



Development Control Committee Schedule 23/01/2024

Item No:	03
Application No.	S.23/1604/FUL
Site Address	11 Hunger Hill, Dursley, Gloucestershire, GL11 4JR
Town/Parish	Dursley Town Council
Grid Reference	375432,197856
Application Type	Full Planning Application
Proposal	New dwelling and parking including demolition of existing garage and associated works.
Recommendation	Permission
Call in Request	Head of Development Management





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Applicant's Details	Mr & Mrs Hyde 11 Hunger Hill, Dursley, Gloucestershire, GL11 4JR,
Agent's Details	Mr T Iwaskiw TNI Building Designs, Hopton Road, Cam, GL11 5PD,
Case Officer	Mykola Druziakin
Application Validated	16.08.2023
	CONSULTEES
Comments Received	Contaminated Land Officer (E) Dursley Town Council Environmental Health (E) Development Coordination (E)
Constraints	Berkeley Safeguard Area Consult area Neighbourhood Plan Dursley Town Council Settlement Boundaries (LP)
	OFFICER'S REPORT

MAIN ISSUES

Principle of Development
Design and Appearance
Residential Amenity
Highways
Landscape
Ecology
Archaeology and Heritage Assets

DESCRIPTION OF SITE

This application relates to land to the east of 11 Hunger Hill. The existing property is a two-storey, detached house. Both the existing house and the application site are located within the settlement development limit of Dursley. Due to the topography of the site the dwelling appears mostly single storey when viewed from Hunger Hill. The site is next to the Cotswolds AONB. There are no nearby listed buildings or conservation areas.

PROPOSAL

It is proposed to erect a two-storey, detached dwelling. To facilitate the new dwelling, the existing garage will be demolished.

MATERIALS

Walls: Stone and render

RELEVANT PLANNING HISTORY

Reference: S.15257

Description: Outline application for the erection of a dwelling. Construction of new vehicular and pedestrian access.

Decision: Refusal



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Date: 08 February 1988

Reason: *In the opinion of the Local Highway Authority the road leading to the site is unsuitable to cater for any further development on account of its restricted width, poor alignment and lack of passing facilities.*

Appeal: Appeal dismissed

Appeal date: 10 November 1988

REPRESENTATIONS

Dursley Town Council: Dursley Town Council strongly objects to the proposed development. There is not enough room to accommodate the proposed new dwelling. Its scale, layout, access and parking arrangements are not appropriate to the site and its surroundings. It would result in a cramped, overdeveloped site, contrary to policies HC1 and CP8 in the Stroud District Local Plan 2015.

The Council considers the development to be out of keeping and harmful to the character and appearance of the Hunger Hill area and in particular adjacent historic cottages. It is contrary to policies CP8, HC1 and HC8 in the Stroud District Local Plan 2015 and policies D1 and H1 in the Dursley Neighbourhood Development Plan 2018.

The development would be detrimental to the safety of road users, including pedestrians, contrary to policy ES3 in the Stroud District Local Plan 2015. This is a narrow lane on a steep gradient, with no footpath or passing places. Its design and limited capacity would not cope with an increase in traffic created by an additional dwelling. The Council would like to draw attention to objections raised by local residents which raise important highway safety issues. The impact of construction traffic would also have a detrimental impact on the road and existing properties.

Environmental Health Officer: Conditions recommended.

Contaminated Land Officer: No comments.

Gloucestershire County Council Highways: No objection, subject to conditions.

Public:

A total of 25 no objections (from 21 no households) have been received at the time of writing. The full versions are available on the Council website, whilst the below is the summary of the key points raised:

- Access issues, lane too narrow;
- Parking issues in the area;
- Not adequate parking for new and existing dwelling;
- Increase in traffic;
- Danger of subsidence to some properties;
- No need for more houses on Hunger Hill;
- Previous refusal on site in 1988;
- Impact on the natural light for the properties opposite and nearby;
- Front door will face our property directly;
- Negative impact of construction traffic;
- Impact on the AONB;
- Loss of privacy to neighbouring properties;



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- Development out of character and out of scale;
- Overdevelopment of the area;
- Negative impact on the sewer system;
- Increased noise and disruption;
- Dwelling set too far back;
- Patio and deck area, as well as windows, will create a feeling of being overlooked;
- The house is of no benefit to the wider community;
- Loss of view from the properties opposite;
- Right to light and 'right to vista'.
- Damage to nearby properties caused by construction traffic;

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.
- CP14 – High quality sustainable development.
- HC1 – Meeting small-scale housing need within defined settlements.
- ES3 – Maintaining quality of life within our environmental limits.
- ES7 – Landscape character.
- ES10 – Valuing our historic environment and assets.
- ES12 – Better design of places.

