

Item No 02:-

16/05144/FUL (CT.3135/C)

**135 Cheltenham Road
Stratton
Cirencester
Gloucestershire
GL7 2JF**

Item No 02:-

**Proposed garage, garden works and car port (part retrospective) at
135 Cheltenham Road
Stratton Cirencester**

Full Application 16/05144/FUL (CT.3135/C)	
Applicant:	Mr Anthony Bulgar
Agent:	Rand Planning Consultancy Ltd
Case Officer:	Andrew Moody
Ward Member(s):	Councillor Patrick Coleman
Committee Date:	12th April 2017
RECOMMENDATION:	PERMIT

Main Issues:

- (a) Impact upon the character of the area
- (b) Access and parking
- (c) Protected species

Reasons for Referral:

Cllr Coleman has requested that the application be referred to Committee: -

To allow the Committee to assess the impact upon the street-scene, and whether this is an inappropriate intrusion into the visual amenities of the area.

1. Site Description:

The application site is an end terrace accessed off Cheltenham Road, Stratton. The rear boundary of the property abuts Gallows Pound Lane, a private road leading off Stratton Heights.

The dwelling is located within the development boundary defined for Stratton in the Local Plan, and is not subject to any landscape designation.

2. Relevant Planning History:

None

3. Planning Policies:

LPR09 Biodiversity, Geology and Geomorphology
 LPR10 Trees, Woodlands and Hedgerows
 LPR18 Development within Development Boundaries
 LPR38 Accessibility to & within New Developments
 LPR39 Parking Provision
 LPR42 Cotswold Design Code
 LPR45 Landscaping in New Development
 LPR46 Privacy & Gardens in Residential Development
 NPPF National Planning Policy Framework

4. Observations of Consultees:

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Biodiversity Officer: No objection, comments incorporated into the report

5. View of Town/Parish Council:

Members had no objection to the proposed garage and garden works together with a new car port

6. Other Representations:

10 letters of objection have been received, raising the following matters: -

- impact upon views
- garage too high in relation to Gallows Pound Lane
- the garage could be converted to residential use at a later date
- garage too large
- increase in traffic using Gallows Pound Lane
- applicant does not have a right of access to use the lane which is private and maintained by residents
- overbearance
- detrimental visual impact upon all occupants of Gallows Pound Lane
- slow worms have been found on the adjacent site

7. Applicant's Supporting Information:

Ecological report

8. Officer's Assessment:

(a) Impact upon the character of the area

The application is part retrospective for the retention of a carport to the side elevation of the property, and the erection of a garage / storage building in the rear garden.

The carport is a vertically boarded timber framed structure with plastic sheeting on the roof, which has been constructed to the southern side elevation of the dwelling, which is an end terraced stone property. An open sided carport has been in this position prior to the applicant purchasing the property, and the works undertaken relate to the external boarding having been installed. Whilst the materials do not match the dwelling, it is considered that once this has weathered the visual appearance of the boarding will be mitigated.

With regard to the garage / storage building, the garden to the rear of the property rises steeply up to the western boundary of the property with Gallows Pound Lane, such that the outbuilding, whilst having a single storey appearance from the front, would have a storage area at a lower level to the rear, facing into the garden and towards the dwelling. The garage would fill the width of the garden, and have dimensions of 7.32 metres width at the front, and a ridge height of 4.7 metres.

The height of the building when viewed from Gallows Pound Lane is not considered to be excessive, with a ridge height of 4.8 metres. Furthermore, the design of the garage results in the doors being under the eaves to the building, such that the roof slopes away from the lane. Comments made relating to the impact upon private views are also not material to the consideration of the planning application.

Also proposed are works to level an area of garden between the dwelling and the proposed outbuilding, which new steps provided. These works are not visible from any public vantage point outside the application site, and no objection is raised to their impact upon the character of the area.

The proposal is considered to be acceptable, and the proposal therefore accords with Policies 15 and 42 of the Local Plan and paragraphs 109 and 115 of the NPPF with regard to the impact upon the AONB.

