

Updates and Corrections –

Item 6a: application ref: 24/00725/OUT Land at North Road West and Grovefield Way.

Corrections

Paragraph 6.12 of the committee report erroneously quotes from the December 2023 version of the National Planning Policy Framework (NPPF) (Paragraph 11). Members will be aware that the earlier 2023 version of the NPPF was recently superseded by the December 2024 version of the NPPF.

The relevant paragraph of the current version of the NPPF states as follows:

"Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

- (c) approving development proposals that accord with an up-to-date development plan without delay; or
- (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - (i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination".

The key changes in the December 2024 version are:

1. The addition of "strong" in limb (i)
2. The expanded detail in limb (ii) regarding specific policy considerations

In this case, these changes do not alter the recommendation but arguably strengthen the case for approval because:

- The site is in a sustainable location within the Principal Urban Area
- The proposal makes effective use of land by including both residential and commercial uses.
- The scheme provides 40% affordable housing.
- The design and layout principles shown in the parameter plans demonstrate potential for a well-designed place.

Revised recommended Conditions.

Following the publication of the committee report discussions have continued between the case officer and planning agent. As a result, a number of minor revisions have been made to the suggested conditions. The final schedule of recommended conditions (i.e. those incorporating the agreed revisions) is set out as follows:

- 1 Details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place (including demolition works) and the development shall be carried out as approved.

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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 Application(s) for approval of the reserved matters must be made not later than the expiration of three 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.

- 3 The outline planning permission hereby granted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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.

- 4 The details to be submitted as part of the reserved matters for access, layout and landscaping shall be in general accordance with the design and layout principles of the Parameter Plans (drawing references ES090 R(0)002C, ES090 P(0)003B, ES090 P(0)004A) and the Illustrative Landscape Masterplan (Drawing No L 08 S08) in respect of the following:

1. The location/distribution of the residential and commercial elements of the proposed development
2. Building heights/massing
3. The alignment of the main/central internal estate road serving the residential and commercial elements
4. Retained existing trees/hedgerow along the southern site boundary (adjacent North Road West)
5. Proposed native tree, shrub and hedge planting and open space/green buffers adjacent to the east, west, south and north site boundaries
6. SUDS pond/attenuation and associated soft landscaping features
7. Circular footpaths around SUDS feature and cycle and footpath links into the adjoining site to the east and onto North Road West
8. Provision of children's play area and community Growing Area/Garden

Reason: In the interests of the character and appearance and of the area, the amenities of neighbouring land users and to ensure the development accords with the required principles and standards of urban design, having regard to adopted policies D1 and SL1 of the Cheltenham Plan (2020) and adopted policies SD4 and SD14 of the Joint Core Strategy (2017).

- 5 The development hereby permitted shall provide no more than 60 dwellings and no less than 550 sq. metres of commercial (Class E) floorspace.

Reason: To limit the terms of the permission in the interests of the protection of the character and appearance of the area, neighbour amenity, and to ensure the delivery of employment land, having regard to the objectives of adopted policies D1, EM1 and SL1 of the Cheltenham Plan (2020), adopted policies SD1, SD4, and SD14 of the Joint Core Strategy (2017) and section 12 of the NPPF (2024).

- 6 The first reserved matters applications required by Condition 1 shall be accompanied by a Phasing Plan, giving details of the phasing of the development. The development shall be carried out in accordance with the approved Phasing Plan unless any variations have first been approved in writing by the local planning authority.

Reason: To ensure the development is delivered in an appropriate manner.

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- 7 Prior to the submission of the first reserved matters application, a Housing Mix Statement for the open market housing shall be submitted to the local planning authority for approval. The Statement shall set out an appropriate mix of dwelling sizes, types and tenures to be provided on site that will contribute to a mixed and balanced housing market. The Statement shall address the needs of the local area having regard to the Council's current local housing evidence base. The development shall be implemented in accordance with the approved Statement.

Reason: To ensure the development meets the identified housing needs of the area in accordance with adopted policies of the Joint Core Strategy (2017).

- 8 The reserved matters required to be submitted and approved under Condition 1 shall include:
1. details of the design, form and architectural features of the dwellings and commercial (Class E) building(s)
 2. details of external facing or roofing materials (including physical samples of materials where requested and garage door materials/finishes)
 3. details of windows and external doors (including garage doors)
 4. details (to include elevation drawings) of the position, design, materials and type of boundary walls, fences and any other means of boundary enclosure
 5. details of cycle storage facilities for each dwelling and commercial building
 6. details of refuse and recycling storage for each dwelling and commercial building
 7. details of any solar PV panels (location, design/specification)

The development shall be carried out in complete accordance with the details approved.

