

GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Committee:	Planning
Date:	July 3 rd 2018
Address/Location:	112 The Wheatridge East Gloucester GL4 5DP
Application No:	18/00470/FUL
Ward:	Abbeydale
Expiry Date:	06.06.2018
Extension of time:	10.07.2018
Applicant:	West Country Developers Ltd
Proposal:	Erection of detached three bed bungalow including parking for new and existing dwelling (amended description and plan)
Report by:	Fiona Ristic
Appendices:	<ol style="list-style-type: none">1. Location plan2. Proposed site plan and elevations <p>This application has been called to planning committee by Councillor Andrew Gravells to assess the impacts of the revised proposal on the amenity of neighbours.</p>

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The application site is located to the south-west of The Wheatridge East. The site is located to the rear of 110 The Wheatridge East and to the side of 112 The Wheatridge East and is currently overgrown land under the ownership of number 112. It is fenced off separately from the rear garden of 112. None of the trees on site are covered by Tree Preservation Orders. The site has permission (granted 2016) for the demolition of the existing outbuildings and the erection of a detached single storey 2 bedroomed dwelling with vehicular access and parking. This application is an amended design for a 3 bedroom dwelling. The footprint is the same as the previously approved dwelling except for the addition of a 3rd bedroom in the location previously proposed to be two parking spaces.
- 1.2 The applicant has accommodated the two displaced parking spaces to the rear of the original dwelling (112). The application would therefore provide two spaces for 112 at the rear of the site and two spaces for the new dwelling within the application site in front of the third bedroom. The applicant proposes to retain an existing boundary hedge with new native hedge planting creating a screen between the side of 110 and the new access drive.

2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
07/01424/FUL	Erection of 2 no. link detached dwellings with associated parking and alterations to existing vehicular access.	Refused	15.01.2008

08/00870/FUL	Erection of 2 no. detached bungalows with associated parking and formation of vehicular and pedestrian access.	Refused	30.07.2008
16/00851/FUL	Removal of existing outbuildings and erection of 1 x single storey 2 bedroomed dwelling with vehicular access and parking	Granted	30.09.2016

3.0 RELEVANT PLANNING POLICY

3.1 The following planning guidance and policies are relevant to the consideration of this application:

3.2 National guidance

National Planning Policy Framework (NPPF) and Planning Practice Guidance

3.3 Development Plan

Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted 11 December 2017)

Relevant policies from the JCS (Main Modifications) include:

SD3 – Sustainable design and construction

SD4 – Design requirements

SD10 – Residential development

SD11 – Housing mix and standards

SD14 – Health and environmental quality

INF1 – Transport network

INF2 – Flood risk management

3.4 City of Gloucester Local Plan (Adopted 14 September 1983)

The statutory Development Plan for Gloucester includes the partially saved 1983 City of Gloucester Local Plan. Paragraph 215 of the NPPF states that ‘...*due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.*’ The majority of the policies in the 1983 Local Plan are out-of-date and superseded by later planning policy including the NPPF and the Joint Core Strategy. None of the saved policies are relevant to the consideration of this application.

3.5 Emerging Development Plan

Gloucester City Plan

The Gloucester City Plan (“City Plan”) will deliver the JCS at the local level and provide policies addressing local issues and opportunities in the City. The Draft Gloucester City Plan 2017 takes forward the results of previous consultations and was subject to consultation January and February 2017. As the Plan is at an early stage, it is considered that it carries limited weight in accordance with paragraph 216 of the NPPF.

3.6 Other Planning Policy Documents

Gloucester Local Plan, Second Stage Deposit 2002

Regard is also had to the 2002 Revised Deposit Draft Local Plan. This has been subjected to two comprehensive periods of public and stakeholder consultation and adopted by the Council for development control purposes. While there are number of policies in the 2002 Plan which are considered to accord with the NPPF and have not been superseded by the JCS, none of these are considered to be relevant to the current application.

- 3.7 All policies can be viewed at the relevant website address:- national policies:
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>
Gloucester City policies:
<http://www.gloucester.gov.uk/resident/planning-and-building-control/planning-policy/Pages/current-planning-policy.aspx>

4.0 CONSULTATIONS

- 4.1 **Highway Authority** - The application can be dealt with by Highways Standing advice
- 4.2 **Severn Trent Water** - As the proposal has minimal impact on the public sewerage system I can advise we have no objections to the proposals and do not require a drainage condition to be applied.

Severn Trent Water advise that there may be a public sewer located within the application site. Although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under the Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building.

5.0 PUBLICITY AND REPRESENTATIONS

- 5.1 7 Neighbouring properties were notified in writing and 2 site notices were erected.