(b) Access and parking

A new access off Gallows Pound Lane would be provided, and whilst the comments of the objectors are noted, whether or not the applicant has the legal right onto use this private lane is not material to the consideration of the application. Notwithstanding this, the applicant has indicated that he is satisfied that the Deeds to the property to afford him a right of access.

The property has an existing entrance off Cheltenham Road, with off-road parking for two cars. This would be retained, and the applicant has indicated that this would remain the main vehicular entrance to the property.

Therefore, the proposal is considered to accord with Policies 38 and 39 of the Local Plan, in addition to Section 4 of the NPPF, with any highway impact arising from the development not being considered to be 'severe'.

(c) Protected species

Slow worms have previously been identified on the adjacent site to the north, and an ecologist instructed by the applicant has concluded that given the overall scale of the development that should have a relatively low impact upon protected species. It is recommended that avoidance measures are undertaken to avoid the unintentional killing or injuring of reptiles, which can include management of vegetation upon the site, and the removal of any coniferous trees between March and late November.

A condition is, therefore, recommended to ensure that the works are carried out in accordance with the submitted ecological report. Subject to this, the proposal is considered to accord with Policy 9 of the Local Plan and paragraphs 109 and 118 of the NPPF.

9. Conclusion:

The proposal is considered to accord with the Development Plan and NPPF, which are not outweighed by other material planning considerations.

The recommendation, therefore, is for planning permission to be granted.

10. Proposed conditions:

The garage/storage building hereby approved shall be started by 3 years from the date of this decision notice.

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.

The development hereby approved shall be implemented in accordance with the following drawing numbers: 01; 02 and 04.

Reason: For purposes of clarity and for the avoidance of doubt, in accordance with paragraphs 203 and 206 of the National Planning Policy Framework.

Prior to the construction of any external wall of the garage / storage building hereby approved, samples of the proposed walling and roofing materials shall be approved in writing by the Local Planning Authority and only the approved materials shall be used.

Reason: To ensure that, in accordance with Cotswold District Local Plan Policy 42, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.

The development shall be completed in accordance with all the recommendations in the letter from Wildwood Ecology dated 1/3/17. All the recommendations shall be implemented in full according to the timescales laid out in the recommendations, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the species and habitats are protected in accordance with The Conservation of Habitats and Species Regulations 2010, the Wildlife and Countryside Act 1981 as amended, Circular 06/2005, the National Planning Policy Framework (in particular section 11), and policy 9 of the Cotswold District Local Plan 2011 and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

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135 Cheltenham Road Stratton Cirencester Glos

Scale: 1:1250

Organisation: Cotswold District Council

Department:

