

**Item No 05:-**

**18/03737/FUL**

**The Surgery  
Station Road  
Andoversford  
Cheltenham  
Gloucestershire  
GL54 4LA**

**Item No 05:-****Conversion and extension of existing redundant surgery to form a two-bedroom dwelling at The Surgery Station Road Andoversford Cheltenham Gloucestershire GL54 4LA**

<b>Full Application 18/03737/FUL</b>	
<b>Applicant:</b>	Mr & Mrs John & Jackie Nelmes
<b>Agent:</b>	Ten Acre Services
<b>Case Officer:</b>	Martin Perks
<b>Ward Member(s):</b>	Councillor Robin Hughes
<b>Committee Date:</b>	12th December 2018
<b>RECOMMENDATION:</b>	<b>PERMIT</b>

**Main Issues:**

- (a) Residential Development in a Development Boundary
- (b) Design and Impact on the Character and Appearance of the Area
- (c) Impact on Residential Amenity
- (d) Parking and Highway Safety

**Reasons for Referral:**

This application has been referred to Planning and Licensing Committee at the request of Cllr Hughes due to concerns about the overdevelopment of the site.

**1. Site Description:**

This application relates to a post war flat roofed single storey building located within Andoversford Development Boundary. The site occupies a roadside position in the centre of the village. The existing building on the site is set back approximately 15m from Station Road. To the rear of the building is a garden area measuring approximately 18m long by 5-6m in width. The front (south western boundary) of the site fronts onto Station Road. Its south eastern, north eastern and north western boundaries adjoin the rear gardens of neighbouring residential properties. The south eastern boundary of the hardstanding area lying to the front of the former surgery building adjoins an electricity substation.

The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB).

The site is located within a Flood Zone 1.

**2. Relevant Planning History:****Application Site**

CD.4812 Doctors Surgery, pedestrian access to surgery, vehicular access to existing cottage.  
Granted 1970

40 Station Road

12/05650/FUL Two storey rear extension Granted 2012

### 3. Planning Policies:

NPPF National Planning Policy Framework  
 \_DS2 Dev within Development Boundaries  
 \_EN1 Built, Natural & Historic Environment  
 \_EN2 Design of Built & Natural Environment  
 \_EN4 The Wider Natural & Historic Landscape  
 \_EN5 Cotswold AONB  
 \_INF2 Social & Community Infrastructure  
 \_INF4 Highway Safety  
 \_INF5 Parking Provision  
 \_EC6 Conversion of Rural Buildings

### 4. Observations of Consultees:

None

### 5. View of Town/Parish Council:

'General comments - The Parish Council had a number of comments on this application:

'1) We are concerned about the number of cars that are now parked in Station Road (on both sides of the road), it is noticeable how many times the bus service is having a problem in getting through. Although this location is at the widest point of the road it is close to where the buses stop and there is no provision for any parking on the application.

2) The design of the application is not in keeping in with the village or surrounding properties.'

### 6. Other Representations:

One objection received.

Main grounds of objection are:

- i) As commented by our solicitor prior to the auction: "We are instructed to serve you with formal notice that our clients will object strongly to any such planning application in their capacity as adjoining owners on the grounds of substantial diminution of the amenity of their property that such development would create. In particular:- 1. The access is inadequate. The demolition and reconstruction will have to take place from the highway over a pedestrian access causing obstruction to the highway."
- ii) As commented in the initial auction particulars: "A contemporary design with window openings at the front and back of the property would be acceptable". The drawings show windows to every aspect facing our property which we will be able to see straight into from our home and they into ours, particularly affecting our master bedroom.
- iii) Insufficient drainage: The existing buildings rainwater drainage leaves the building via a soak away. The expanse of the flat roof of the proposed building deems excessive for a soak away to be sufficient. No other contingencies appear to be in place in order to deal with this.
- iv) Elevation of the site: The existing site slopes upwards towards the end of the garden, mimicking our own plot. The plans show a level building. This would indicate yet further excavation than just that of the footings for the building. Again our concerns are regarding the successful removal of this and the intrusion on our own property and the obstruction to the highway at the front of the property. With particular regards to our driveway and the Bus Stop.
- v) Proportion of build to land ratio: We were also of the understanding that the development coverage should be no more than 50% of the ground area of the plot. The proposed plans are greater than this. A 50% building would not meet the square meter-age legal specification for a two bedroom dwelling at the required 61sq meters of internal living space.
- vi) Amenity: We are also concerned about the impact of a development of this size in such close proximity and intrusion to our own home. We very much feel it is detrimental at this size and