Reason: In the interests of the character and appearance of the area and sustainable transport and waste management; having regard to adopted policy D1 of the Cheltenham Plan (2020), adopted policies INF1, SD3, SD4, SD6, SD7 and SD8 of the Joint Core Strategy (2017), policy W36 of the Gloucestershire Waste Local Plan and sections 9 and 12, of the NPPF (2024).

- 9 The proposed buildings adjacent to North Road West (facing the southern site boundary) shall be no more than 2 storeys in height. Buildings located elsewhere within the site shall accord with the proposed building heights/massing details shown on the Building Mass Parameter Plan (drawing reference ES090 P(0)002C) and shall not exceed 3 storeys in height.

Reason: In the interests of the character and appearance of the area; having regard to adopted policy D1 of the Cheltenham Plan (2020), adopted policies SD4 of the Joint Core Strategy (2017), and sections 12 of the NPPF (2024).

- 10 The details to be submitted for approval as part of the Reserved Matters application(s) pursuant to condition 1, shall include an updated Energy and Sustainability Statement. The statement shall demonstrate an improvement on the energy efficiency of the scheme over and above the Building Regulations in place at the time of the Reserved Matters application(s) submission and shall include (but shall not be restricted to) the following information:
- a. details of the methods used to calculate predicted annual energy demand and associated carbon emissions;
 - b. measures to reduce impact on climate change (including consideration of heat proofing, construction techniques, building fabric, solar gain, natural lighting, shading, orientation, water retention, flood mitigation and landscaping).

- c. details of non fossil fuel/renewable heating solutions
- d. details of solar PV panels

The development shall be carried out in accordance with the details approved.

Reason: In the interests of reducing carbon emissions, having regard to adopted policies adopted policy SD3 of the Joint Core Strategy (2017) and guidance set out in Cheltenham Climate Change SPD (2022).

- 11 Prior to the commencement of development (excluding site clearance works), a detailed Sustainable Drainage System (SuDS) Strategy shall be submitted to and approved in writing by the local planning authority. The information submitted shall be in accordance with the proposals set out in the (Glanville) Outline Drainage Scheme; 8230393-106-P1; April 2024 and Northern Ditch Sections and Drainage Strategy Updates; 2400377-ENV-S1-SW-DR-C-0001; Rev 1.4; 03/10/2024. The SuDS Strategy must include a detailed design, an exceedance flow route plan, a timetable for implementation, and a full risk assessment for flooding during the groundworks and building phases with mitigation measures specified for identified flood risks. The SuDS Strategy must also demonstrate the technical feasibility/viability of the drainage system through the use of SuDS to manage the flood risk to the site and elsewhere and the measures taken to manage the water quality for the lifetime of the development. The surface water drainage scheme shall be implemented strictly in accordance with the approved details and prior to first occupation of the development.

Reason: To ensure sustainable drainage of the development, having regard to adopted policy INF2 of the Joint Core Strategy (2017). Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

- 12 Prior to the commencement of development (excluding site clearance works), full details for the treatment, routing and disposal of foul water (including pollution control and monitoring measures) for the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the approved details.

Reason: To ensure suitable foul drainage of the development, having regard to adopted policy INF2 of the Joint Core Strategy (2017). Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

- 13 No part of the development shall be brought in to use/occupied until a SuDS management and maintenance plan for the lifetime of the development has been submitted to and approved in writing by the local planning authority. The SUDS Maintenance Plan shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. The approved Plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding, having regard to adopted policy INF2 of the Joint Core Strategy (2017).

- 14 Prior to the commencement of development and as part of the Reserved Matters application(s) submitted pursuant to condition 1, plans showing (i) the existing and proposed ground levels of the site and existing ground levels of adjacent land, (ii) details of the slab levels of the proposed buildings and (iii) ridge heights of the proposed buildings and ridge heights of existing buildings on land adjacent to the site (including dwellings located opposite the site on North Road West), shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented strictly in accordance with the agreed details.

Reason: To ensure a satisfactory relationship between the proposed development and adjacent buildings and land, having regard to adopted policies D1 and SL1 of the Cheltenham Plan (2020) and adopted policies SD4 and SD14 of the Joint Core Strategy (2017). Approval is required upfront to allow the impact of the development to be accurately assessed.