- 5.2 There were 4 letters of objection on the original plans raising the following concerns:

- Access lane – Concerned about the narrow width between 110 and 112 and potential Damage to 110 with vehicles carrying heavy loads of building materials. Access needs to be gained from the field when it is developed.

Response – The applicant has no right of access to the rear. The access is the same as that approved in the previous application.

- Noise – If the development is permitted there could be motor bikes, pedestrians, within inches of our windows creating noise and pollution. The traffic will make the garden of 110 unusable as well as the noise of people living there and cars travelling up and down.

Response – There are many examples of backland dwellings in the city and the impact from comings and goings is unlikely to be significantly different from the approved application.

- Drainage - Our sewage and drainage cross over 112 at the rear joining number 112 Inspection chamber so question how development would affect drainage.

Response – There are no objections from Severn Trent Water in terms of drainage

- Wildlife currently in the area

Response – The area is currently overgrown domestic garden land

- Off street parking for existing bungalow – No off street parking for the existing bungalow. The bungalow should have 2 off street spaces. The increase in the size of the bungalow would result in an increase in pedestrian and vehicular traffic almost to the level of the original 2 bedroom bungalows proposed. There will be more traffic due to the property being bigger.

Response - the application has been revised since it was originally submitted to provide 2 off street parking spaces for each dwelling

- Character of the area – ripping out the front hedge and creating a curved drive then up along the side of the bungalow.

Response – The design of the front is unchanged from the approved application

- Future – The field behind will be developed before long, why not delay it and have a proper road from the rear without ruining the character of the area.

Response – The LPA has to determine the current application and cannot base a decision on unknown situations.

5.3 The full content of all correspondence on this application can be viewed on:
<http://www.gloucester.gov.uk/resident/planning-and-building-control/Pages/public-access.aspx>

6.0 OFFICER OPINION

6.1 ***Legislative background***

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Local Planning Authority to determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that in dealing with a planning application, the Local Planning Authority should have regard to the following:

- a) the provisions of the development plan, so far as material to the application;
- b) any local finance considerations, so far as material to the application; and
- c) any other material considerations.

6.3 The development plan consists of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) and the partially saved 1983 City of Gloucester Local Plan. However, as outlined earlier, the 1983 Local Plan is considered to be out-of-date.

6.4 It is considered that the main issues with regards to this application are as follows :

6.5 Principle

The NPPF at Paragraph 47 requires local planning authorities to demonstrate a 5 Year Housing Land Supply against the relevant housing requirement. Paragraph 49 states that policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites. The JCS addresses housing supply and demand under Policies SP1 (The Need for New Development) and SP2 (Distribution of New Development) as well as within Part 7 (Monitoring and Review).

At this point in time the Council can demonstrate a 5 year land supply. This positive housing land supply position means that the housing policies in the Joint Core Strategy can be given full weight.

Policy SD10 of the JCS allows for infilling within the existing built up areas of the City Gloucester. In terms of the broad principles of development, the site is within the built up area of the City, is in a sustainable location for residential use and would contribute to housing supply.

As the site is located within the built up area of the city, the principle of development is considered acceptable in accordance with JCS Policy SD10, subject to assessment against other planning considerations in the remaining sections of this report. It must also be noted that the principle of a new dwelling on this site was accepted under the recent approval for a new dwelling in 2016.

6.6 ***Design, Layout and Landscaping***

The NPPF states that new residential developments should be of high quality design, create attractive places to live, and respond to local character integrating into the local environment., Policy SD4 sets out requirements for high quality design, while Policy SD10 requires housing of an appropriate density, compatible with good design, the protection of heritage assets, local character and compatible with the road network.

6.7 The proposed dwelling is in the same location as that previously approved with the proposed addition of a third bedroom .This third bedroom would be at the rear of 112. Given that the majority of the design is the same as the approval, this report will focus on the impact of the additional bedroom. The bedroom would have one ground floor window facing towards the boundary hedge, one window in the front elevation and one facing the rear elevation. The extension would measure 2.4m wide, 2.83m deep. There would still be a distance of 2.2m from the side of the dwelling to the boundary with 114. It is considered that the revised design stills retains the low level design suitable for the backland location and would still leave sufficient separation from the side of the bungalow to the boundaries with the neighbouring properties. This design also includes the provision of two parking spaces at the rear of 112. . The location of these spaces still allows sufficient garden space for 112. It is therefore considered that the proposal complies with policies SD.4 and SD.10 of the JCS (2017)

6.8 ***Traffic and transport***

The NPPF requires that development proposals provide for safe and suitable access for all and that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Policy INF1 of the JCS requires safe and accessible connections to the transport network

6.9 The amended application includes the provision of two parking spaces for the new bungalow in front of the proposed new bedroom and two parking spaces at the rear of 112. The provision of two parking spaces per dwelling provides sufficient off street parking and therefore the proposal would not lead to severe highway impacts and therefore complies with policy INF1 of the JCS (2017).