the positioning of the exterior doors on the kitchen and the windows from the living area. We were of the understanding an application of a single bedroom dwelling of a smaller design was anticipated, extending no further than the rear exterior walls of May Cottage, of which was constructed in the garden of number 39 and we feel sets a precedent.

## **7. Applicant's Supporting Information:**

Design and Access Statement

## **8. Officer's Assessment:**

### **Background and Proposed Development**

This application relates to a former doctor's surgery building located in the centre of Andoversford. In November 2017, the Primary Care Commissioning Committee of the NHS confirmed the closure of the branch surgery. The building was subsequently put up for auction. The current applicant purchased the site and is now proposing to convert and extend the existing building to create a single storey 2 bedroom dwelling.

The existing building measures approximately 9m long by 5m wide by 3m high. It is constructed in reconstituted stone. The proposed extension will lie to the rear of the existing building and will measure approximately 14m in length and will have a maximum width of approximately 5.2m. It will have a flat roof 3m in height. The external walls of the proposed building will be constructed in a mix of reconstituted stone and timber cladding. Windows and doors will be powder coated aluminium.

Access to the building is via a pedestrian path to its front. The site does not provide any off street parking. Vehicle parking would therefore take place on Station Road. The applicant is in discussion with the owner of the adjacent electricity substation with regard to the use of the land to the front of the substation as a parking space. However, such an arrangement has not yet been agreed.

### **(a) Residential Development in a Development Boundary**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.' The starting point for the determination of this application is therefore the current development plan for the District which is the Cotswold District Local Plan 2011-2031.

The application site is located within Andoversford Development Boundary. The erection of new build residential development on the site is therefore primarily covered by Local Plan Policy DS2 Development Within Development Boundaries. Policy DS2 states:

'Within the Development Boundaries indicated on the Policies Maps, applications for development will be permissible in principle.'

The Local Plan is therefore supportive in principle of the creation of a new residential dwelling on the application site.

The application site also constitutes previously developed (brownfield) land. Paragraph 118 of the National Planning Policy Framework (NPPF) states that planning should 'give substantial weight to the value of using suitable brownfield land within settlements for homes'.

The previous use of the building as a doctor's surgery represented a community facility. Local Plan Policy INF2: Social and Community Infrastructure states that planning permission which results in the loss of a local community facility will be permitted provided i) it is demonstrated that there is no local demand for the facility or service, or demand for an appropriate, alternative local

community use for the facility; or ii) replacement facilities or services are provided in an appropriate alternative location. In this particular case, the NHS has confirmed the closure of the surgery and as such it is considered that it has been reasonably demonstrated that there is no local demand for the facility. It is considered the change of use of the building would not therefore conflict with the Local Plan Policy INF2.

### **(b) Design and Impact on the Character and Appearance of the Area**

The application site is occupied by a flat roof utilitarian building dating from the early 1970s. The building is vacant and is currently in a state of disrepair. The applicant is seeking to use the existing building as a bedroom, bathroom, hall and cloakroom. To its rear it is proposed to erect a single storey extension housing a bedroom, kitchen and lounge/dining. The south eastern side elevation of the proposed building and a section of its north western elevation will be constructed in reconstituted stone. The other elevations will be clad in timber. The applicant is pursuing a contemporary design approach.

