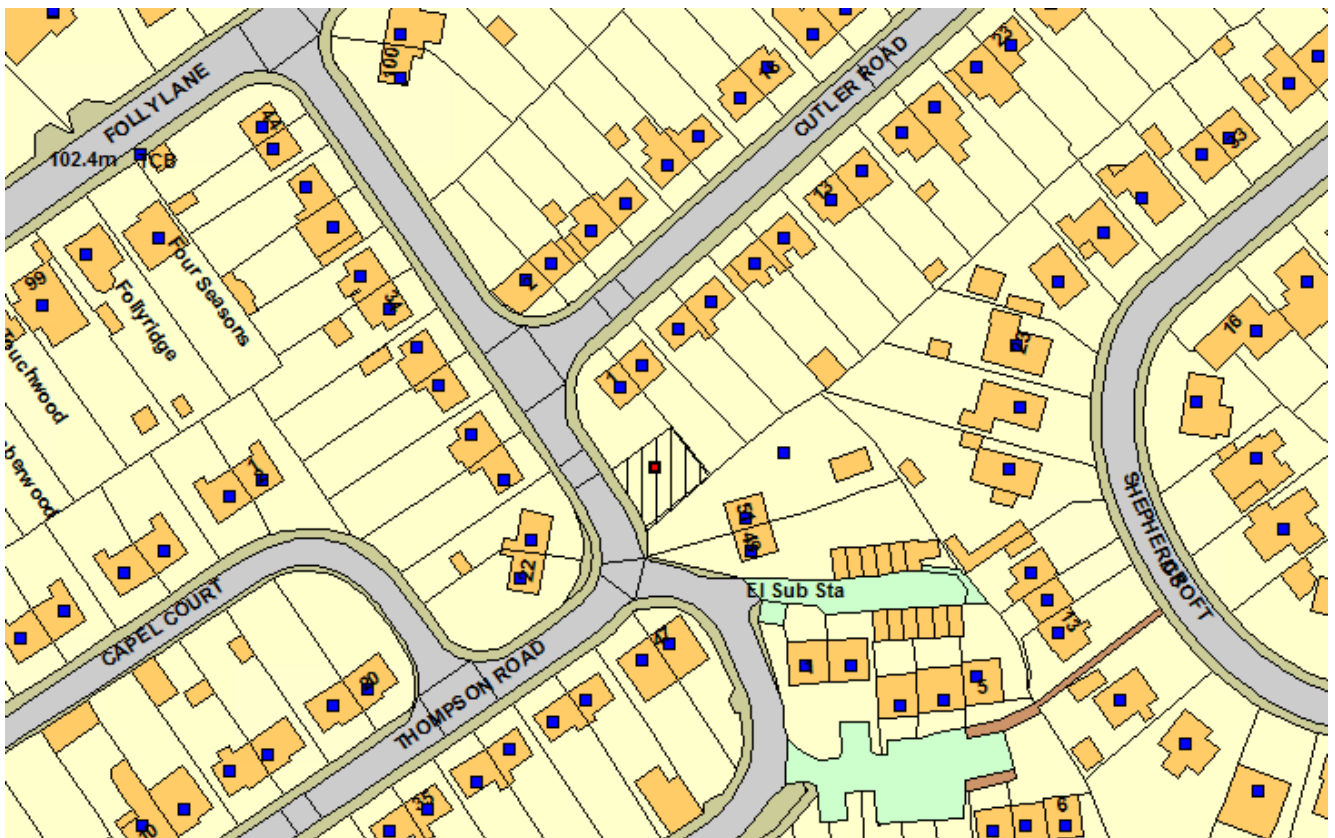




## Development Control Committee Schedule 15/11/2022

<b>Item No:</b>	<b>03</b>
<b>Application No.</b>	S.22/1936/FUL
<b>Site Address</b>	Land At Rear Of 1, Cutler Road, Stroud, Gloucestershire
<b>Town/Parish</b>	Stroud Town Council
<b>Grid Reference</b>	385696,205879
<b>Application Type</b>	Full Planning Application
<b>Proposal</b>	Erection of bungalow with associated car parking, refuse/recycling provision, cycle and electric wheelchair storage and amenity space.
<b>Recommendation</b>	Refusal
<b>Call in Request</b>	Cllr Paula Baker