- 15 Prior to the commencement of development, other than that necessary to comply with the requirements of this condition, the approved remediation scheme necessary to bring the site to a condition suitable for the intended use (set out in Harris Cars PLC Interpretive Report on Site Investigation dated July 2024 Report N0: 729381R2 Revision 4) shall be implemented in full. Following the completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with adopted policy SD14 of the Joint Core Strategy (2017).

- 16 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority and development shall be halted on that part of the site affected by the unexpected contamination. An investigation and risk assessment must then be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11 and a remediation scheme, where necessary, also submitted. Following completion of measures identified in the approved remediation scheme, a verification report shall be submitted to and approved in writing by the Local Planning Authority before development can recommence on the part of the site identified as having unexpected contamination.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with adopted policy SD14 of the Joint Core Strategy (2017).

- 17 Notwithstanding the submitted details shown on Drawing No 2387 10 C, prior to the commencement of development (excluding site clearance works) full design details of the following off-site works and site access works shall be submitted and approved in writing by the local planning authority:-

Works Description A - Construction Details for the initial 10m site access to be adopted.

Works Description B - Construction Details for pedestrian access footway link on North Road West linking to the existing footway.

Works Description C - Street lighting upgrade for the full extent of North Road West within the existing 30mph speed limit.

No part of the development shall be occupied until those works have been carried out and constructed in full and in accordance with the approved details.

Reason: To ensure a safe and suitable access to the development is provided for all users, having regard to adopted policy INF1 of the Joint Core Strategy (2017) and section 9 of the NPPF (2024).

- 18 The development hereby approved shall not be occupied/brought into use until the proposed vehicular access via North Road West is laid out and constructed in accordance with the approved details and until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 75 metres in each direction measured along the nearside edge of the adjoining carriageway and offset a distance of 0.6 metres from the edge of the carriageway. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above carriageway level.

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) and section 9 of the NPPF (2024).

- 19 No building shall be occupied until:
- (i) the carriageway(s) providing access from the public highway to that building has been completed to at least binder course level and the footway(s) to surface course level and in accordance with the approved plans; and
 - (ii) the car/vehicle parking area, visitor parking and turning space associated with that building (including garages and car ports where proposed) have been completed in accordance with the approved plans.

The access, parking (including garages) and turning areas shall thereafter be kept free of obstruction and available for the access, parking and turning of vehicles associated with the development.

Reason: To ensure that safe and suitable access is provided and maintained in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017), and Section 9 of the National Planning Policy Framework (2024).

- 20 Prior to first occupation of the development, details of the arrangements for future management and maintenance of the roads/streets within the development shall be submitted to and approved in writing by the local planning authority. The roads/streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.

Reason: To ensure that safe and suitable access is provided and maintained in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017) and Section 9 of the National Planning Policy Framework (2024).

- 21 All proposed dwellings shall be provided with at least one electric vehicle charging point. Within any car courts/parking areas associated with flats/apartments and the commercial units, provision shall be made for 1 active electric vehicle charging point for every 10 parking spaces and passive provision provided to the equivalent of 1 electric vehicle charging point per dwelling served by any car court. The details of the appearance, location and type of electric vehicle charging point(s) shall have been submitted to and approved in writing by the local planning authority prior to the commencement of any above ground development. The electric vehicle charging points shall be installed prior to the first occupation of the building(s) to which it relates and shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging points shall be of the same specification or a higher specification in terms of charging performance.

Reason: In the interests of sustainable development and the reduction of carbon emissions, having regard to Section 9 of the NPPF (2024) and the Council's Climate Change SPD (adopted 2022).

- 22 No building shall be occupied until secure covered cycle storage for that building has been provided and in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The cycle storage shall thereafter be retained available at all times for such use in accordance with the approved details.

Reason: To ensure the adequate provision and availability of cycle parking, so as to ensure that opportunities for sustainable transport modes have been taken up, having regard adopted policy INF1 of the Joint Core Strategy (2017) and section 9 of the NPPF (2024).

- 23 Prior to their installation, a scheme for the provision of fire hydrants (served by mains water supply) shall be submitted to and agreed in writing by the Local Planning Authority. No building shall be occupied until the fire hydrant serving that property has been provided in accordance with the agreed scheme.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire, having regard to adopted policy INF6 of the Joint Core Strategy (2017).