Local Plan Policy EN2 Design of the Built and Natural Environment states:

'Development will be permitted which accords with the Cotswold Design Code. Proposals should be of design quality that respects the character and distinctive appearance of the locality.'

Paragraph D.29 of the Cotswold Design Code states that 'original and innovative proposals that reinforce a sense of place and help raise the standard of design generally are welcomed. A contemporary design should make strong local references and respect elements of the Cotswold vernacular, in order to maintain the architectural distinctiveness of the area'.

Paragraph D.33 states that 'in some instances the use of modern, non-local materials may contribute towards a successful contemporary design. This might include the use of more extensive areas of glazing, zinc or copper roofs, or timber cladding. However, obvious local references should still be made'.

Paragraph 124 of the NPPF states 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.'

Paragraph 127 of the NPPF states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of an area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks;

The existing building has a very functional appearance. It does not reflect traditional Cotswold building forms. The building also lies adjacent to an electricity substation which is surrounded by reconstituted stone walls and solid timber gates. The site is bordered to its south east and north east by late 20th and early 21st Century housing and to its north west by a 19th Century dwelling. The building is not therefore located in an area which is characterised by one defining building

style. The introduction of a contemporary form of development that reflects and enhances the functional character of the existing building is therefore considered acceptable in principle.

In terms of its visual impact, the only part of the existing building/site that is readily visible from public view is the front elevation/hardstanding facing towards Station Road. The applicant proposes to refurbish the front elevation and to replace an existing full height window with powder coated aluminium framed glazed doors. The proposed scheme will not therefore significantly alter the visual presence of the building when viewed from Station Road.

The rear of the site is bordered by existing residential gardens and is not therefore readily visible from public view. The height of the extension will match the existing building. It will therefore extend approximately 1m above the height of existing boundary fencing. The limited height of the building helps to reduce the overall scale of the development. The proposed extension will also be linear in form and will therefore respect the linear nature of the existing building and site. The use of timber cladding will break up the mass of the building and add interest to its appearance. The use of powder coated aluminium framing is also considered to contribute to the simple, functional appearance of the development.

Concerns regarding the size of the development are noted. In response to the comment regarding the use of more than 50% of the garden area, it must be noted that this restriction relates to development allowable under householder permitted development rights. A householder can potentially add an extension to the rear of their dwelling that would cover up to 50% of the garden area without the need for planning permission. It is possible to develop more than 50% of the garden area subject to planning permission. With regard to the question of overdevelopment in general, the proposed development will retain garden areas to the side and rear of the proposed extension. The level of rear garden space is also not significantly less than that afforded to larger dwellings on the Jubilee Mews development to the north east of the application site. Having regard to the characteristics of the surrounding area, it is considered that the proposal does not represent an overdevelopment of the site.

It is considered that the proposed design responds sympathetically to the character and appearance of the existing building. The flat roof design and fenestration are considered to reference the existing building. The use of timber cladding is also considered to be a positive addition. Overall, it is considered that the design approach represents a sympathetic and positive conversion and extension of an existing redundant building. It will also allow for the positive re-use of previously developed land. It is considered that the proposal accords with Local Plan Policy EN2, the Cotswold Design Code and guidance in paragraphs 124 and 127 of the NPPF.

The application site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB) wherein the Council is statutorily required to have regard to the purpose of conserving and enhancing the natural beauty of the landscape (S85(1) of the Countryside and Rights of Way Act 2000). The application site is located within the centre of the settlement and is bordered on all sides by residential and utility development. The site is seen within an urban context. The proposed development will not result in an encroachment of development into the countryside or have an adverse impact on the setting of Andoversford within the AONB landscape. It is considered that the proposed development will not have an adverse impact on the character and appearance of the AONB. The proposal is considered not to conflict with Local Plan Policies EN1, EN4 and EN5 and guidance in Paragraphs 170 and 172 of the NPPF.