Date: 30/03/2017



COTSWOLD
DISTRICT COUNCIL

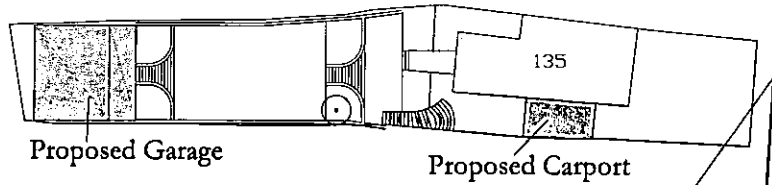
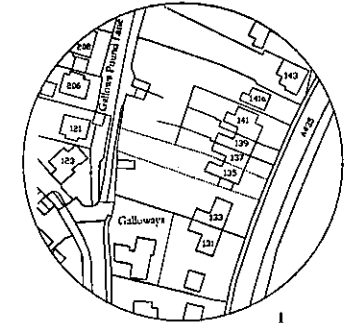
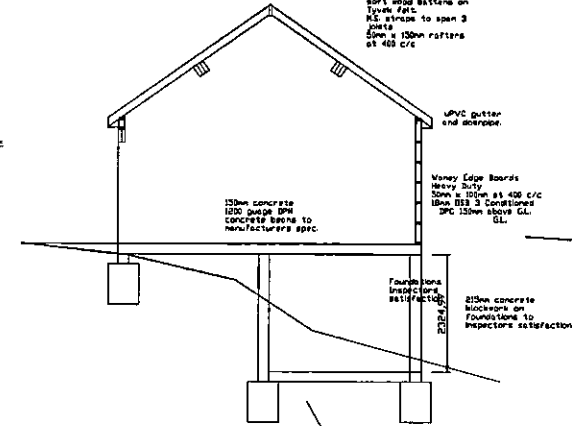
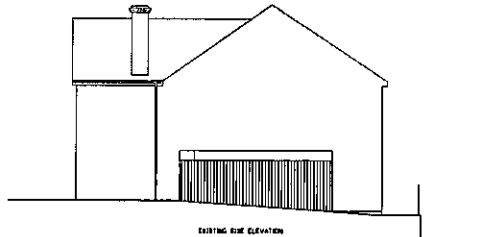
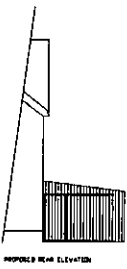
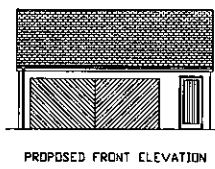
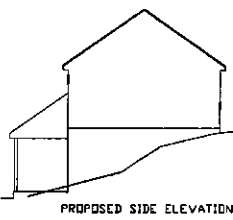
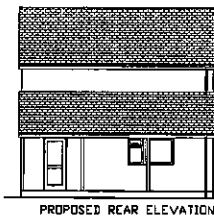
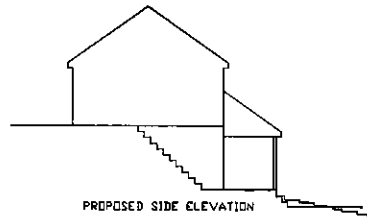




**SITE LOCATION PLAN
AREA 2 HA
SCALE 1:1250 on A4
CENTRE COORDINATES: 401968, 203925**

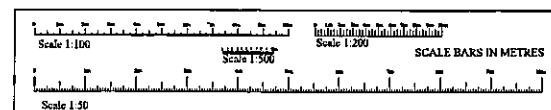
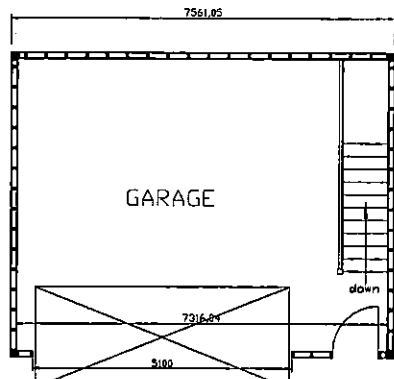
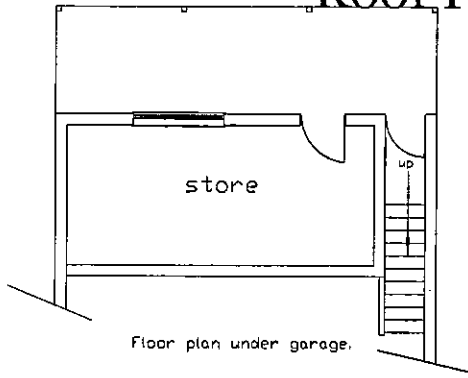
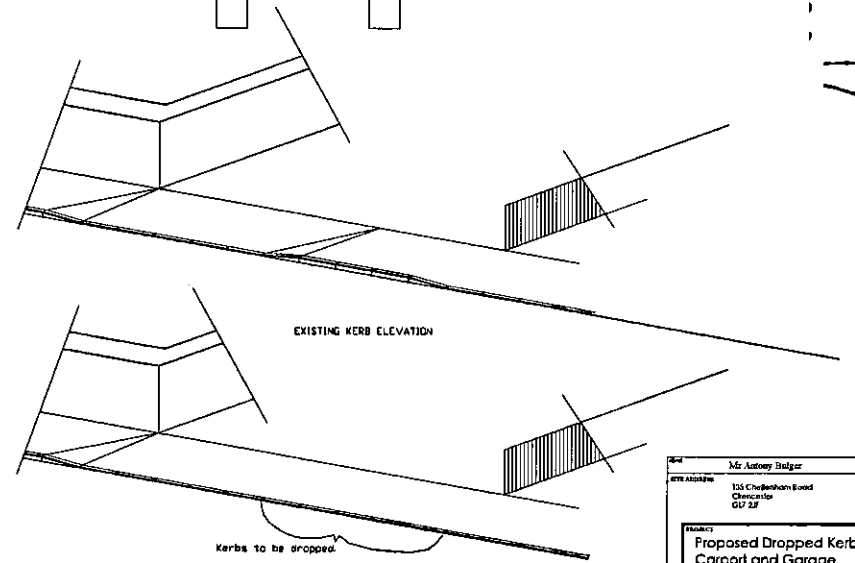


