

<b>APPLICATION NO:</b> 22/00257/FUL	<b>OFFICER:</b> Mr Ben Warren
<b>DATE REGISTERED:</b> 15th February 2022	<b>DATE OF EXPIRY:</b> 12th April 2022
<b>WARD:</b> Battledown	<b>PARISH:</b> Charlton Kings
<b>APPLICANT:</b>	Mr And Mrs Marley
<b>AGENT:</b>	Mr John Everitt
<b>LOCATION:</b>	Oakfield House Stables Oakfield House Greenway Lane
<b>PROPOSAL:</b>	To rebuild two single-storey storage/stable outbuildings, following demolition of existing buildings.

## Update to Officer Report

### 1. OFFICER COMMENTS

- 1.1. Following officer and councillor’s visit to the site on planning view, it became apparent that the trees and hedging planted on the site does not reflect the details included on the existing and proposed block plan drawings. The agent has now provided updated plans which reflect what has been planted on the site.
- 1.2. In summary, what has been planted includes a laurel hedgerow along the site boundaries, a fruit tree in the south eastern corner of the site, and 14 silver birch trees located in the field above the application site. As no laurel trees have been planted there is no longer the need for the original condition (8) which required this tree to be replaced. However, as Laurel hedging has been planted, which could still pose a risk to horses, protection measures are necessary. The applicant now proposes the installation of electric fencing, which has been shown on the revised proposed block plan (PL004 Rev C). This approach is considered to be appropriate and is acceptable.

### 2. CONCLUSION AND RECOMMENDATION

- 2.1 Having received revised plans which now accurately reflect what has been planted on site, officers are happy that the scheme achieves an acceptable gain to the site in terms of landscaping and bio-diversity, and appropriate measures are proposed to ensure animal welfare is protected.

### 3. CONDITIONS

- 1 The planning permission hereby granted shall be begun not later than the expiration of three years from the date of this decision.

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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- 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.

- 3 Should the proposed development require new foundations, a no-dig (eg pile and beam or raft) foundation type shall be used for any foundation works required within the Root Protection Area of the existing Oak Tree.

Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to policies GI2 and GI3 of the Cheltenham Plan 2020. Approval is required upfront to ensure that important trees are not permanently damaged or lost.

- 4 No underground services shall be routed through the Root Protection Area of the existing Oak Tree.

Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to policies GI2 and GI3 of the Cheltenham Plan 2020. Approval is required upfront to ensure that important trees are not permanently damaged or lost.

- 5 The facilities hereby granted shall only be for the benefit of residents of Oakfield House Stables and shall not be used for any commercial or business activities.

Reason: Increased use or use by others outside of the application site will require further consideration with specific regard to impact on the AONB, on neighbouring amenity and highway safety, having regard to the provisions of the Cheltenham Plan (2020) and the Joint Core Strategy (2017).

- 6 No external lighting shall be installed, unless in accordance with details 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, and impact on neighbouring amenity, with regard to Cheltenham Plan policies D1, L1 and SL1, adopted JCS policies SD6, SD7, SD9 and SD14, and the Cotswold AONB Management Plan 2018-23.

- 7 Prior to the first beneficial use of the site, a bat roosting box shall be installed onto the stable building and shall be maintained as such thereafter.

Reason: To ensure that adequate provision is made in order to safeguard protected species in accordance with adopted JCS policy SD9 and paragraph 175 of the NPPF.

### 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.

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In this instance, the authority sought revisions to the design/materials and sought relevant additional information required to fully consider the application;

Following these negotiations, the application now constitutes sustainable development and has therefore been approved in a timely manner.

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