### **(c) Impact on Residential Amenity**

The established use of the site is as a doctor's surgery which falls into the D1 Non-Residential Institutions Use Class. The site and building have therefore historically attracted visitors. With regard to general activity, the change of use of the property to a single dwelling (C3) is considered not to have a greater impact on the amenity of neighbouring residents than the established use. It is considered that the change of use of the building and site to a residential use is acceptable in principle.

The proposed extension will extend approximately 14m to the rear of the existing building. Notwithstanding this, the existing site is bordered by 2m high close boarded fencing which provides a robust degree of screening between the application site and neighbouring residential development. The gardens of neighbouring properties are not readily visible from the existing garden area. The proposed extension will incorporate windows in the north western side elevation as well as its north eastern rear elevation. It will also include openings in the north eastern and south western elevations facing onto the proposed courtyard. Windows in the proposed extension will be at ground floor level and will not therefore be higher than existing boundary fences. The proposed development will not therefore directly overlook any neighbouring garden areas.

In terms of its relationship with the windows serving neighbouring properties, the windows in the side elevation of the proposed extension will not face directly towards any other windows. The aforementioned windows will lie at right angles to a first floor bedroom window serving 40 Station Road to the south west. In light of the oblique relationship of the windows and the difference in the levels between the openings it is considered that the windows in the side elevation will not have an unacceptable impact on the bedroom serving 40 Station Road. It is noted that a pair of full height glazed doors are proposed in the south western elevation of the lounge area. The aforementioned doors will open onto a courtyard and will face towards the rear of the application building and 40 Station Road to its side. The doors will measure approximately 0.9m in width and are therefore relatively narrow. The bedroom window serving 40 Station Road is also relatively narrow at approximately 1m in width. Having regard to the width of the openings, the difference in heights and their offset nature it is considered that the proposed development would not have an unacceptable impact on the privacy of the occupiers of either 40 Station Road or the proposed dwelling.

The proposed glazed opening in the north eastern rear elevation of the proposed building will face towards the rear garden of 13 Jubilee Mews. An existing boundary fence will prevent direct overlooking of the garden of the aforementioned property. The ground and first floor windows in the rear of 13 Jubilee Mews also lie at 90 degrees to the proposed windows and as such lie at an oblique angle to one another. Having regard to the orientation of the properties and differences in height it is considered that the proposed development could be undertaken without having an adverse impact on the privacy of the occupiers of 13 Jubilee Mews or the proposed development.

The proposed development does not seek to introduce any openings into the south eastern elevation of the proposed development. It will not therefore result in a loss of privacy for the occupiers of properties on Huntsman's Meet. The proposed extension will also act as a screen between the proposed courtyard area and the rear windows serving properties on Huntsmans Meet.

With regard to floor area, the proposed dwelling will have an internal floor area of approximately 80 sq metres. It is in excess of the 61 sq metres minimum floor space recommendation for a 2 bed single storey dwelling set out in the Department for Communities and Local Government's Technical Housing Standards - Nationally Described Space Standard. The proposal therefore accords with Local Plan Policy H1 in this respect.

Future occupiers of the development will be provided with a private outdoor space measuring approximately 4m long by 5.7m at the rear of the site. A courtyard area will also be provided midway along the site adjacent to the kitchen area. It is considered that the level of outdoor space is appropriate for a 2 bed dwelling and in accordance with guidance in the Cotswold Design Code which states that the 'size of a private garden should relate to the size and nature of the property'.

Overall, it is considered that the proposed development could be undertaken without having an adverse impact on residential amenity.

#### **(d) Parking and Highway Safety**

The application site does not provide any on-site parking. Notwithstanding this, the site is located in the centre of a Principal Settlement. A bus stop also lies on the south western side of Station

Road opposite the application site. The application site is therefore located within reasonable walking/cycling distance of a range of services and facilities which reduces reliance on the use of the private motor car. The Council's Parking Toolkit indicates that a development of this nature would generate a parking demand of 1.1 spaces. It must also be noted that the established D1 Use of the site could also generate a degree of on street parking. For example, D1 uses can include clinics, creches, place of worship or galleries. In light of the established use of the site, the accessibility of the site to a range of services by means other than the private motor car, the availability of unrestricted on street parking in the vicinity of the application site and the small level of car ownership that would be generated by the proposed development, it is considered that the proposed development could be undertaken without having an adverse impact on parking or highway safety having regard to Local Plan Policies INF4 or INF5 and guidance in Section 9 of the NPPF.