## Development Control Committee Schedule 15/11/2022

<b>Applicant's Details</b>	Mr M McTaggart 9 Folly Lane, Stroud, Gloucestershire, GL5 1SD,
<b>Agent's Details</b>	Mr J Dean Thomas Dean Architects Ltd, Rhyne Cottage, Moreton Valence, Gloucester, Gloucestershire GL2 7NA
<b>Case Officer</b>	Gemma Davis
<b>Application Validated</b>	20.09.2022
	<b>CONSULTEES</b>
<b>Comments Received</b>	Development Coordination (E) Environmental Health (E) Stroud Town Council Contaminated Land Officer (E)
<b>Constraints</b>	Consult area Stroud Town Council Rodborough 3km core catchment zone Settlement Boundaries (LP)
	<b>OFFICER'S REPORT</b>

### MAIN ISSUES

- o Principle of development
- o Design, layout and appearance
- o Residential Amenity
- o Highways
- o Landscape
- o Ecology
- o Obligations
- o Planning balance
- o Recommendation

### INTRODUCTION

The application site consists of an enclosed plot of land that was formally associated with the residential curtilage of No.1 Cutler Road.

The land benefits from its own access from Cutler Road.

The site is located within the defined settlement limits for Stroud, a first tier settlement.

The site does not lie within any landscape designation.

There have been two previous applications for nearly identical schemes submitted on the site (ref S.20/2748/FUL and S.21/2728/FUL). These have both been withdrawn based on Officers advice of recommendation for refusal.



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The application has been called to development control committee by Cllr Paula Baker. The planning reason for the call-in request:

"The wider setting of the site generally consists of two storey dwellings which sit towards the front of their plots and have long linear gardens to the rear. The provision of a bungalow would therefore not only be out of character with the surrounding vernacular but would also not fit with the general pattern of development. As such, the scheme would not be compliant with the provision of policy HC1 (criteria 1) and would likely appear incongruous within its wider setting."

### PROPOSAL

Proposed erection of new bungalow with associated car parking, refuse/recycling provision, cycle and electric wheelchair storage and amenity space.

### MATERIALS

Walls: Roughcast render  
Roof: Concrete tiles  
Doors/windows: White UPVc

### REPRESENTATIONS

#### Statutory Consultees:

#### Stroud Town Council

Request parking area is permeable to prevent run off.

#### Contaminated Land Officer

No comments

#### Environmental Health Officer

Standard conditions and informatives

#### Highways

No objection subject to condition

#### Public:

On the 26th October, 19 letters of support have been received.

Support email from local Councillor (Cllr P Baker)

### NATIONAL AND LOCAL PLANNING POLICIES

National Planning Policy Framework.

Available to view at:  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1005759/NPPF\\_July\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf)

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](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.
- ES4 - Water resources, quality and flood risk.
- ES6 - Providing for biodiversity and geodiversity
- 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)

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:

### **PRINCIPLE OF DEVELOPMENT**

The application site is located within the settlement development limit of Stroud, a first tier settlement as defined by policy CP3. First tier settlements are defined as accessible local service centres. Stroud being a main town of the District, it is subject to being a primary focus for growth and development to safeguard employment as a service centre. These service centres will continue to provide significant levels of jobs and homes, together with supporting community facilities and infrastructure to meet their economic potential in the most sustainable way.

The plot is set within a residential area of Uplands and in this respect the principle of further residential development on the site can be considered.

### **DESIGN, LAYOUT AND APPEARANCE**

Local Plan Policy HC1 requires that proposals for small-scale housing developments within defined settlements are of a scale, density, layout and design compatible with the character and appearance of the surrounding area; and provide appropriate private amenity space.

The site comprises of a former garden that was associated with No.1 Cutler Road. It has been fenced off and forms a single plot. The site is just before the curvature of the road where Cutler Road meets Thompson Road and John Bevan Close.

Cutler Road and adjoining Thompson Road are predominantly characterised by semi - detached and terraced two storey 1960s style rendered dwellings set back from the main highway edge, with relatively long good sized rear gardens.



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John Bevan Close is located to the south of Cutler Road. John Bevan Close benefits from a mixture of two dwellings and bungalows. Immediately to the south of the pair of semi-detached dwellings and detached dwelling located on Cutler Road is an enclave of 5 bungalows.

