

# GLOUCESTER CITY COUNCIL - DEVELOPMENT CONTROL

Committee:	Planning
Date:	21 <sup>st</sup> January 2019
Address/Location:	20 Grafton Road Gloucester GL2 0QW
Application No:	18/01411/FUL
Ward:	Elmbridge
Expiry Date:	24.01.2019
Applicant:	Mr Julian Priest
Proposal:	Proposed Detached Garages with workshop and garden store (Revised Application including amended design, lowered structure and alterations to fence).
Report by:	Rhiannon Murphy
Appendices:	

## 1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 20 Grafton Road is situated on a corner plot with Grafton Road passing the front of the house to the south and Cheltenham road passing the side of the house to the west. The property is a large detached dwelling which benefits from garden space to the front (south) and side (west). Vehicular access to the property can be gained via Grafton Road where a driveway leads to an existing flat roofed double garage to the side of the dwelling. The existing boundary at the site comprises fencing approximately 1.3 metre in height along with some landscaping.
- 1.2 Planning permission was refused under planning application 18/00097/FUL for the proposed construction of a detached garage with space for 4 cars, a garden store and a workshop and was subsequently dismissed at appeal. This application was refused due to its overall scale and mass and prominent siting from Cheltenham Road – appearing as an overly dominant addition within the street scene which would harm the character and appearance of the surrounding area.
- 1.3 The Inspector agreed with the reason for refusal stating *‘the positioning of the garage so close to the Cheltenham Road frontage would be very much at odds with the character of other properties nearby. The combination of its height, closeness to the boundary and blank elevations facing the road would result in an uncharacteristic, dominant and uninteresting development’*.

A revised proposal has been submitted through this most recent planning application making the following amendments;

- Increase height of fence along the Cheltenham Road side of the property and incorporate vegetative planting. The boundary fence would be 2 metres in height whereas the existing boundary is approximately 1.3 metres in height.
- Inclusion of a window in Cheltenham Road (rear) elevation.
- Lowering of the existing ground level of the garage by a minimum of 400mm – this will reduce the height as seen from Cheltenham Road from 1.3metres above what would be allowed under permitted development to a maximum of 0.9 metres above the height allowed under permitted development.

1.4 As per the previous proposal, the proposed detached garage would be constructed within the side garden of 20 Grafton Road approximately 2 metres from the boundary with Cheltenham Road. The garage would allow space for the parking of 4 cars along with a garden store/ workshop. The garage would include 4 garage doors and 4 roof lights to the front and high level windows to the sides and rear. Timber trellis has been added to the rear elevation. The garage would be constructed from brick walls and tiled roofing which would be consistent with the materials of the existing dwelling.

## 2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
18/00097/FUL	Proposed detached garage with space for 4 cars, a garden store and a workshop.	REF	21.03.2018
18/00359/LAW	Proposed detached garage.	LAW	31.05.2018

## 3.0 RELEVANT PLANNING HISTORY

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:

SD4 – Design requirements

SD14 – Health and environmental quality

### 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. The following “day-to-day” development management policies, which are not of a strategic nature and broadly accord with the policies contained in the NPPF, should be given some weight. 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**

No consultation responses.

#### 5.0 **PUBLICITY AND REPRESENTATIONS**

5.1 7 neighbouring properties were notified of the proposal

5.2 A petition in support of the application has been received which contains 216 signatures of those in favour of the application. The majority of signatories to the petition do not appear to live in the immediate area and it is therefore unclear whether they have personal knowledge of the application property.

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.

##### ***Design, Layout and Landscaping***

6.4 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 SD3 requires all developments to demonstrate how they contribute to the principles of sustainability and Policy SD4 sets out requirements for high quality design.

6.5 The garage would be visually prominent from both Cheltenham Road and Grafton Road. The street scene of Cheltenham Road comprises large two storey detached properties which are set back from their front boundary by garden or parking spaces. Although there appears to be a

couple of examples of garages within the street scene, they do not stand forward of the building line along Cheltenham Road and are not to such a scale as the garage proposed through this application. The immediate street scene includes landscaping along boundaries of various properties which assists in softening the overall appearance of the area.

