

<b>APPLICATION NO:</b> 24/01762/FUL & 24/01763/FUL	<b>OFFICER:</b> Mrs Lucy White
<b>DATE REGISTERED:</b> 8th November 2024	<b>DATE OF EXPIRY:</b> 3rd January 2025
<b>WARD:</b> Lansdown	<b>PARISH:</b>
<b>APPLICANT:</b>	The Lucky Onion LLP
<b>AGENT:</b>	Mr Simon Firkins
<b>LOCATION:</b>	129 - 133 Promenade Cheltenham Gloucestershire
<b>PROPOSAL:</b>	<p><b><u>24/01762/FUL</u></b> Erection of glazed structures within the front curtilages of Nos 125-127, 129-131 and 133 Promenade to provide external restaurant, dining and drinking facilities associated with 131 Promenade and existing hotel. Installation of PV panels to roofs of 125-127 and 133 Promenade and removal of existing conservatory to side of 133 Promenade.</p> <p><b><u>24/01763/FUL</u></b> Erection of metal-framed pergola structures within the front curtilages of Nos 125-127, 129-131 and 133 Promenade to provide external restaurant, dining and drinking facilities associated with 131 Promenade and existing hotel. Installation of PV panels to roofs of 125-127 and 133 Promenade and removal of existing conservatory to side of 133 Promenade.</p>

## Update to Officer Report

### 1. OFFICER COMMENTS

- 1.1. Since the publication of the officer report, the applicant has submitted a number of additional documents for both applications. These relate to the proposed drainage strategy for each scheme and tree protection measures during and post construction works. Revised existing site layout and elevation drawings have also been provided. These show the site characteristics before the (unauthorised) marquees were erected in 2020 and thereby the correct baseline for decision taking.
  
- 1.2. All new documents are available to view via the Council's website and for ease of reference the documents have also been sent by email to all Planning Committee Members.
  
- 1.3. The drainage and tree details are to some extent linked in terms of ensuring root protection and ground water infiltration to tree roots. Members will be aware that there are 4 no. mature and high value, London Plane street trees located adjacent to the west site boundary. Some of the branches of these trees would overhang the proposed buildings and the root protection areas (RPAs) of the trees extend into the front curtilages of the subject listed buildings.

1.4. In summary, the proposed high level drainage strategy, including foundation details (similar for both applications), includes the following:-

- Retention of all existing hard surfaced (paved) areas within the site
- Construction of shallow drainage channels along each side of the proposed buildings.
- Drainage channels would consist of gravel and a perforated pipe, allowing water to filter through to tree roots
- Proposed cast iron gutter concealed behind decorative metal panel (application 24/01762/FUL)
- Guttering concealed within metal frame (application 24/01763/FUL)

1.5. The submitted Arboricultural Statements for both applications, in summary, outlines the following:-

- There are no trees within the site and no off-site tree works are necessary to facilitate the proposed development
- Existing ornamental trees and shrubs in pots, within and adjacent to the marquees, would be removed
- Proposed buildings would be erected on existing ground with minimal excavation works
- No potentially root damaging, strip foundations are proposed. Ground screw foundations are proposed which would allow flexibility in their location, thereby avoiding major tree roots.
- Proposed drainage channels with perforated pipes along each side of the buildings would improve rainwater filtration into the sub-soil/tree roots and would improve the permeability of the existing hard surfaced areas of the site
- Existing trees would be protected during construction by existing boundary treatment (railings) and considerate working methods (a Tree Protection Plan is included)
- Toughened glass would be used for roof areas (where applicable) to protect against falling debris/branches.
- No significant shading or overbearing effects

1.6. The Council's Trees and Drainage officers were consulted on the additional documents submitted and they comment as follows:-

- 1.7. Tree Officer – 12<sup>th</sup> February 2025  
24-01762/FUL

*The arb statement submitted by the agent is welcomed by the Trees Section. No further tree information is required.*

- 1.8. Drainage Officer – 12<sup>th</sup> February 2025

*The high level drainage strategy is not proven to be feasible as it has not demonstrated that all rainwater in events up to and including the 1 in 100 (including climate change) can either infiltrate to ground, or connect from the proposed drainage channels to a surface water sewer (with attenuation) if the infiltration rate is exceeded. The proposed perforated pipes are appropriate for the matter relating to Tree root watering, but additional information is required in the high level strategy to show the drainage can be made sustainable. For brownfield sites a 40% betterment to pre-development flows is required for 1 in 1, and 1 in 100 (including climate change) rainfall events. Whilst these finer details of the drainage design can be provided through a SUDS condition if preferred by the applicant, a feasible high level strategy is requested at planning stage. This needs to either be proof that the infiltration rate at the site can drain the roofs at the proposed channels, or a high level plan of the alternative option if infiltration testing is to be done at a later date.*

- 1.9. The Tree Officer's comments on the Arboricultural Statement for application 24/01763/FUL are still awaited due to the timing of the document's submission.
- 1.10. The applicant has been informed of the Drainage Officer's concerns. Members will be notified of the acceptability or otherwise of any revised drainage scheme submitted and the Tree Officer comments; a further update report will be circulated and/or drainage and tree matters discussed by officers during the Planning Committee meeting.
- 1.11. Thus far, the additional details submitted do not alter the officer recommendations to the Planning Committee; albeit there is the possibility of an additional reason for refusal should the concerns over the high level drainage scheme remain unresolved.

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