

GLOUCESTER CITY COUNCIL

COMMITTEE : **PLANNING**

DATE : **1ST NOVEMBER 2016**

ADDRESS/LOCATION : **95 GRANGE ROAD, TUFFLEY,
GLOUCESTER**

APPLICATION NO. & WARD : **16/00153/FUL
GRANGE**

APPLICANT : **MR T MARSHALL**

PROPOSAL : **ERECTION OF A 3 BEDROOM DWELLING
TO THE SIDE OF 95 GRANGE ROAD WITH
PARKING TO THE FRONT FOR BOTH
PROPERTIES.**

REPORT BY : **JOANN MENEAUD**

**NO. OF APPENDICES/
OBJECTIONS** : **1. SITE LOCATION PLAN**

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application sites relates to land within the side and rear garden on the northern side of 95 Grange Road, which is a semi detached house on the eastern side of Grange Road. The property sits approximately midway between the junctions of Notgrove Close and Holmwood Drive.
- 1.2 The application proposes the erection of a detached three bedroom house with vehicular access and parking to the front onto Grange Road.
- 1.3 Councillor Steve Morgan has requested that this application be presented to Planning Committee for determination.

2.0 RELEVANT PLANNING HISTORY

- 2.1 Planning permission has previously been granted for the re-development of the garden land to the rear of 91 – 97 Grange Road for the development of four detached houses. Two of the houses are served by a new vehicular access between 93 and 95 Grange Road with the other two houses served by an access adjacent to number 97. The houses have been built and completed and occupied for some time.

3.0 PLANNING POLICIES

3.1 The statutory development plan for Gloucester remains the 1983 City of Gloucester Local Plan. Regard is also had to the policies contained within the 2002 Revised Deposit Draft Local Plan which was subject to two comprehensive periods of public consultation and adopted by the Council for development control purposes. The National Planning Policy Framework has been published and is also a material consideration.

3.2 For the purposes of making decisions, the National Planning Policy Framework sets out that policies in a Local Plan should not be considered out of date where they were adopted prior to the publication of the National Planning Policy Framework. In these circumstances due weight should be given to relevant policies in existing plans according to their degree of consistency with the National Planning Policy Framework.

3.3 The policies within the 1983 and the 2002 Local Plan remain therefore a material consideration where they are consistent with the National Planning Policy Framework.

3.4 From the Second Stage Deposit Plan the following policies are relevant:

Policy BE.21 states that planning permission will not be granted for any new building, extension or change of use that would unreasonably affect the amenity of existing residents or adjoining occupiers.

Policy TR31 that new developments must satisfactorily deal with road safety issues.

Policy BE1 requires that new development should be of a scale appropriate to its surroundings.

Policy BE4 sets criteria relating to the design and layout of new developments

Policy BE7 sets criteria for the architectural design of new developments

Policy H4 sets criteria for the consideration of new housing on unallocated sites.

Policy H7 sets criteria relating to the design and layout of new residential developments.

Policy H13 sets the criteria for the subdivision of plots for infill residential development.

- 3.5 In terms of the emerging local plan, the Council has prepared a Joint Core Strategy with Cheltenham and Tewkesbury Councils which was submitted to the Planning Inspectorate on 20th November 2014. Policies in the Submission Joint Core Strategy have been prepared in the context of the NPPF and NPPG and are a material consideration. The weight to be attached to them is limited, as the Plan has not yet been the subject of independent scrutiny and does not have development plan status, although the Examination in Public has been ongoing since May 2015. In addition to the Joint Core Strategy, the Council is preparing its local City Plan which is taking forward the policy framework contained within the City Council's Local Development Framework Documents which reached Preferred Options stage in 2006.
- 3.6 On adoption, the Joint Core Strategy and City Plan will provide a revised planning policy framework for the Council. In the interim period, weight can be attached to relevant policies in the emerging plans according to
- The stage of preparation of the emerging plan
 - The extent to which there are unresolved objections to relevant policies; and
 - The degree of consistency of the relevant policies in the emerging plan to the policies in the National Planning Policy Framework
- 3.7 All policies can be viewed at the relevant website address:- Gloucester Local Plan policies – www.gloucester.gov.uk/planning; and Department of Community and Local Government planning policies - www.communities.gov.uk/planningandbuilding/planning/.