### **Other Matters**

With regard to drainage, the applicant states that both foul and surface water would be directed to an existing main sewer which flows through the village. The existing surgery building already contains a WC which directs outfall into a mains connection.

With regard to site levels, the current site appears relatively flat and as such is considered not to require significant regrading or re-leveling. It is noted that the rear garden serving 1 Huntsman's Meet located adjacent to the south eastern side boundary of the site is located approximately 0.5m below the level of the application site. However, the proposed extension, by virtue of its single storey form, will not require the excavation of substantial foundations as would be the case with a 2 storey development. The means of construction and the structural stability of the land would also be covered separately by the Building Regulations process,

### **9. Conclusion:**

Overall, it is considered that the proposal represents the positive redevelopment of a redundant building. It will allow for the sustainable re-use of previously developed land within a Principal Settlement. The proposed design responds sympathetically to the character and appearance of the existing building and is considered to represent an enhancement of the site. The proposed building, by virtue of its single storey form, existing boundary treatments and orientation is also considered not to have an unacceptable adverse impact on the amenity of neighbouring residents or future occupants of the proposed dwelling. It is therefore recommended that the application is granted permission.

### **10. Proposed conditions:**

The development 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 carried out in accordance with the following drawing number(s): 1, 2, JN3

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

Notwithstanding the provisions Schedule 2, Part 1 Class A or Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any other statutory instrument amending or replacing it, no extensions shall be added to the dwelling hereby approved or outbuildings erected, constructed or sited in the application site.



**Reason:** Additional development could result in an overdevelopment of the site and have an adverse impact on the amenity of neighbouring residents contrary to Cotswold District Local Plan EN2.



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**COTSWOLD**  
DISTRICT COUNCIL

**THE SURGERY STATION ROAD ANDOVERSFORD**

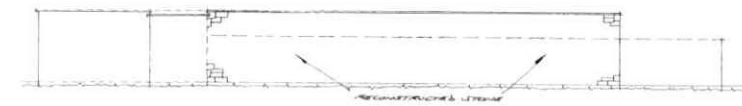
Organisation: Cotswold District Council

Department:

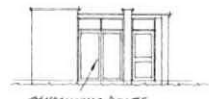
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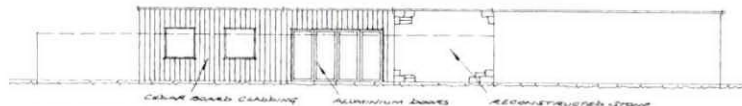