The surrounding area is of a high density and the housing is of a particularly ordered and balanced layout with development mostly of a linear layout which follows the existing road network with properties fronting onto the highway that are predominantly set-back within their plots.

The scheme proposes a single storey one bed dwelling utilising the existing access.

Each property within the vicinity sits within a reasonable sized plot that is proportionate to the size of the unit. The scheme proposes a single storey dwelling that has a footprint of approximately 51.2m<sup>2</sup> on a site of approximately 160m<sup>2</sup>. The drawings show that the footprint of the new bungalow would take up a large proportion of the plot; with just a small area of open land remaining to the perimeter. The vehicular access to the new bungalow would be utilised from the existing access and parking would take up the area to the south east of the new property. As a result, the footprint of the unit in conjunction with the restricted size of the constrained site would appear cramped and overdeveloped and out of character with the pattern of development for this part of the settlement. In this regard the proposal would be contrary to Local Plan Policy HC1 (1) (7) and CP14 (5).

There is a building line that is formed along 1 Cutler Road to 35 Cutler Road and in the other direction, 1 Cutler Road, 2 Cutler Road and 100 Folly Lane. The built form would be set forward in the plot and therefore inconsistent with the layout of the wider area. As a result, the building would appear awkward and incongruous in the street scene. This coupled with the proposed dwelling being detached and single storey is out of character with the immediate wider area that is predominantly two storey houses. In this regard, the proposal would be contrary to Local Plan Policy HC1 (1) and CP14 (5).

Although the surrounding streetscene is not inspiring in its character or design, the layout of the estate and the spacing between the plots contribute to the amenity of the area as a whole. These areas contribute to the character and appearance of the estate by providing relief from the built form, and by their use as domestic gardens. In this regard, the proposal would be contrary to Local Plan Policy HC1 (4) and CP14 (5)(9).

It is acknowledged that the creation of dwellings on garden land associated with residential properties have been permitted within the vicinity, however these have been of a scale suitable to the plot and the surrounding properties as well as the semi-detached and terraced nature of development and of layouts that follow the existing building line.

In terms of the National Design Guide, the proposal fails to understand and relate well to the site and its local context, (Context C1). The proposal has not been influenced by the local vernacular (C2). The scale and design do not complement or enhance the local context (I2).



## **Development Control Committee Schedule 15/11/2022**

Whilst the NGD (Built Form B1) supports efficient use of land which optimises density, development must also relate well to and enhance the existing character and context, which the proposal fails to do. Homes and Buildings (H1) sets out that well designed homes and buildings are functional, healthy and sustainable. The unit has limited private outdoor amenity space and therefore should not be considered as good design.

The unit would be single storey and of a rectangular form. Proportions and design appear satisfactory. The materials proposed are considered acceptable as they match the surrounding area.

Overall, the proposal cannot be considered to be of a scale, character, form and layout that is compatible with the area and is therefore the proposal conflicts with the Design principle set out the NPPF (chapter 12) and the National Design Guide (2019), as well as Local Plan Policies HC1(1, 4, 7,8,9) and CP14 (5,9).

### **RESIDENTIAL AMENITY**

The dwelling has been designed to minimise amenity loss to neighbouring properties as it of a single storey nature.

The private garden space is located to the north of the plot. It is proposed to be enclosed, however it would be overlooked by the first floor windows that serve No.53 Thompson Road. As a result, the space provided is not considered to be at all private or of any quality and therefore criterion 7 of HC1 cannot be supported.

The Council considers that access to adequate private outdoor space can play an important role in the physical and mental health and wellbeing of people. This policy is also consistent with the broad aims and principles of the framework that seeks, amongst other things to secure a good standard of amenity for all existing and future occupants of land and buildings.

### **HIGHWAYS**

Criterion 3 of Delivery Policy ES3 of the local plan seeks to ensure there is no detrimental impact upon highway safety whilst E112 looks to enhance the accessibility of sites and promotes the use of travel plans and relevant parking standards.

The submitted site plan details sufficient space for two parking spaces for the new dwelling, compliant with the council's adopted parking standards.

The site is positioned within a residential area. The site is considered accessible with access to public transport within walking and cycling distance.

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





## **Development Control Committee Schedule 15/11/2022**

### **LANDSCAPE**

The development would be located within an existing dense urban area, given the density, scale and design would have minimal landscape impact.