4.0 CONSULTATIONS

4.1 Gloucestershire County Council Highway

No objection subject to conditions requiring the provision of the proposed parking facilities and visibility splays (which would require the lowering of the wall at number 95 Grange Road)

4.2 Urban Design Officer

No objection

5.0 PUBLICITY AND REPRESENTATIONS

5.1 This application has been publicised by the sending of individual letters to surrounding properties. 15 comments/letters of support and objection have been received (from 8 people) making the following comments

- Land not big enough for the new house – overdevelopment of the site.
- Not enough parking has been provided

- Will impact on privacy, light and views from surrounding houses
- Unacceptable impacts such as noise and disturbance when the house is constructed and where will the lorries etc park.
- Query the correctness of the plans
- Closeness of building works to the services in the adjoining driveway – which may be damaged.
- No turning area for vehicles would be available.
- It would not be safe for vehicles to reverse onto or off from the site but dangerous to pedestrians
- Visibility onto Grange Road is poor and is further affected by parked cars. Cars parked on the driveway of the new houses will reduce visibility even more.
- Need double yellow lines which should be policed.
- The porch to be removed at 95 houses the bathroom, where will this be replaced.
- The previous report for the new houses to the rear makes reference to the amount of space remaining for 95
- The site contains Japanese Knotweed – we do not want this spreading to other properties, you must ensure that it is all removed from the site.
- As a direct neighbour I can't see any issue with the application.
- Preferable to build here rather than the 250 proposed at the end of Grange Road
- The four new properties have impacted upon our property and we have no privacy at the rear – this is no different
- The view from the four new houses is of other houses
- Plenty of space to park
- At other properties in the area, residents have to reverse off their drives.

5.2 Following the receipt of the amended plans and additional information I have undertaken a further round of public consultation. At the time of writing the report, the consultation period was still ongoing and therefore Members will be advised at the meeting, of any additional representations that are received.

5.3 The full content of all correspondence on this application can be inspected online at the following link or at the reception, Herbert Warehouse, The Docks, Gloucester, prior to the Committee meeting.

<http://planningdocs.gloucester.gov.uk/default.aspx?custref=16/00153/FUL>

6.0 OFFICER OPINION

6.1 The main issues for consideration with this proposal are the siting, scale and design of the proposed dwelling and how it would impact upon the character of the area and amenities of surrounding properties. An assessment is also required in relation to highway safety.

Impact Upon the Street Scene and Character of the Area.

- 6.2 The application proposes the construction of a detached three bedroom house to be located to the side of 95 Grange Road, within its existing side and rear garden. The house would 5 metres in width and 8.2 metres in length for the two storey part. The design also incorporates a flat roof, single storey element, across the full width of the house, projecting 2.5 metres to the rear. It would be constructed in brick and a similar height to number 65. To the rear elevation serving the ground floor living room, two sets of patio doors are proposed and at first floor a bedroom window. A small first floor window to both side elevations is proposed, serving a bathroom and landing. The original plans also included a gable design dormer window to the front elevation, however this has now been removed from the scheme and roof lights are now proposed within the rear roof slope to provide light to the accommodation within the roof space. The amended plans also propose the removal of the small single storey element to the side of 95.
- 6.3 95 and 97 Grange Road are a pair of semi detached brick built houses. They are narrow properties and designed with a small single storey element to the side which provide access into the houses. The front elevation contains no door, just a sash style window at ground and first floor level with a central chimney stack.
- 6.4 91 and 93 Grange Road are also a pair of semis but of different proportions and visibly wider than 95 and 97. They have an entrance door to the front door and wider windows to the ground floor front elevation. 91 has a wide side garden containing a detached garage building, whereas the majority of the side garden of 93 has now been lost to the new access drive serving the new houses to the rear.
- 6.5 The immediate locality comprises a wide range of house designs and styles. Whilst these are diverse, they are predominantly of brick construction, however some have elements of render and tile hanging and some are completely rendered to the front. The properties are mainly houses with a few bungalows and a mixture of semis and detached. To the western side of Grange Road properties are set at a similar distance back from the road, however on the side of the application site, there is more variance. On this basis, I consider that the elevational design of the new house would be acceptable in this location.
- 6.6 This is a narrow plot when compared to others in the locality. However following the new house development to the rear of the site, both numbers 93 and 97 sit within fairly narrow width plots. Both the new house and number 95 would result in most of their front gardens being used for parking however this is not dissimilar to neighbouring houses for example numbers 54 and 48 across the road. The size of the garden proposed for the new house is reasonable, as is the remaining garden for number 95, both being over 10 metres in length.

- 6.8 The application site is of restricted size and the previous more spacious character, around numbers 93 – 97, has been lost through the development of the new houses to the rear. However on the basis of the above factors and particularly given that the character and appearance of the local area is very mixed (and unlike many other roads within the city, where there is more uniformity to the house designs, plot sizes and overall street scene) I do not consider that the erection of the proposed detached house would appear unduly cramped, prominent or out of keeping with the street scene and therefore would not have a harmful impact upon the character of the area.

Impact Upon Neighbouring Properties

- 6.9 The proposed house is to be sited in a similar position to number 95 but set further back from Grange Road and behind the front wall of number 95 and 93. Along this part of Grange Road, 95 and 97 are set at the closest point to the road, when compared to the surrounding houses.
- 6.10 The rear two storey element of the new house would sit slightly behind the rear of 95, although the single storey element of the new house would project a further 2.5 metres beyond this. The house would sit directly opposite number 97a to the rear. 97a is a two storey house designed with a large projecting gable containing a ground floor window and a high level glazing element to the apex of the gable. The distance between the main rear wall of the new house and the front of 97a would be over 23 metres. This is considered acceptable in terms of window to window distances, particularly given that this relates to a “back to front” relationship. There is no doubt that the erection of the new house would change the outlook from the new properties to the rear, particularly from 97a, and also from the properties to the side and across the road. However given the distances involved, the orientation of the properties and their existing relationships, this would not result in a detrimental affect upon amenity.
- 6.11 Conditions will be required to restrict any new windows and new openings in the roof to prevent any impact upon amenity and I also consider it reasonable to restrict working and delivery hours during the construction period.

