

TEWKESBURY BOROUGH COUNCIL – DEVELOPMENT CONTROL

Committee:	Planning
Date:	20 October 2020
Site Location:	12 Ermin Street Brockworth Gloucester Gloucestershire GL3 4HJ
Application No:	20/00331/FUL
Ward:	Brockworth West
Parish:	Brockworth
Proposal:	Erection of detached storage building
Report by:	Mrs Sarah Barnes
Appendices:	Site location plan Block plan Elevations Floor plans
Recommendation:	Permit

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1. The site relates to 12 Ermin Street, a detached dwelling in Brockworth (site location plan attached).
- 1.2. The current proposal is for a detached storage building which would be located in the rear garden (plans attached). The storage building would be used to store cars in. The existing garage has been demolished and the existing access / driveway would not be affected by the proposal.
- 1.3. A committee determination is required as the Parish Council have objected on the grounds of the size of the proposal and the overdevelopment of the site.

2.0 RELEVANT PLANNING HISTORY

- 2.1 There is no recent / relevant planning history.

3.0 RELEVANT POLICY

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

National guidance

- 3.2. National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG)

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

- 3.3. Policy SD4 (Design Requirements)
- 3.4. Policy SD14 (Health and Environmental Quality)

Tewkesbury Borough Local Plan to 2011 - March 2006 (TBLP)

- 3.5. Policy HOU8 (Domestic Extensions)

Tewkesbury Borough Plan 2011-2031 Pre-Submission Version (October 2019)

- 3.6. Policy RES10 (Alteration and Extension of Existing Dwellings)
- 3.7. Human Rights Act 1998 - Article 8 (Right to Respect for Private and Family Life)
- 3.8. The First Protocol, Article 1 (Protection of Property)

4.0 CONSULTATIONS

- 4.1. Parish Council – object due to the size of the proposed development, over development of the site and concern that development could be converted to residential use in future. Consideration should also be given to any impact on the nearby TPO'd trees.
- 4.2. Tree Officer – no objections.

5.0 PUBLICITY AND REPRESENTATIONS

- 5.1. The application has been publicised through the posting of a site notice for a period of 21 days.
- 5.2. There have been no objections from local residents.

6.0 POLICY CONTEXT

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the Local Planning Authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations.
- 6.2. The Development Plan currently comprises the Joint Core Strategy (JCS) (2017), saved policies of the Tewkesbury Borough Local Plan to 2011 (March 2006) (TBLP), and a number of 'made' Neighbourhood Development Plans.
- 6.3. The Pre-Submission Tewkesbury Borough Plan was submitted to the Secretary of State for Housing, Communities and Local Government on 18 May 2020 for examination. On the basis of the stage of preparation it has reached it is considered that the plan can be afforded at least moderate weight. However, the weight to be attributed to individual policies will be subject to the extent to which there are unresolved objections (the less significant the unresolved objections, the greater the weight that may be given) and their degree of consistency with the NPPF (the closer the policies to those in the NPPF the greater the weight that may be given).
- 6.4. The relevant policies are set out in the appropriate sections of this report.

7.0 ANALYSIS

Design and Visual Amenity

- 7.1. JCS Policy SD4 of the Joint Core Strategy sets out requirements for high quality design while Local Plan Policy HOU8 provides that development must respect the character, scale and proportion of the existing dwelling and the surrounding development.
- 7.2. The Parish Council's concerns in relation to the size of the proposal are noted, however, the size of the building is not considered to be excessive in relation to the size of the existing rear garden. The building would also only be single storey and a similar sized building could be erected under 'permitted development'. A condition would be attached to the permission to ensure that the building remains as ancillary to the main dwelling.
- 7.3. Overall, the proposal would be of an appropriate size and design in keeping with the character and appearance of the property. Therefore, the proposal would have an acceptable impact on the character of the surrounding area and complies with the requirements of Policy HOU8 of the Local Plan and Policy SD4 of the JCS.

Effect on the Living Conditions of Neighbouring Dwellings

- 7.4. Policy SD14 of the JCS requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants. Local Plan Policy HOU8 provides that extensions to existing dwellings should not have an unacceptable impact on adjacent property and residential amenity. In this regard, Policy 5.1 states that the amenities of neighbouring residential occupiers should not be unduly affected by overlooking, loss of light, over-dominance or disturbance.
- 7.5. Other material policy considerations include national planning guidance contained within the National Planning Policy Framework 2018 and the emerging Tewkesbury Borough Local Plan (Preferred Options Consultation) 2011-2031.
- 7.6. The impact of the proposal upon neighbouring properties has carefully been assessed and it is considered that there would not be an undue impact upon their amenity in accordance with Policy HOU8 of the Local Plan and Policy SD14 of the JCS.

LANDSCAPE/TREES

- 7.7. There are TPO'd trees within 20 metres of the site. Following advice from the Tree Officer, an arboricultural survey, impact assessment and protection plan was submitted. The Tree Officer is now satisfied that the trees at the rear of 12 Ermin Street and on the land behind in Invista would not be harmed by the proposed erection of the storage building. A condition would be attached to the permission to ensure that tree protection barriers are erected as shown within the submitted report.

8.0 CONCLUSION AND RECOMMENDATION

- 8.1. It is considered that the proposal would not be harmful to the appearance of the existing dwelling nor the surrounding area and it would not result in an unacceptable loss of residential amenity to neighbouring dwellings. The proposal would also be of an acceptable size and design. It would therefore accord with relevant policies as outlined above. Therefore, it is recommended the application be permitted.

CONDITIONS AND REASONS:

1. The works hereby permitted shall be begun before the expiration of five years from the date of this consent.

Reason: Required to be imposed by 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 accordance with the following approved documents:

- Site location plan and block plan dated 20th May 2020 and proposed elevations / floor plans dated 10th April 2020 except where these may be modified by any other conditions attached to this permission.

Reason: To ensure that the development is carried out in accordance with the approved plans.

3. Prior to the commencement of the development hereby approved (including all preparatory work), tree protection must be in place for the retained trees, in accordance with BS 5837:2012, this is to safeguard trees during the construction phases and to ensure no storage of materials is in proximity of the trees.

Reason: To safeguard the trees during the construction phase.

4. The development hereby permitted shall only be used in conjunction with and as ancillary to the residential enjoyment of the adjoining dwelling house known as 12 Ermin Street.

Reason: To define the terms of the permission.

INFORMATIVES:

1. 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.