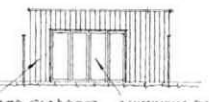
SIDE SOUTH EAST ELEVATION



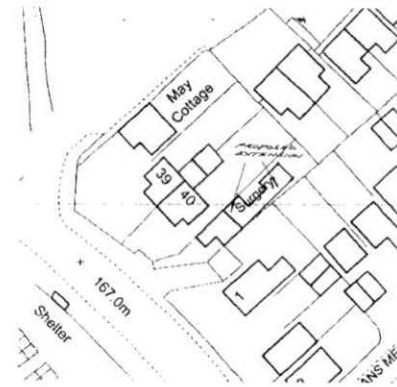
FRONT ELEVATION



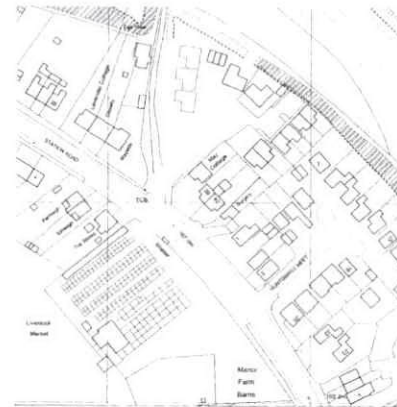
SIDE NORTH WEST ELEVATION



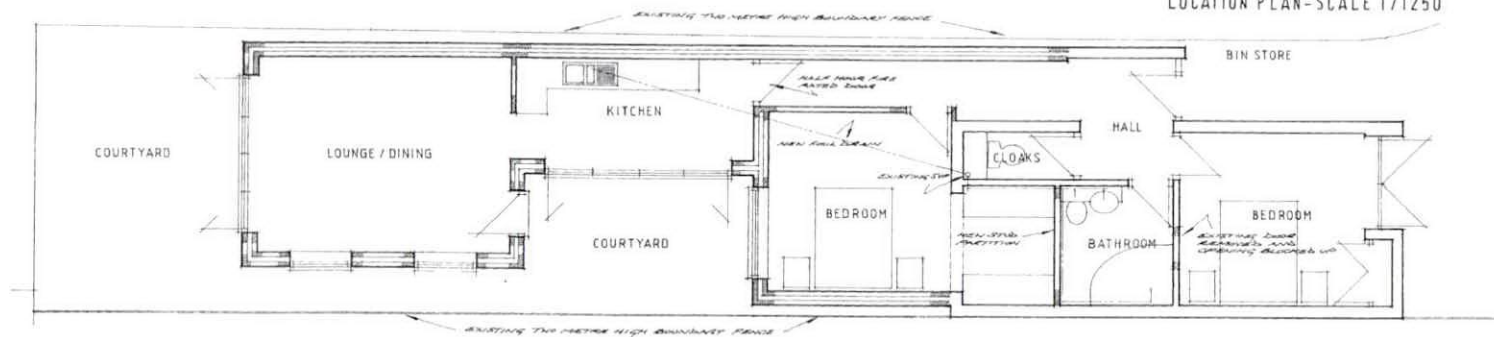
REAR ELEVATION



BLOCK PLAN-SCALE 1/500



LOCATION PLAN-SCALE 1/1250



GROUND FLOOR PLAN

REVISIONS

PROPOSED ALTERATIONS  
AND EXTENSION  
The Surgery, Station Road,  
Andoversford, Glos.

