

TEWKESBURY BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT

Committee:	Planning
Date:	16 March 2021
Site Location:	18 Westfield Road Brockworth Gloucester Gloucestershire GL3 4AP
Application No:	20/00955/APP
Ward:	Brockworth East
Parish:	Brockworth
Proposal:	Proposed 4 no. dwellings and associated amenity space, vehicle access and parking. 19/00678/OUT.
Report by:	Dawn Lloyd
Appendices:	Site location plan Site layout plan Elevations Floor Plans Elevation Comparison
Recommendation:	Delegated Approval

1.0 SITE DESCRIPTION AND PROPOSAL

The application site relates to a plot of land which has outline planning permission for a residential development of 4 dwellings granted on 17 December 2019. The site forms part of the rear gardens of 18 and 16 Westwood Road and is enclosed with residential development on all sides. The dwellings of Hillview Avenue lie to the east, the residential development of Corinium Court to the south and to the north the access drive to the three bungalows of 20a, 20b and 20c Westfield Road. The application site falls within the settlement boundary of Brockworth and is subject to no landscape constraints.

2.0 RELEVANT PLANNING HISTORY

Planning application 04/11426/0170/FUL for the erection of a conservatory was permitted on 31 March 2004 at 18 Westfield Road.

Planning application 05/11662/0725/OUT for the erection of a pair of semi-detached bungalows at 14 Westfield Road was permitted on 15 September 2019.

Planning application 11/01083/FUL for the demolition of existing outbuildings and erection of 5 detached dwellings Builders Yard Land to the rear of 2-12 Westfield Road was permitted on 14 February 2012.

Application 19/00678/OUT for 4 no. dwellings and associated amenity space, vehicle access and parking was permitted on 17 December 2019.

In 2020 application 20/00942/FUL for the demolition of a single storey side garage and conservatory, demolition of a rear single storey portion and erection of a single storey side extension, two storey rear extension and internal alterations, at 16 Westfield Road was permitted on 4 December 2020.

3.0 RELEVANT POLICY

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

National guidance

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

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

Policy SD4 (Design Requirements).

Policy SD14 (Health and Environmental Quality).

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

Policy HOU8 (Domestic Extensions).

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

Policy RES10 (Alteration and Extension of Existing Dwellings).

Human Rights Act 1998 - Article 8 (Right to Respect for Private and Family Life).

The First Protocol, Article 1 (Protection of Property).

4.0 CONSULTATIONS

- 4.1 **Brockworth Parish Council** - Objection on the grounds of over development of the site, lack of on site and inadequate parking provision, overbearing building height and the negative impact the proximity of this development will have on neighbouring properties.
- 4.2 **Drainage Adviser** - no comments or objections to make with regard to this proposal.
- 4.3 **The Highway Authority**- Response to original submitted plans recommended deferral as the plans required amending to comply with Gloucestershire Manual for Streets. An amended site plan was received on 22 December 2020 and the Highway Authority consulted. Further comments from the Highway Authority have not been received at the time of writing this report and the Planning Committee will be provided with an update.

5.0 PUBLICITY AND REPRESENTATIONS

The application has been publicised through the posting of a site notice for a period of 21 days 4 neighbour letters of objection have been received, as summarised below:

- Footprint appears larger and buildings closer to houses to the rear.
- Height and scale of the proposed dwellings; will the height of 7 metres be adhered to?
- Too close to side boundary only one metre away and overlooking of adjacent bungalows.
- Concerns regarding surface water drainage and impact of vehicles on drainage infrastructure.

6.0 POLICY CONTEXT

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.

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.

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).

The relevant policies are set out in the appropriate sections of this report.

7.0 ANALYSIS

7.1 This proposal is for the remaining reserved matters following the approval of outline consent 19/00678/OUT. Access and scale was approved as part of the outline consent with layout, appearance and landscape reserved. Other conditions attached to the approved outline permission require the following to be submitted as part of the Reserved Matters application:

- Details of existing ground levels and finished floor levels.
- Details or samples of the external facing materials and hard surfacing proposed to be used, and a plan indicating the positions, design, materials and type of boundary treatments.
- Provision for car parking for the proposed dwellings and turning facilities within the site.
- Details of the proposed arrangements for future management and maintenance of the proposed streets.
- Surface water drainage works details have been submitted.