Dursley Neighbourhood Development Plan (February 2019)

- D1 – Character and Design
- H1 – Housing Development

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:

PLANNING CONSIDERATIONS

PRINCIPLE OF DEVELOPMENT

The site lies within the defined settlement development limit of Dursley, designated as a First-Tier settlement within the Local Plan. Policy HC1 supports residential development in defined settlement limits, subject to design and amenity considerations, as well as satisfactory means of access being provided.

DESIGN AND APPEARANCE



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The site relates to the east of 11 Hunger Hill. The site is located on the northern side of the lane, with the site sloping down from the road to the rear (north). The host dwelling appears mostly single storey when viewed from the lane. The neighbouring properties immediately to the east and south/southeast were built in 19th century or earlier. This includes the host dwelling, as it appears on the 1880s historic maps, although it is not clear how much of the original fabric remains. The existing properties to the west/southwest from the site appear to have been constructed after the 1960s. Therefore, the immediate vernacular is a mixture of historic and more modern properties.

The frontage of the site measures about 32.5m, 14.3m of which would be allocated to the proposed development. The site is large enough to accommodate the proposed dwelling and to retain enough space for the host dwelling. As part of the proposal, an existing garage would be demolished. The proposed dwelling would be set back from the road by about 5m. Its front (south) elevation would only incorporate a front door, with no openings proposed on side elevations. The rear elevation would incorporate 6no full-height windows (3no on each floor) facing north. On the west (side) elevation it is proposed to install stairs leading from the front into the garden.

It is unusual to have a mainly blank principal elevation. The design rationale for this is set out below. While the lack of windows on the front elevation lessens the design quality of the proposal, it is not so detrimental to the visual amenity of the locality that planning permission should be refused on design grounds.

Due to the topography of the site, the dwelling would appear single storey from the lane. A number of concerns have been raised in regards to the appearance of the property and its impact on the area. It is considered that the proposed design would not be detrimental to the immediate area. The dwelling would be finished in stone and render and would not appear overly prominent relative to the nearby properties, and as such would have limited impact on the street scene. A condition is recommended to manage the appearance of the stone.

RESIDENTIAL AMENITY

The existing site would be subdivided into two to accommodate the proposed dwelling. It is considered that the private amenity space for the proposed and existing dwelling would be adequate.

Some objection comments referenced the potential negative impact of the proposed dwelling on residential amenity of neighbouring occupiers. The proposal is designed in such a way as to minimise any overlooking towards the nearest neighbours. While the proposed building would be visible by neighbours, it is considered that its impact would not be to such a degree as to detrimentally affect their privacy.

Regarding natural light reaching properties opposite (Nos 6 and 8 Hunger Hill). The existing distance between them and the proposed dwelling would be approximately 11m. While the proposed dwelling would limit some light reaching the properties in question, given the separation distance between them, as well as the difference in height, it is considered that there would be sufficient natural light reaching Nos 6 and 8 and that their living conditions would not be affected to a material degree.

Some objection comments mention 'right to vista'. The loss of a private view is not a material planning consideration.



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Concerns were raised regarding overlooking of properties in Harrolds Close. Several properties at Harrolds Close are located to the rear of the garden of the proposed dwelling. It is accepted that it would be possible to look towards the properties in Harrolds Close, however, this is already an existing situation. The distance between the rear of the proposed dwelling and the back of the gardens in Harrolds Close is about 21m, and it's at least 29m to the rear of the properties in Harrolds Close. It is accepted that the proposed dwelling would sit higher up than the dwellings in Harrolds Close. However, it is considered that due to the existing situation and the separation distance between the properties, the residential amenity of nearby residents would not be affected to a material degree.

Overall, the development is considered satisfactory from a residential amenity perspective.