### **ECOLOGY**

Under the Habitats directive, Stroud District Council has a duty to ensure that all activities the council regulates has no adverse effect on the integrity of any of the Natura 2000 sites. In this instance, the site falls within the 3 km catchment zone of the Rodborough Common SAC and within 15.4km of Cotswolds Beechwood SAC.

Habitat Regulations Assessments have concluded that proposed residential growth located in these areas could have a likely significant effect, in the absence of appropriate mitigation.

Local Plan Policy ES6 requires development proposal to contribute to appropriate mitigation and management measures to fund a project designed to avoid an increase in recreation impact or to mitigate the effects of increased recreational activity on the designated area.

The applicant has not addressed this issue by way of bespoke mitigation or secured by a financial contribution to the agreed Rodborough Common Mitigation measures.

In regard to the Cotswolds Beechwood SAC, the core catchment zone indicates that any new dwelling or holiday accommodation within the core catchment zone is highly likely to result in an increase in recreational pressure to the Cotswold Beechwoods.

The Cotswold Beechwoods has been designated as a Special Area of Conservation and as such is classed as a European protected site, which are afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended). This could be addressed by an appropriate planning condition should planning permission be forthcoming.

### **OBLIGATIONS**

The proposal is of a scale that does not give rise to the need for an Affordable Housing Contribution.

Stroud District Council is a Community Infrastructure Levy (CIL) Charging Authority. An additional questions form has been submitted as part of the planning application.

### **PLANNING BALANCE**

While the proposal would contribute to a range of house sizes within the area, this benefit alone would not outweigh the harm of permitting a low quality design.

While the application site lies within the defined settlement limits as prescribed within the Local Plan, the Council has a proven housing supply of over 5 years. This figure shows that the Council is able to provide its required housing numbers within other sites of the District and strengthens its position in refusing applications lying within settlement limits that are ultimately unacceptable for other reasons.



## **Development Control Committee Schedule 15/11/2022**

The applicant's requirement for a wheelchair friendly dwelling has been noted. However, the public benefits of the scheme in permitting the proposed dwelling in this location would be limited and would not outweigh the harm of permitting a new dwelling that is out of keeping with the area and has design issues. The only benefit of permitting this scheme would be to the benefit of the applicant.

It should also be noted that the planning authority would not be able to condition the future use of the dwelling or secure its occupation by personal condition as this would go against local plan policy in that the dwelling is not compatible with the area and does not provide a sufficient level of private amenity space.

In this regard, the application is recommended for refusal.

### **RECOMMENDATION**

The proposal is NOT considered to comply with the provisions of policies listed in the reasons for refusal and contained in the adopted Stroud District Local Plan, November 2015 and the core planning principles set out in the NPPF.

### **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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### For the following reasons:

1. The proposal would introduce development on a constrained plot that would dominate the space resulting in the site appearing cramped and overdeveloped. The development of a dwelling on this site would not be consistent with the layout and street scene of the surrounding area and would cause harm to the overall character and appearance of the area, contrary to Policies HC1 (criteria 1, 7 and 9) and CP 14 (criteria 5 and 9) of the adopted Stroud District Local Plan, November 2015.
2. The layout of the estate and the spacing between the plots contribute to the amenity of the area as a whole. These areas contribute to the character and appearance of the estate by providing relief from built form, and by their use as domestic gardens. The development of the proposed site would erode this open character and would create an enclosed feeling that would detract from the character and appearance of the surrounding estate. The proposal is therefore contrary to Local Plan Policy HC1 (4).
3. Due to the size and scale of the proposed dwelling coupled with the proximity of No.53 Thompson Road, the resultant amenity space would be of insufficient quality as it would be significantly overlooked. The proposal would therefore be contrary to Local Plan Policy HC1 (4).
4. Insufficient mitigation measures have been submitted to seek to reduce the impact of the new dwelling in terms of recreational activity upon the Rodborough Common (SAC) and Cotswolds Beechwood SAC. The proposal is therefore contrary to Local Plan Policy ES6.

### Informatives:

1. ARTICLE 35 (2) STATEMENT - Unfortunately this application was submitted without any meaningful pre-application discussions. For the reasons given above the application is recommended for refusal. The applicant/agent has been contacted and the issues explained.