- 24 Prior to the commencement of development or if relevant, prior to the commencement of each phase of the development, a Construction Traffic Environmental Management Plan (CTEMP) shall be submitted to and approved in writing by the Local Planning Authority. The approved CTEMP shall be adhered to throughout the site preparation, demolition and construction periods unless the Local Planning Authority gives prior written permission for any variation. The plans/statements shall include but shall not be restricted to:

- Parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Advisory routes for construction traffic;
- Types, size and numbers of construction related vehicles anticipated daily including arrangements to receive abnormal loads or unusually large vehicles;
- Any temporary access into the site;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud and dust being carried onto the highway;
- Measures for the control of noise, dust and other air borne pollutants during works of demolition and construction;
- Wheel washing facilities;
- Arrangements for turning vehicles;
- Measures for the control of site lighting (required for safe working or for security purposes);
- Arrangements to receive abnormal loads or unusually large vehicles; and
- Methods of communicating the CTEMP to staff, visitors and neighbouring residents and businesses.

No construction works and/or ancillary operations which are audible at the site boundary shall be carried out on site outside the following hours:

Monday to Friday - 8am to 6pm

Saturday - 8am to 1pm

There shall be no working on Sundays or Public or Bank Holidays. Deliveries to, and removal of plant, equipment, machinery and waste from, the site shall only take place within the permitted hours detailed above.

Reason: In the interests of highway safety and to safeguard the amenity of occupiers of neighbouring properties, having regard to adopted policy SL1 of the Cheltenham Plan and adopted policies SD14 and INF1 of the Joint Core Strategy (2017). Approval is required upfront because without proper mitigation the works could have an unacceptable highway impact during construction.

- 25 Prior to the commencement of development, a Site Waste Management Plan (SWMP) shall be submitted to and approved in writing by the local planning authority. The SWMP shall include:
- Information on the type and amount of waste likely to be generated prior to and during the construction phase;
 - Details of the practical arrangements for managing waste generated during construction in accordance with the principles of waste minimisation; and
 - Details of the measures for ensuring the delivery of waste minimisation during the construction phase.

The approved SWMP shall be adhered to throughout the demolition and construction period.

Reason: To ensure the effective implementation of waste minimisation in accordance with the Gloucestershire Waste Core Strategy. Approval is required upfront because without proper mitigation the works could have an unacceptable highway impact during construction.

- 26 As part of the Reserved Matters application(s) submitted pursuant to condition 1, a Waste Minimisation Statement (WMS) shall be submitted to and agreed in writing by the Local Planning Authority. The WMS shall include provision within the residential and commercial development of on-site storage receptacles for recycling a range of materials as specified by the Waste Collection Authority, at identified locations and appropriate to the number of residential and commercial units proposed; and suitable accessing arrangements for recycling/waste collection vehicles.

No building shall be occupied until the provisions set out in the approved WMS that are relevant to that dwelling have been implemented in full. All of the approved measures shall thereafter be maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In accordance with Gloucestershire Waste Local Plan Policy W36 relating to waste minimisation.

- 27 No piling activities shall be carried out at this site until a full pile method statement has been submitted to and approved in writing by the Local Planning Authority. The method statement must assess and include full details of the noise and vibration impact from the piling operations on the nearest residential property, dates and times of piling and details of monitoring measures. All piling activities shall be carried out in accordance with the approved details.

Reason: To safeguard the amenity of adjacent properties and the general locality, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

- 28 As part of the first Reserved Matters application(s) submitted pursuant to condition 1 and prior to the commencement of development, an updated ecological survey, carried out by a suitably qualified ecological consultant, shall be submitted to and approved in writing by the local planning authority. The Survey Report shall include updated protected species surveys. The development shall be carried out in accordance with any approved mitigation and enhancement measures and/or licensing requirements following the updated surveys.

Reason: To safeguard important ecological species and to ensure the development contributes to the conservation and enhancement of biodiversity within the site and the wider area during the construction and operational phases of the development, having regard to adopted policy SD9 of the Joint Core Strategy (2017).

- 29 Prior to the commencement of the development hereby approved, an Ecological Mitigation & Enhancement Strategy (EMES) shall be submitted to and approved in writing by the local

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planning authority. The EMES shall include details of the provision of 10no. bird, 10no. bat, 6no. insect and 5no. hedgehog boxes suitably located across the site. The bird boxes must include bricks or tiles for swift and house sparrow. The location, specification, height and orientation of these features shall be shown on a site plan.

