

APPLICATION NO: 21/00847/REM	OFFICER: Mrs Emma Pickernell
DATE REGISTERED: 14th April 2021	DATE OF EXPIRY: 14th July 2021
WARD: Leckhampton	PARISH: Leckhampton With Warden Hill
APPLICANT:	Newland Homes Ltd
AGENT:	No agent used
LOCATION:	Land Off Kidnappers Lane, Cheltenham
PROPOSAL:	Application for approval of Reserved Matters (conditions; 1, 5, 7 & 13) following Outline Planning Application approval for 25 Dwellings & Associated Works (with all matters reserved) 19/00334/OUT

Update to Officer Report

19th January 2022

1. OFFICER COMMENTS

- 1.1 The main committee report made reference to the fact that Highway Officer comments were awaited. These have now been received and are appended to this update.
- 1.2 The highway officer advises that they are content that the changes provided by the applicant overcome previous concerns and therefore they do not wish to object.
- 1.3 They suggest attaching conditions relating to the completion of the vehicular access, provision of Electric Vehicle (EV) charging points and bicycle parking. They also suggest 2 informatives.
- 1.4 Cycle parking and EV charging points are covered by condition 7 of the appeal decision and are indicated on the submitted drawing and as such it is not necessary to attach further conditions in this regard. However the remainder of suggestions with regards to conditions and informatives have been added to the updated list below.

2. CONCLUSION AND RECOMMENDATION

- 2.1 The condition remains as per the original committee report with the additional condition and informatives as discussed above.

3. CONDITIONS

- 1 The development shall be begun not later than the expiration of two years from the date of this decision.

Reason: To accord with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The planning permission hereby granted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

Reason: For the avoidance of doubt and in the interests of proper planning.

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- 3 No external facing or roofing materials shall be applied unless in accordance with:
a) a written specification of the materials; and/or
b) physical sample(s) of the materials.
The details of which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to adopted policy D1 of the Cheltenham Plan (2020) and adopted policy SD4 of the Joint Core Strategy (2017).

- 4 Prior to first occupation of the development, refuse and recycling storage facilities shall be provided in accordance with the approved plans and shall be retained as such thereafter.

Reason: In the interests of sustainable waste management and recycling, having regard to Policy W36 of the Gloucestershire Waste Local Plan.

- 5 Prior to first occupation of the development, the proposed means of vehicular access shall be constructed in accordance with the approved plans and thereafter retained as such at all times.

Reason: To ensure a safe and suitable access to the development is provided and maintained in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

INFORMATIVES :-

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.

- 2 The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 which the County Council, which would specify the works and the terms and conditions under which they are to be carried out.

Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Council's costs in undertaking the following actions:

Drafting the Agreement

A monitoring fee

Approving the highway details

Inspecting the highway works

Planning permission is not permission to work in the highway. A highway agreement under section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

- 3 The development includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's standards and terms for the phasing of the development. The applicant/developer is advised that a highway agreement under Section 38 of the Highways Act 1980 will be required. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980.

You should contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk. You will be required to pay fees to cover the Council's costs in undertaking the following actions:

- i. Drafting the Agreement
- ii. Set up costs
- iii. Approving the highway details
- iv. Inspecting the highway works

You should enter into discussions with statutory undertakers as soon as possible to coordinate the laying of services under any new highways to be adopted by the Highway Authority.

The Highway Authority's technical approval inspection fees must be paid before any drawings will be considered and approved. Once technical approval has been granted a Highway Agreement under Section 38 of the Highways Act 1980 must be completed and the bond secured.

Cheltenham Borough Council
P.O. Box 12
Municipal Offices
Promenade
Cheltenham Glos
GL50 1PP

Highways Development
Management
Economy Environment and
Infrastructure
Shire Hall
Westgate Street
Gloucester
GL1 2TG

19 January 2022
Your ref: 21/00847/REM
Ask for: Simon Shapland

Dear Emma Pickernell

**TOWN AND COUNTRY PLANNING ACT 1990
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015
ARTICLE 18 CONSULTATION WITH HIGHWAY AUTHORITY**

PROPOSAL: Application for approval of Reserved Matters (conditions; 1, 5, 7 & 13) following Outline Planning Application approval for 25 Dwellings & Associated Works (with all matters reserved) 19/00334/OUT

LOCATION: Land Off Kidnappers Lane Cheltenham Gloucestershire

APPLICANT: Newland Homes Ltd

Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure)(England) Order, 2015 has **no objection subject to conditions.**

The justification for this decision is provided below.

Following the Highway Authority's consultation response dated 15th December 2021, revised plans have now been received by the applicant. We are content that the changes provided by the applicant overcome our previous concerns, and therefore subject to planning conditions we would not wish to object to the application.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

Email: simon.shapland@gloucestershire.gov.uk

Conditions

Completion of Vehicular Access – Shown on the approved plans

The development hereby approved shall not be occupied until the means of access for vehicles, pedestrians and cyclists have been constructed and completed as shown on drawing 859-SK01 Rev B.

Reason: In the interest of highway safety.

Bicycle Parking

The Development hereby approved shall not be occupied until sheltered, secure and accessible bicycle parking has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority. The storage area shall be maintained for this purpose thereafter.

REASON: To promote sustainable travel and healthy communities

Electric Vehicle Charging Points (Residential)

Before first occupation, each dwelling hereby approved shall have been fitted with an Electric Vehicle Charging Point (EVCP) that complies with a technical charging performance specification, as agreed in writing by the local planning authority. Each EVCP shall be installed and available for use in accordance with the agreed specification unless replaced or upgraded to an equal or higher specification.

Reason: To promote sustainable travel and healthy communities

Informatives

Works on the Public Highway

The development hereby approved includes the carrying out of work on the adopted highway. You are advised that before undertaking work on the adopted highway you must enter into a highway agreement under Section 278 of the Highways Act 1980 with the County Council, which would specify the works and the terms and conditions under which they are to be carried out.

Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk allowing sufficient time for the preparation and signing of the Agreement. You will be required to pay fees to cover the Council's costs in undertaking the following actions:

Drafting the Agreement
A Monitoring Fee
Approving the highway details
Inspecting the highway works

Email: simon.shapland@gloucestershire.gov.uk

Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved.

Highway to be adopted

The development hereby approved includes the construction of new highway. To be considered for adoption and ongoing maintenance at the public expense it must be constructed to the Highway Authority's standards and terms for the phasing of the development. You are advised that you must enter into a highway agreement under Section 38 of the Highways Act 1980. The development will be bound by Sections 219 to 225 (the Advance Payments Code) of the Highways Act 1980.

Contact the Highway Authority's Legal Agreements Development Management Team at highwaylegalagreements@gloucestershire.gov.uk. You will be required to pay fees to cover the Council's costs in undertaking the following actions:

- Drafting the Agreement
- Set up costs
- Approving the highway details
- Inspecting the highway works

You should enter into discussions with statutory undertakers as soon as possible to co-ordinate the laying of services under any new highways to be adopted by the Highway Authority.

The Highway Authority's technical approval inspection fees must be paid before any drawings will be considered and approved. Once technical approval has been granted a Highway Agreement under Section 38 of the Highways Act 1980 must be completed and the bond secured.

Yours Sincerely

Simon Shapland