Highway Safety

- 6.12 Grange Road is a classified road and there is unrestricted parking in the vicinity of the application site. Currently number 95 has a dropped kerb and driveway to the side of the house with an additional pedestrian access to the front. The application proposes the creation of a parking area for 2 cars to the front of the new dwelling and one parking space within the remaining front garden area for 95. These parking areas would be directly adjacent to the new driveway that provides access to two of the four new houses to the rear, numbers 93a and 93b.

- 6.13 The Highway Authority have provided the following comments upon the proposal.

The site is located adjacent to a Class 3 highway this is 2 way working with red roundels reminding drivers of the posted 30mph speed limit.

The carriageway is two way working with no parking restrictions There are footways and street lighting. There is a small supermarket and a primary school within walking distance.

The proposal is for a dwelling to the side of 95 Grange Road. I have noted the concerns on the website. The site provides one parking space for the existing dwelling and two for the proposed dwelling. I consider it would not be unreasonable to condition that the height of the front boundary wall is reduced in height to less than 600mm, by the removal of the fence on top of the wall to provide pedestrian visibility splays.

- 6.14 I have asked the applicant to amend his proposals to reflect the highway requirements and I expect a detailed plan to be provided prior to the Committee meeting. With these provisions in place, and as confirmed by the Highway Authority, the proposal is considered acceptable in parking and highway safety terms.

Japanese Knotweed

- 6.15 Members will note the reference made by the neighbours in relation to the presence of Japanese knotweed on the site. Japanese knotweed is a strong growing perennial plant with fast growing underground stems that can cause serious damage to drainage systems and building foundations and overwhelm native plants.
- 6.16 The advice on the GOV.UK website states that
You don't have to remove Japanese knotweed from your land, but you could be prosecuted or given a community protection notice for causing a nuisance if you allow it to spread onto anyone else's property. Managing Japanese knotweed is the responsibility of the owner/occupier of the land upon which the plant can be found, and it is prudent to take action to control its spread quickly.
- 6.17 It is also an offence under the Wildlife and Countryside Act 1981 to plant or otherwise cause Japanese knotweed to grow in the wild and under the Environmental Protection Act it is classed as "controlled waste" and has to be disposed of at an appropriately licensed site.
- 6.18 I have asked the applicant for further details on this matter and he has advised the following:
We were only made aware that the property had Japanese Knotweed after the purchase had completed. The previous owner had done their best to conceal its existence by cutting it down. Fortunately we were made aware of its existence by the extremely diligent next-door neighbour.

Once aware we immediately sought professional advice from 'The Knotweed Company Limited' who indeed confirmed the presence of Japanese Knotweed.

They designed a treatment plan that will work towards the eradication of the knotweed. The treatment plan consists of two herbicide treatments per year for five years. Once the five year period has been completed they will provide a 10-year insurance backed warranty. We started the treatment plan immediately and are now just over a year into the process. There is also the option to excavate the affected area and dispose of the material at a site registered for controlled waste; however as this option is likely to run into the tens of thousands we will only consider using this option if our planning application were to be successful.

In any eventuality I would like to stress that we have and will continue to deal with knotweed on this site in a responsible manner and ensure that at all times we conform to the requirements of the Environmental Protection Act 1990. In the event that our planning application was successful no construction work will commence until the site has been fully eradicated of Japanese Knotweed and the site deemed safe for construction work to take place.

- 6.19 My research show that many Local Authorities have a corporate policy on dealing with Japanese Knotweed, however as a Council we do not. I have asked One Legal for some further advice on the appropriate way to deal with this issue and Members will be provided with an update at the meeting.

7.0 CONCLUSIONS

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Overall it is considered that the proposed development would not have a significant detrimental impact on the amenities of the occupiers of neighbouring properties, the character and appearance of the street scene or highway safety and complies with the policies contained within the Second Deposit City of Gloucester Local Plan (2002) and guidance within the National Planning Policy Framework.

It is therefore recommended that planning permission is granted subject to conditions and subject to there being no new material planning considerations being raised within the neighbour consultation period.

8.0 RECOMMENDATIONS OF THE DEVELOPMENT CONTROL MANAGER

- 8.1 That subject to there being no new material planning considerations being raised within the remaining neighbour consultation period, that planning permission be granted subject to conditions

Decision:

Notes:

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Person to contact: Joann Meneaud
(Tel: 396787)

16/00153/FUL

**95 Grange Road
Gloucester
GL4 0PT**

Planning Committee 01.11.2016