HIGHWAYS

The proposal involves the provision of 2no off-street parking spaces for the new dwelling and 2no off-street spaces for the host dwelling. A number of concerns have been raised regarding parking, access, the width of the lane, and increase in traffic. The Highway Authority have been consulted and raised no objection to the proposal. It was concluded that *'there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained'*. The Highway Authority recommended planning conditions to be attached to any permission granted, which include the provision of bicycle storage and parking spaces. These are considered appropriate.

Some objection comments also referenced a refusal for a new dwelling on site from 1988, that was refused on highway grounds. This was over 30 years ago and this current application is being assessed in accordance with the up to date local and national legislation.

Regarding the negative impact of construction traffic and damage to nearby properties by construction traffic, given the scale of development a construction traffic management plan is not considered necessary; adequate protection for the safe operation of the network is provided by the Highway Acts.

LANDSCAPE

The site is located just outside of Cotswolds AONB. Comments have raised concerns regarding the impact that the proposed development would have on the AONB. Given the scale of the proposed development, as well as its location within the context of existing development and the topography of the area, it is considered that there would be no harmful impact on the wider landscape of the Cotswolds AONB.

REVIEW OF CONSULTATION RESPONSES

Regarding 'danger of subsidence to some properties', this is not a material planning consideration.

Regarding 'negative impact on the sewer system', this is not a material planning consideration. Regarding increased noise and disruption during the construction, this is not a material planning consideration.

The Environmental Health Team has recommended attaching two conditions to any permission granted, limiting the construction hours and requiring submitting the details of the dust control provision prior to commencement of development. The condition regarding the hours of working



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is considered appropriate. It is considered that the scale of development does not warrant the dust control provisions condition.

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.

CONCLUSION

For the reasons outlined above, the proposal is considered to accord with policy.

RECOMMENDATION

It is recommended that planning permission is granted subject to conditions.

Subject to the following conditions:	<ol style="list-style-type: none">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: Location Plans – Drawing No 22-26701, Rev 1a – Received 09.08.2023 Proposed Drawings – Drawing No 22-26708, Rev 1a – Received 09.08.2023 Block Plan of the Site – Drawing No 22-26702, Rev 1a – Received 09.08.2023 Existing and Proposed Site Plans – Drawing No 22-26703, Rev 1a Received 09.08.2023 Proposed Ground Floor Plan – Drawing No 22-26704, Rev 1a – Received 09.08.2023 Proposed Lower Ground Floor Plan – Drawing No 22-26705, Rev 1a – Received 09.08.2023 Proposed Ground Floor Plan – Drawing No 22-26704, Rev 1a – Received 09.08.2023 Reason: To ensure that the development is carried out in accordance with the approved plans.3. Prior to the first occupation of the dwelling hereby permitted, details of secure and covered cycle storage facilities for a minimum of no. 2 bicycles shall be submitted to and approved in writing by the local planning
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authority. The development shall be carried out in accordance with the approved details.

Reason: To promote sustainable travel patterns and to accord with policy CP13 and EI12 of the Stroud District Local Plan November 2015.

4. The development hereby permitted shall not be occupied until the vehicular parking facilities for the existing and proposed dwelling have been provided in accordance with the submitted plan drawing no. 22-26703, Rev 1a and those facilities shall be maintained available for those purposes thereafter.

Reason: To ensure adequate off-street parking and to accord with policies CP13 and EI12 of the Stroud District Local Plan November 2015.

5. 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.

6. No works shall take place on the external surfaces of the building(s) hereby permitted until samples of the stone 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.

Informatives:

1. ARTICLE 35 (2) STATEMENT - Pre-application advice was sought on this proposal, which has been reflected in the application and no further dialogue with the applicant was required.
2. The Local Highway Authority has no objection to the above subject to the applicant obtaining a section 184 licence. The construction of a new/altered access will require the extension of a verge and/or footway crossing from the carriageway under the Highways Act 1980 - Section 184 and the Applicant is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or highways@gloucestershire.gov.uk before commencing any works on the highway. Full Details can be found at www.gloucestershire.gov.uk



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3. 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, may constitute immediate offences, actionable by the Local Authority. Furthermore, the granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated smoke, fume or odour complaints be received.