The development hereby approved shall be carried out at all times (including during all ground and vegetation clearance works) in accordance with the approved EMES.

Any modifications to the approved EMES, for example as a result of requirements of a protected species license, must be submitted to and agreed in writing by the Local Planning Authority and prior to the implementation of any modifications.

Reason: To safeguard important ecological species and to ensure the development contributes to the conservation and enhancement of biodiversity within the site and the wider area during the construction and operational phases of the development, having regard to adopted policy SD9 of the Joint Core Strategy (2017).

- 30 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan, has been submitted to, and approved in writing by, the local planning authority. The HMMP shall include:
- (a) a non-technical summary;
 - (b) the roles and responsibilities of the people or organisation(s) delivering the [HMMP];
 - (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
 - (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
 - (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,

Notice in writing shall be given to the Council when the:

- (f) [HMMP] has been implemented; and
- (g) habitat creation and enhancement works as set out in the [HMMP] have been completed.

No part of the development shall be occupied until:

- (h) the habitat creation and enhancement works set out in the approved [HMMP] have been completed; and
- (i) a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.

The created and/or enhanced habitat specified in the approved [HMMP] shall be managed and maintained in accordance with the approved [HMMP].

Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved [HMMP].

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

- 31 The first Reserved Matters application(s) submitted pursuant to condition 1 shall include full details of a hard and soft landscaping and a boundary treatment scheme for both the residential, commercial and open space elements of the proposed development. The scheme shall include (but shall not be limited to) the following:

1. A written specification of all tree, shrub, hedgerow and other planting categories; describing the location, species, sizes, spacing, densities, planting numbers and tree pit details;
2. Details of all retained trees, hedgerow and other ecological features;

3. Details of hard surfacing materials;
4. Details of the phasing of implementation of all proposed hard and soft landscaping;
5. Details of any proposed aquatic planting for any SuDS features proposed;
6. Details of hard and soft boundary treatments (including details of materials and elevation drawings where relevant and details of residential plot boundary treatment);
7. Details of biodiversity net gain (BNG), in accordance with Defra's Biodiversity Metric 4.0 and the submitted Biodiversity Gain Plan;
8. A detailed Landscape and Tree Management and Maintenance Scheme (LTMMS) (for the short, medium and long term - 5, 10 and 30 years), based on the principles set out in the approved Biodiversity Gain Plan and Biodiversity Management and Monitoring Methodology.

All hard and soft landscaping and boundary treatments shall be implemented and maintained in accordance with the details approved in writing by the local planning authority (including the approved Biodiversity Gain Plan), and in accordance with a timetable to be agreed with the local planning authority. Any trees, hedgerows or other plants which, within a period of 10 years from the date that they were planted, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season (October to March) with others of the same size or species unless otherwise first agreed in writing by the local planning authority. Any pruning works shall be carried out in accordance with BS 3998:2010 (or any standard that reproduces or replaces this standard).

Reason: In the interests of the character and appearance of the area, having regard to adopted policies D1, GI2 and GI3 of the Cheltenham Plan (2020), and adopted policies SD4 and INF3 of the Joint Core Strategy (2017).

- 32 Prior to the commencement of development (excluding site clearance and utilities works), full details of the external lighting scheme, shall be submitted to and approved in writing by the local planning authority. The details shall include but shall not be limited to the following:
- a. the position, height and type of all external lighting (including any security lighting and other lighting fixed externally to buildings);
 - b. the intensity of lighting and spread of light as a lux contour plan (including horizontal and vertical components);
 - c. lighting calculations and assessment;
 - d. measures to minimise light spill/pollution;
 - e. measures to minimise the effects of lighting on protected wildlife species (notably bats);
 - f. the periods of day and night (throughout the year) when such lighting will be used and controlled for construction and operational needs.

The external lighting scheme shall include a lux level contour plan, and shall seek to ensure no light spill outside of the site boundaries or on to habitat suitable for nocturnal protected species. The lux contour plan shall show lux levels at frequent intervals (lux levels at 0, 0.2, 0.5, 1, 1.5, 2, 3, 4, 5 lux and higher are particularly useful) and extend outwards to additional levels (above the pre-existing background light level) of zero lux. The lux contour levels shall be superimposed on a site plan which includes all land that is affected by raised light levels (including potentially land outside the red line planning application area) and shall reflect the use of any proposed mitigation, e.g. visors.

The development hereby approved shall be carried out at all times in accordance with the approved details.