PLANS AS PROPOSED

SCALE : 1-50 1-100  
DATE : SEP. 2018

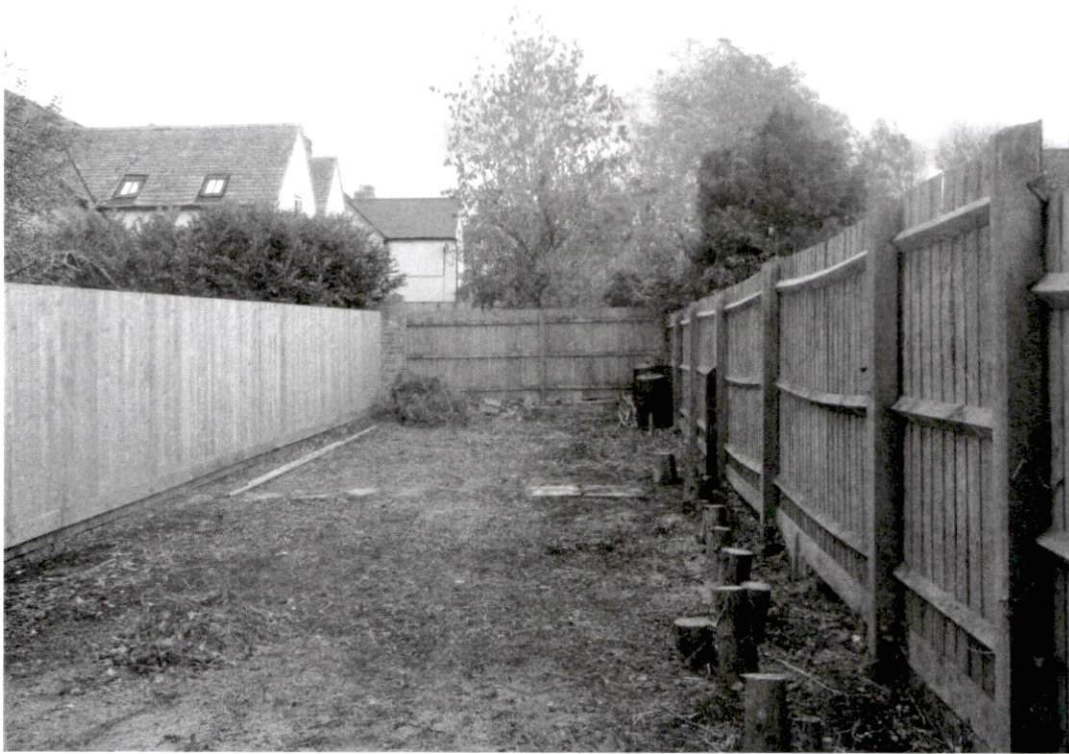
DRAWN  
CWP

2

Ten Acre Services  
Lincoln Green Lane  
Tewkesbury  
Glos GL20 7SN  
Tel/Fax 01684 296521

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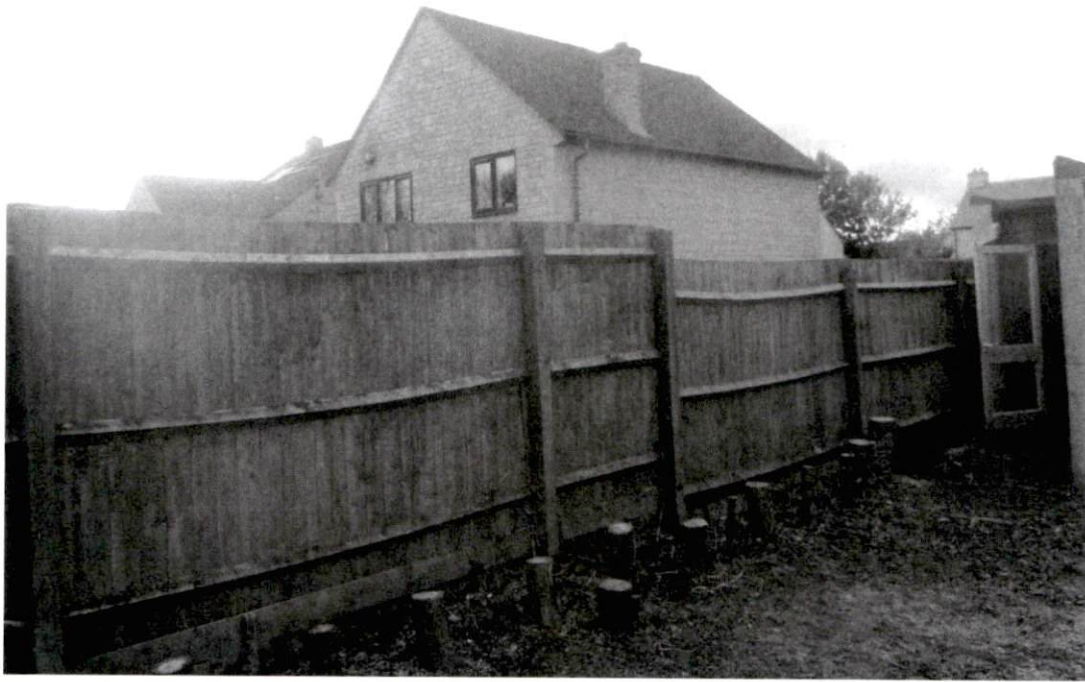
18/03737/Am



Rear Garden

Rear Elevation





South eastern boundary 1 Huntsman's Meet

North Western Boundary 40 Station Road