LAYOUT AND APPEARANCE

- 7.2 Section 12 of the NPPF sets out that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. This is echoed in JCS policy SD4 and emerging policy RES5 of the Pre-submission Tewkesbury Borough Plan (2019) which states new development should respond positively to, and respect the character of, the site and its surroundings, enhance local distinctiveness and the grain of the locality.
- 7.3 The proposal is for four dwellings, two detached and one semi-detached arranged in a linear manner to the rear of 16 and 18 Westfield Road following the building line of the residential development to the rear of 2-12 Westfield Road.
- 7.4 The scale of the development set at the outline stage was for two detached and two semi-detached dwellings of ridge height not to exceed 7 metres (Condition 12 refers). Condition 7 of the outline consent required ground levels of the site and finished floor levels to be submitted with the reserved matters applications.
- 7.5 The submitted plans shows that land levels within the site are slightly higher towards the north east reducing towards the south and west of the site. The site plan Drawing Number 22022/03 (b) indicates the proposed floor levels of the dwellings. Plot 1 adjacent to the side boundary with neighbouring bungalows would have a ground floor level 49.65 AOD. The ground floor levels are slightly less at 49.50 AOD for plot 2 and 49.40 AOD for plots 3 and 4.
- 7.6 The concerns of the Parish Council and neighbouring residents have been taken into account in the assessment of the application. The indicative dwelling designs presented at the outline stage have changed and garages are not included.
- 7.7 The dwellings have limited front amenity space. The area would provide three parking spaces for the four bedroomed dwellings and two for the 3 bedroomed dwellings, vehicle turning and manoeuvring space and bin storage. The rear amenity space is considered sufficient for each dwelling and would be comparable with other residential development in the vicinity of the site.
- 7.8 The proposed design is for hipped roofed dwellings with projecting front and rear gables. The design has been amended with the external walls proposed to be brick Red-multi - AAB Neroche, Render PRB colour Cote Blanc and roof tiles Sandtoft Calderdale colour Dark Grey.
- 7.9 The fenestration was amended to a design more appropriate to the character of the existing dwellings and the character of the wider area.
- 7.10 The semi-detached dwellings would provide three bedrooms. The plans were amended to ensure that room sizes comply with the National Spaces Standards for one double and two single rooms. The detached dwellings would comply with the National Space Standards for two double rooms and two single rooms.
- 7.11 Therefore the layout and appearance is appropriate for the site in this location and complies with policies SD4, SD6 and the NPPF.

IMPACT ON NEIGHBOURING RESIDENTS

- 7.12 Policy SD14 of the JCS requires that new development to have regard the impact to local amenity including the amenity of neighbouring occupants.

- 7.13 The dwellings would be set back 10 metres from the rear boundary and significantly set back from numbers 16 and 18 Westfield Road. The side elevation of plot one would be closer to the side boundary to the north east. However, the site is lower in ground level than the ground level to the north. Given the design of the dwelling and the distance of the nearest bungalow (11.8 metres), which includes an intervening access lane, the relationship is not considered to have an unacceptable overbearing impact on the existing bungalows or unacceptably impede on light received.
- 7.14 The first-floor side windows on the north east elevation of plots 1 and 2 would include an obscure glazed window to the landing. This window on plot 1 would be apparent to the adjacent bungalows. However, as it would be obscurely glazed and does not serve a habitable room it would not have an unacceptable impact in respect of privacy or overlooking. The south west elevation of plots 1 and 2 would have obscure glazed small windows at ground and first floor however these windows serve non habitable en-suite bathrooms and a secondary window to a bedroom. The details of the obscure glazed windows to subject to condition. The ground floor windows on the side elevations for plots 3 and 4 would serve as a secondary kitchen window and would be obscured by side boundary treatments.
- 7.15 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 SD14 of the JCS.