6.10 ***Residential amenity***

Paragraph 17 of the NPPF provides that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. This is reflected in Policy SD14 of the JCS which requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants.

6.11 The change between this application and the last approved application is the additional 3rd bedroom. This additional bedroom would still be well separated from the boundary with the neighbouring property. Given that the new property would be sited at the rear of the gardens of 112 and 114 it is not considered that it would significantly impact on the amenity of occupiers using the rear gardens. It is therefore considered that this revised design complies with policy SD.14 of the JCs (2017).

6.12 ***Drainage and flood risk***

The NPPF requires that development is directed to the areas at lowest risk of flooding, that new development should take the opportunities to reduce the causes or impacts of flooding, should not increase flood risk elsewhere and take account of climate change. Policy INF2 of the JCS reflects the NPPF, applying a risk based sequential approach, requiring new development to contribute to a reduction in flood risk and requiring the use of sustainable drainage systems.

6.13 The site is located in flood zone 1. An adjoining neighbour has mentioned the drainage across the site but there are no objections to the proposal from Severn Trent subject to the inclusion of a note on the permission. The proposal therefore complies with policy INF2 of the JCS (2017).

6.14 ***Economic considerations***

The construction phase would support employment opportunities and therefore the proposal would have some economic benefit. Further, paragraph 3.1.9 of the JCS identifies that it is important to ensure that sufficient housing is made available to support the delivery of employment and job growth. In the context of the NPPF advice that 'significant weight should be placed on the need to support economic growth through the planning system', this adds some weight to the case for granting permission.

6.15 ***Conclusion***

This application has been considered in the context of the policies and guidance referred to above. The proposal is consistent with those policies and guidance in terms of design, materials, highway safety implications, impact upon the amenity of any neighbours and the local area; the proposal is acceptable and accordingly it is recommended that planning permission be granted.

7.0 **RECOMMENDATION OF THE CITY GROWTH AND DELIVERY MANAGER**

7.1 That planning permission is GRANTED subject to the following conditions;

Condition 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.

Condition 2

The development hereby permitted shall be carried out in accordance with the submitted forms and design and access statement received by the Local Planning Authority on 10th April 2018, and the amended drawing number 1A received by the Local Planning Authority on 21st June

2018 as well as any other conditions attached to this permission.

Reason

To ensure that the development is carried out in accordance with the approved plans and in accordance with policies contained within Second Deposit City of Gloucester Local Plan (2002).

Condition 3

Prior to the commencement of any construction works above DPC level, details or samples of materials to be used externally on walls, roofs, windows and external doors shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To ensure a satisfactory appearance to the development hereby approved and in accordance with policies SD.4 and SD.14 of the JCS (2017).

Condition 4

Notwithstanding the submitted drawings, the boundary treatments shall not be erected until details of all boundary treatments and means of enclosure to the development have been submitted to and approved in writing by the Local Planning Authority and the details so approved shall be implemented before the occupation of any part of the development.

Reason

In the interests of visual amenity and to ensure dwellings have satisfactory privacy and security in accordance with policies SD.4 and SD.14 of the JCS (2017).

Condition 5

During the construction phase no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times:
Monday-Friday 8.00 am-6.00pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, bank or public holidays.

Reason

To safeguard the amenity of the area in accordance with policy SD.14 of the JCS (2017).

Condition 6

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no garages/building/extension/dormer windows shall be erected other than those expressly authorised by this permission.

Reason

This is required given the constrained nature of the site and the relationship with neighbouring properties.

Statement of Positive and Proactive Engagement

In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.

Note 1

Your attention is drawn to the requirements of the Building Regulations, which must be obtained as a separate consent to this planning decision. You are advised to contact the Gloucester City

Council Building Control Team on 01452 396771 for further information.

Note 2

Severn Trent Water advise that there may be a public sewer located within the application site. Although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under the Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building.

Person to Contact: Fiona Ristic (396716)