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Roof Plan 1:200

Proposed Dropped



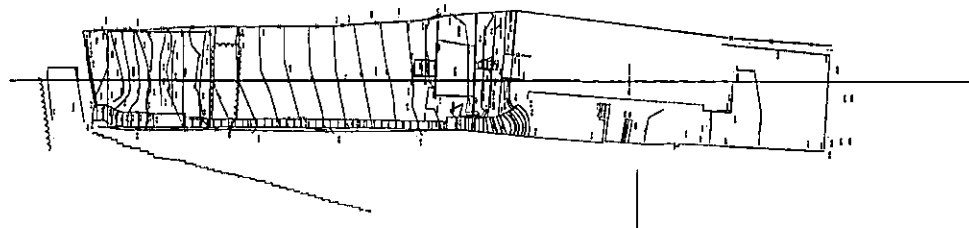
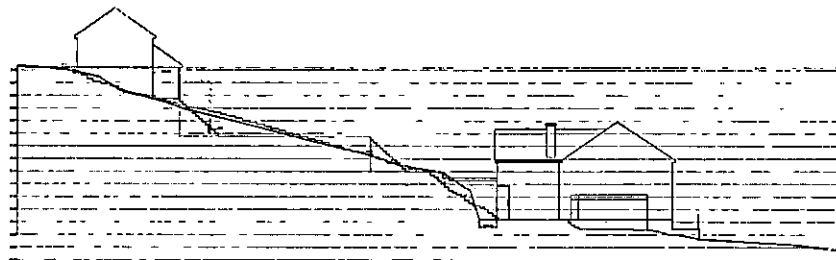
Mr. Anthony Bulger
135 Chesham Road
Chesham
GU7 2JF

Proposed Dropped Kerb
Carport and Garage

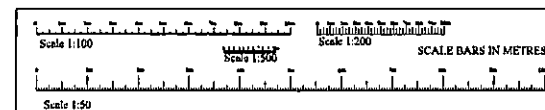
Phil Bond
Cherry Tree House
Claydon Lane
Foston
Worce
SNE 49N
TEL 01793 771128