- 6.6 The proposed garage would be located in the same place as the previously refused garage, within the west garden area of 20 Grafton Road. The garage would follow the established building line of properties along Grafton Road and the previous Inspector did not consider that the previously proposed garage would be out of place in the context of this road. However, the large side garden also has a significant frontage to Cheltenham Road, a busy vehicular and pedestrian route. The other generally large and attractive properties facing Cheltenham Road are well set-back from Cheltenham Road and the proposed garage would stand significantly forward of the established building line of properties along Cheltenham Road.
- 6.7 The proposed garage therefore would appear particularly prominent from Cheltenham Road. The rear elevation of the garage would face onto this road. The revised scheme includes the additional of a window on the rear elevation as well as timber trellis on part of the rear wall. Further amendments since the previous submission include lowering the existing ground level by 40cm as well as increasing the fence height at the boundary along Cheltenham Road.
- 6.8 The amendments that have been made are noted and it is appreciated that the applicant has sought to address previous concerns. Nevertheless, the garage, remaining in the same location, would continue to have an over dominating impact and would remain visually dominant and out of keeping with Cheltenham Road. Even with a lowered ground level of 40cm, the proposal would measure an additional 0.9 metres in height than what could be considered under permitted development. The inspector raised within the appeal that the additional height would be materially more bulky than the permitted development proposal, and it is considered that this remains to be the case through this current application. Whilst the introduction of a window on the rear elevation of the proposal would break up the previously blank elevation to some extent, this is not considered to outweigh the harm of the dominant appearance of the proposal. The increase in height of the fence to 2m, whilst assisting in partly screening some of the garage would in itself result in a discordant feature on this prominent corner which would harm the character and appearance of the streetscene. Rather than address previous concerns therefore, the proposed fence would create additional harm which weighs against the proposals.
- 6.9 The applicant has been granted a lawful development certificate which confirms that a garage of the same footprint could be built under permitted development, any such garage would be limited to a height of 4 metres. Further, the current application has reduced the height of the building since the previously refused application by 0.4 metres. Nevertheless, the building would still measure 0.9 metres higher than what could be constructed under permitted development which is considered to be materially more bulky that what would be allowed under permitted development.
- 6.10 In considering all of the above, it is judged that the positioning of the garage so close to the Cheltenham Road frontage would be out of keeping with the character of neighbouring properties along Cheltenham Road. This combined with the height of the building would result in unacceptable harm to the character and appearance of the street scene and would result in an uncharacteristic and overly dominant addition to the street scene. The addition of a 2m high fence on a prominent corner plot would further add to this harm.

***Residential amenity***

- 6.10 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 proposed garage at 20 Grafton Road would be situated to the west of Grafton Road. The main dwelling likely to be affected by the proposal is 28 Cheltenham Road, the adjacent property to the north of the site. All other properties are considered to be a sufficient enough distance away so as not to be detrimentally affected by the proposal. The proposed garage due to its use and high level windows would not result in harmful overlooking for neighbouring dwellings.
- 6.12 The proposal has been set away from the boundary with number 20 by approximately 2.2 metres and would measure approximately 3.75 metres from the dwelling itself. There is fencing at the boundary of the two properties which would help to minimise some of the effects of the proposal. The garage would be located forward of the building line of number 28 by some 10.5 metres. However, given the distance of the proposal it is judged that the proposal would not be detrimentally harmful and therefore does not form part of the refusal of this application. This was not a reason for refusal of the previous application and was not an issue raised by the appeal Inspector.

### ***Conclusion***

- 6.13 For the reasons outlined above, it is considered that the current proposal would conflict with the NPPF, *Policy SD4* of the Joint Core Strategy and the Council's Home Extensions SPD and it is recommend that the application be refused.

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

- 7.1 That planning permission is **REFUSED** for the following reasons;

The proposed garage, as a result of its overall scale and mass and prominent positioning from Cheltenham Road would appear as an overly dominant addition within the street scene and would harm the character and appearance of the surrounding area. The proposed 2m high fence on a prominent corner would further harm the character and appearance of the area. The proposal is therefore contrary to policy SD4 (Design requirements) of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Adopted December 2017) and paragraphs 17 and 58 of the National Planning Policy Framework (2012) which requires high quality design.

**Person to Contact:** Rhiannon Murphy (396361)

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| GL2 0QW

Committee Date: |