Reason: To safeguard the amenities of neighbouring land users and the character of the area; having regard to adopted policies D1 and sSL1 of the Cheltenham Plan (2020) and adopted policies SD4 and SD14 of the Joint Core Strategy (2017). To safeguard important ecological species and to ensure the development contributes to the conservation and enhancement of biodiversity within the site and the wider area during the construction and

operational phases of the development; having regard to adopted policy SD9 of the Joint Core Strategy (2017) and the requirements of the 1981 Wildlife & Countryside Act (as amended).

- 33 Prior to first occupation of the development, details of a Homeowner's Information Pack resource providing information on recreation resources in the locality shall be submitted to and approved in writing by the Local Planning Authority. The pack should reference (off site) local and regional recreation opportunities.

Each household shall be provided with an approved Homeowner Information Pack on first occupation.

Reason: To assist in mitigating any impacts the proposed development may cause to designated landscape areas having regard to Policy BG1 of the Cheltenham Plan, Policy SD9 of the Joint Core Strategy (2017) and guidance set out at section 15 of the NPPF (2024).

- 34 As part of the Reserved Matters application(s) submitted pursuant to condition 1, an Environmental Noise Impact Assessment shall be submitted to and approved in writing by the local planning authority. The noise impact assessment shall consider the following:-

1. The noise and environmental impacts of the proposed Class E and adjacent commercial unit(s) on the future occupiers of the proposed residential units
2. Details of façade/fenestration and boundary treatment specifications/mitigation.

Any approved noise mitigation measures shall be installed in full prior to first occupation of the affected properties and retained thereafter for the lifetime of the development.

Reason: To safeguard the amenity of adjacent properties and the general locality, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

- 35 Prior to the commencement of development (excluding site clearance), details of the type/model, location and predicted noise levels of any proposed air source heat pumps (ASHPs), ground source heat pumps (GSHPs) or any alternative proposed non fossil fuel heating system, shall be submitted to and approved in writing by the local Planning authority. The ASHPs/GSHPs or alternative proposed non fossil fuel heating system shall be installed prior to first occupation of each dwelling or building hereby approved and in accordance with the details approved. The ASHPs/GSHPs/alternative proposed non fossil fuel heating system shall be retained as such thereafter unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of future occupiers and neighbouring properties and to reduce carbon emissions, having regard to adopted policies D1 and SL1 of the Cheltenham Plan (2020), adopted policies SD3, SD4 and SD14 of the Joint Core Strategy (2017) and guidance set out in Cheltenham Climate Change SPD.

- 36 No building hereby permitted shall be connected to mains gas supplies for the purposes of hot water or space heating.

Reason: To ensure that the development contributes towards the mitigation of Climate Change, having regard to Strategic Objective 6, policies SD3 and INF5 of the Joint Core Strategy (2017) and the guidance set out in Cheltenham Climate SPD (adopted 2022).

- 37 Notwithstanding the submitted details and the Town and Country Planning (Use Classes) Order 1987 and The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting those orders with or without modification), the flexible commercial element of the proposed development shall not be used

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other than for Classes E(c)(e) and (g); and shall not be used for any other purpose falling within Use Class E; without express planning permission.

Reason: Any alternative use requires further consideration by the Local Planning Authority, having regard to the policies and provisions of the Cheltenham Plan (2020) and the Joint Core Strategy (2017).

- 38 Prior to the commencement of development (including demolition and site clearance), and included as part of the first reserved matters application, a Tree Protection Plan (TPP) to BS5837:2012 (or any standard that reproduces or replaces this standard) shall be submitted to and approved in writing by the Local Planning Authority. The TPP shall include the methods of tree and/or hedge protection, the position and specifications for the erection of tree protective fencing, and a programme for its implementation. The works shall not be carried out unless in accordance with the approved details, and the protective measures specified within the TPP shall remain in place until the completion of the construction process.

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

- 39 Prior to the commencement of development (including site clearance works) and included as part of the first reserved matters application, full details of the proposed tree and hedgerow works (both on and off-site), no-dig method for works within the tree Root Protection Area(s) and footpath construction and hard surfacing materials within the Root Protection Area(s) of retained trees/shrubs, shall be submitted to and approved in writing by the Local Planning Authority. The details shall be submitted in the form of Arboricultural Method Statement. The development shall be implemented strictly in accordance with the approved details.

All paths, parking areas and other forms of hard landscaping that fall within the tree Root Protection Area(s) shall be constructed using a no-dig method.

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