RAND PLANNING
CONSULTANCY LTD

Prepared by Phil Rand
Scale 1:500 1:100 1:50
Date 18th July 2014

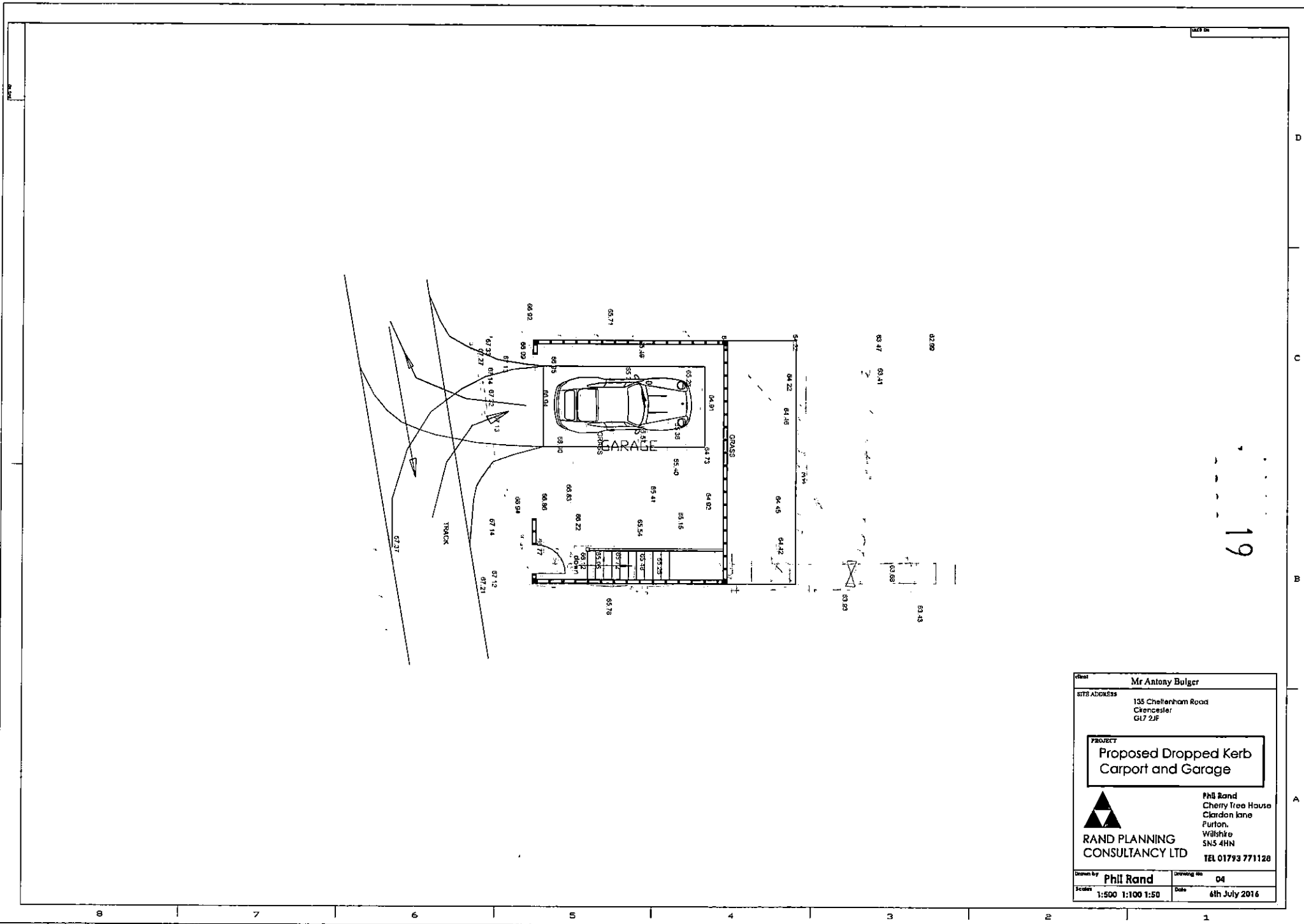



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Client Mr Antony Bulger	
Site Address 135 Chesham Road Chesham GL7 2JF	
Project Proposed Dropped Kerb Carport and Garage	
 RAND PLANNING CONSULTANCY LTD	Phil Rand Cherry Tree House Clouston Lane Purton, Wiltshire SN4 4HN TEL 01793 771128
Drawn by Phil Rand	Drawing No 02
Scale 1:200	Date 6th July 2016

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Client	
Mr Antony Bulger	
Site Address	
135 Cheltenham Road Cirencester GL7 2JF	
PROJECT	
Proposed Dropped Kerb Carport and Garage	
	RAND PLANNING CONSULTANCY LTD
	Phil Rand Cherry Tree House Clardon Lane Furton, Wiltshire SN5 4HN TEL 01793 771128
Drawn by	Phil Rand
Scale	1:500 1:100 1:50
Drawing No	04
Date	6th July 2016



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10/01/2017



10/01/2017



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Firewood
285 239032 or 07919 180951

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20/03/2017