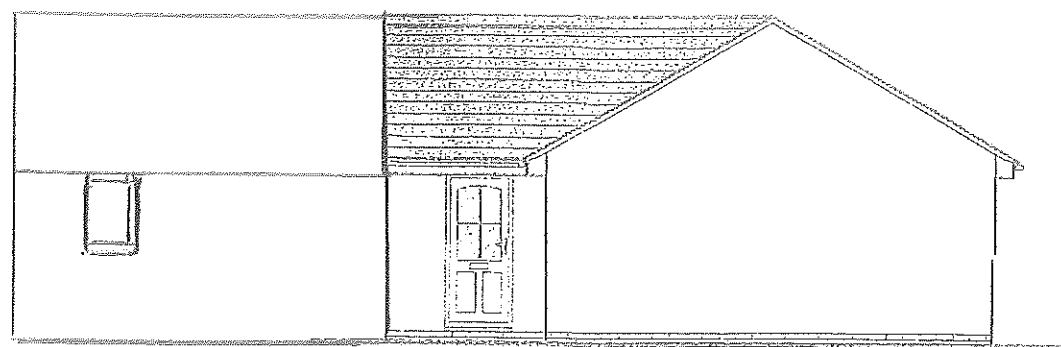


18/00470/FUL

**112 The Wheatridge East
Gloucester
GL4 5DP**

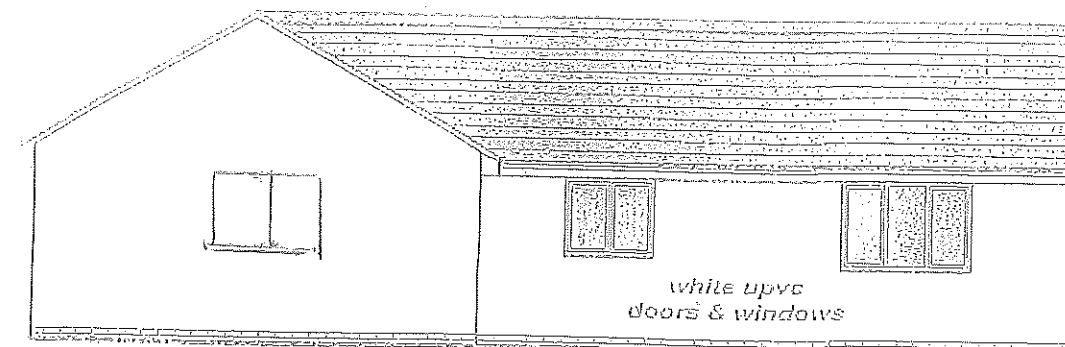
Planning Committee 03.07.2018





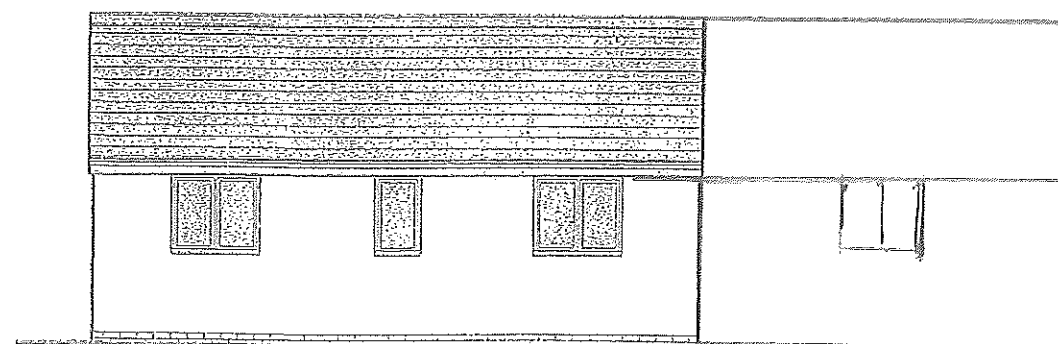
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brickwork
below dpc

PROPOSED FRONT ELEVATION 1:100



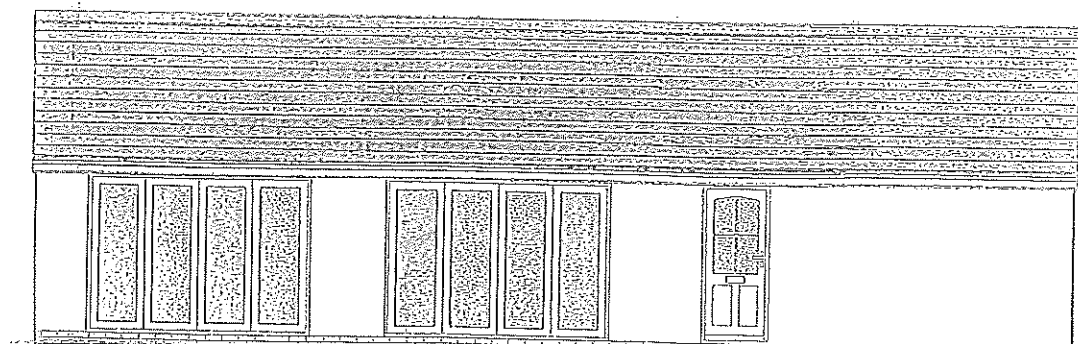
white upvc
doors & windows

PROPOSED SIDE ELEVATION 1:100



white upvc
doors & windows

PROPOSED REAR ELEVATION 1:100



white upvc
doors & windows

PROPOSED SIDE ELEVATION 1:100

