan – Received 05.11.2018 Drawing PL002 A – Existing Site Plan – Received 05.11.2018 Drawing PL003 B – Proposed Site Plan – Received 05.11.2018 Drawing PL004 A – Proposed Layout and 3D views – Received 05.11.2018 Drawing PL005 – Proposed Elevations – Received 05.11.2018 Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of good planning.
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3. No part of the development shall be occupied until a detailed design, maintenance & management strategy and timetable of implementation for the surface water drainage strategy (e.g. Sustainable Drainage System – SuDS) presented in the application form (S.18/1094/FUL) has been submitted to and approved in writing by the Local Planning Authority. The detail must demonstrate the technical feasibility/viability of the proposed soakaway. The scheme for the surface water drainage shall be carried out in accordance with the approved details before the development is first put into use/occupied. Should infiltration testing show a soakaway to be unfeasible, a new plan shall be submitted to the LPA for approval before occupation.

Reason:

To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage, flood risk and water quality of the locality.

4. 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.

5. The development hereby permitted shall not be brought into use until the vehicle parking, turning and manoeuvring areas shown on the approved plans are made available for use. Each unit shall be provided with parking spaces in accordance with the Local Planning Authority's adopted vehicle parking standards. This provision shall be maintained as such, free of obstruction, thereafter.

Reason:

To ensure that sufficient parking and turning space is made available.

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



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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.