LANDSCAPING

- 7.16 The NPPF sets out that planning decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside. Policy SD6 of the JCS states that development will seek to protect landscape character for its own intrinsic beauty and for its benefit to economic, social and environmental wellbeing.
- 7.17 Conditions 6 and 8 of the outline consent 19/00678/OUT required detailed boundary treatments, details of hard surfaces and landscaping details to be submitted as part of a Reserved Matters application.
- 7.18 The proposed site plan Drawing Number 22022/ 03 (D) demonstrates how additional landscaping would be accommodated on site to enhance the visual amenity of the development and ensure dwellings have satisfactory privacy. In accordance with the specific wording of this condition, the landscaping scheme includes details of the proposed boundary treatments, hard surfacing materials and soft landscaping in the form of additional tree, hedge and shrub planting, including replacement planting of trees along the eastern boundary between the site and rear gardens on Hillview Avenue.
- 7.19 Further comments have not been received from the Highway Authority to date regarding the hard-surfacing materials proposed and the Committee will be provided with an update on this matter. Subject to the approval of the Highway Authority the proposed landscaping and boundary treatments would be considered appropriate, and would result in the enhancement of the built and natural environment in line with the requirements of JCS Policies SD4 and SD6.

HIGHWAY SAFETY

- 7.20 Section 9 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or residual cumulative impacts on the road network would be severe.

- 7.21 Policy INF1 of the JCS requires that developers should provide safe and accessible connections to the transport network to enable travel choice for residents and commuters. Pre-submission Tewkesbury Borough Plan Policy TRAC9 requires that developers demonstrate an adequate level of car parking for their proposals.
- 7.22 The County Highways Authority raised no objection to the previous parking arrangement. The number of parking spaces have since been increased, vehicle electrical charge points and cycle storage sheds provided as indicated on the amended site plan Drawing Number 22022/03 (D). No further comments have been received from the Highway Authority to date and an update will be provided to Committee.

FLOOD RISK AND DRAINAGE

- 7.23 Policy INF2 of the JCS and policy ENV2 of the Pre-Submission Tewksbury Borough Plan requires provision of suitable Sustainable Drainage Systems where appropriate. Condition 12 of the outline permission required surface water drainage works to be agreed with the local planning Authority prior commencement of building works. A Drainage and Maintenance Strategy, which was amended to include the proposed extension for number 16 Westfield Road and revised position of the drain, was submitted as part of Reserved Matters application for consideration by the Drainage Adviser, with no objection raised to the proposal. Details of the foul and surface water systems, including a maintenance strategy is included within the drainage strategy.

CONCLUSION AND RECOMMENDATION

- 8.0 For the reasons set out above, the reserved matters application is recommended for a Delegated Approval in order to resolve any matters arising from the outstanding County Highways Authority consultation response.

CONDITIONS:

1. The development hereby approved shall be implemented in accordance with the following plans, documents and details:
 - Proposed Site Plan Plots 1- 4 Drawing Number 22022/03 (D) received 22 December 2020
 - Proposed Floor Plan and Elevations Plots 3 and 4 Drawing Number 22022/05(E) received 11 January 2021
 - Proposed Floor Plans and Elevations Plots 1 and 2 Drawing Number 22022/04 (E) received 23 December 2020
 - Proposed North West Colour Elevation Drawing Number 22022/07 (B) received 22 December 2020
 - Proposed North East Colour Elevation Drawing Number 22022/08 (A) received 22 December 2020
 - Elevation Light view Drawing number 22022 / 09 Rev B received 26th January 2021
 - Drainage and Maintenance Strategy by Davidson Walsh dated 27 January 2021.

Reason: To define the terms of the permission.

2. The first floor landing window on the north east elevation of plots 1 and 2 shall be fixed shut and fitted with obscure glazing. The first floor and ground floor windows on the south west elevation of plots 1 and 2 shall be fitted with obscure glazing. The obscure glazing shall be a minimum of Pilkington Level 4 or equivalent. The windows shall thereafter be retained as such and not altered without the prior consent of the Local Planning Authority.

Reason: To safeguard the privacy of residents in the locality.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order 1995 (or any Order revoking and re-enacting that Order), no first floor side windows shall be installed in the buildings without the prior express permission of the Local Planning Authority.

Reason: To safeguard the privacy of residents in the locality.

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.
2. The decision is to be read in conjunction with planning permission 19/00678/OUT.
3. This approval relates solely to the reserved matters referred to in condition 1 attached to permission Ref: 19/00678/OUT and the details that were expressly required by condition to be submitted for approval with the reserved matters application (namely conditions 7, 8 and 9). This approval does not discharge the other conditions attached to the outline permission, which will require separate approval in writing as part of any future condition discharge application.