

<b>APPLICATION NO: 13/01501/FUL</b>		<b>OFFICER: Mrs Wendy Hopkins</b>	
<b>DATE REGISTERED: 18th September 2013</b>		<b>DATE OF EXPIRY: 18th December 2013</b>	
<b>WARD: Park</b>		<b>PARISH:</b>	
<b>APPLICANT:</b>	Aspen Retirement Ltd		
<b>AGENT:</b>	John Montgomery		
<b>LOCATION:</b>	Cotswold Court, Lansdown Road, Cheltenham		
<b>PROPOSAL:</b>	Extra Care Development (Class C2) comprising alteration and conversion of Grade II Listed Building and erection of new linked 3 and 4 storey building to provide a total of 52 apartments and supporting facilities together with associated parking and access provisions. (Existing office building and sports hall to be demolished)		

## Update to Officer Report

### 1. OFFICER COMMENTS

- 1.1. The outstanding matter relating to the lift over-run has now been resolved. The drawings now detail an over-run of 450mm as opposed to the originally proposed 1100mm. This reduction in height will ensure that over-run will be significantly less intrusive when viewed from distance, thereby not compromising the integrity of the design of the extension.
- 1.2. In light of this it is recommended that both ***listed building consent and planning permission be granted*** subject to the suggested conditions below.

### 2. CONDITIONS

#### 13/01501/FUL

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
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.
- 2 The development hereby permitted shall be carried out in accordance with drawing numbers received. \*  
Reason: To ensure the development is carried out in strict accordance with the approved drawings.  
[\* **Note:** *There are a number of drawings for this scheme and officers did not have sufficient time to prepare the full list. This condition will of course be updated should members resolve to grant consent.*]
- 3 Prior to the commencement of development, plans showing the existing and proposed ground levels and slab levels of the proposed and adjacent buildings 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 of the proposed building with the adjoining properties and land in accordance with Local Plan Policies CP4 and CP7 relating to safe and sustainable living, and design.

- 4 The development hereby approved shall be used only as extra care apartments falling within Class C2 of the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and/or re-enacting that order with or without modification) and, other than staff accommodation and guest room(s), each residential unit hereby approved shall only be occupied by at least one person who has attained the age of 65 years. Furthermore, such persons shall be in need of personal care by reason of old age, infirmity or disability, and for the purpose of acquiring purchase or lease of any of the approved apartments, are contracted into a care package at all times during their occupation of the residential unit (unless otherwise agreed in writing by the local planning authority). The delivery and implementation of the individual care packages, together with the occupants' permitted use of the facilities, shall be in accordance with the submitted application details (unless otherwise agreed by the local planning authority in writing). Such care packages shall incorporate a minimum of 1.5 hours per week of domestic, practical support and domiciliary care by a Care Quality Commission registered domiciliary care provider that shall be included as part of the service charge for each residential unit.

Reason: To ensure that the proposed use falls within Class C2 of the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and/or re-enacting that order with or without modification) thereby not triggering the need for affordable housing as required by Local Plan policy HS4 (Affordable Housing).

- 5 Prior to the commencement of development, the design and details including materials and finishes of the following shall be submitted to and approved in writing by the Local Planning Authority:

- External doors and windows including reveals
- Eaves/parapet detail
- Curtain wall glazing
- Balcony balustrade details

The design and details shall be accompanied by elevations and section drawings to a minimum scale of 1:10 and the works shall thereafter be implemented strictly in accordance with the agreed details.

Reason: To ensure a satisfactory form of development in accordance with Local Plan Policies CP3 and CP7 relating to sustainable environment and design, and national guidance set out within the National Planning Policy Framework and the Historic Environment Planning Practice Guide. These are important details which need to be constructed in a high quality manner to ensure that the development is compatible with its surroundings.

- 6 Prior to the commencement of development, the surface water drainage system shall be designed in accordance with the principles of Sustainable Drainage Systems (SUDS). This shall include a maintenance strategy and full details (including calculations) shall be submitted to and approved by the Local Planning Authority. Prior to the first occupation of any part of the development, the surface water drainage system shall be completed in all respects in accordance with the details approved and shall be retained as such thereafter.

Reason: To ensure the surface water drainage system does not contribute to flooding or pollution of the watercourse in accordance with Local Plan Policy U13 relating to sustainable drainage systems.

- 7 Tree protection (fencing and no-dig construction) shall be installed in accordance with the specifications set out within the submitted Arboricultural Report (reference IJK/8091/WDC) and the Tree Protection Plan (Drawing no. 8091/02 dated August 2013). The tree protection shall be erected/installed, inspected and approved in writing by the Local Planning Authority prior to the commencement of any works on site (including demolition and site clearance) and shall remain in place until the completion of the construction process.  
Reason: In the interests of local amenity, in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.
- 8 No fires shall be lit within 5m of the Root Protection Area(s) and materials that will contaminate the soil such as cement or diesel must not be discharged within 10m of the tree stem. Existing ground levels shall remain the same within the Root Protection Area(s) and no building materials or surplus soil shall be stored therein. No trenches for services or drains shall be sited within the crown spread of any trees to be retained.  
Reason: In the interests of local amenity in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.
- 9 All service runs shall fall outside the Root Protection Area(s) unless otherwise agreed in writing by the Local Planning Authority. Any such works shall be in accordance The National Joint Utilities Group; Volume 4 (2007).  
Reason: In the interests of local amenity in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.
- 10 Prior to the proposed development hereby permitted being brought into use, secured and covered cycle storage facilities for a minimum of 5 bicycles shall be provided within the curtilage of the site and such provision permanently retained at all times thereafter.  
Reason: To ensure that adequate cycle storage facilities are provided in line with the Governments declared aims towards sustainable modes of travel.
- 11 The proposed development shall not be brought into use until the vehicular parking and manoeuvring facilities have been provided in accordance with the submitted plan (drawing no: 13009\_P101 Rev C), and those facilities shall be maintained available for those purposes for the duration of the development.  
Reason: To reduce potential highway impact by ensuring that adequate parking and manoeuvring facilities are available within the site.
- 12 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:
- i. specify the type and number of vehicles;
  - ii. provide for the parking of vehicles of site operatives and visitors;
  - iii. provide for the loading and unloading of plant and materials;
  - iv. provide for the storage of plant and materials used in constructing the development;
  - v. provide for wheel washing facilities;
  - vi. specify the intended hours of construction operations;

- vii. identify routing for construction vehicles.

Reason: To reduce the potential impact on the public highway.

- 13 Before any works of demolition or construction begin on site, a plan for the control of noise, dust and other nuisances arising from such work must be submitted to and approved by the Local Planning Authority.  
Reason: To prevent loss of amenity affecting nearby residents due to noise, dust and other nuisances arising from construction and demolition work.
- 14 Before first use of the building as granted under this application the applicant must provide full details of the kitchen extractor system for approval by the Local Planning Authority.  
Reason: To prevent loss of amenity affecting nearby residents due to noise and cooking odours from the kitchen extractor plant.
- 15 Prior to the commencement of development, a sample panel of facing render of at least one square metre shall be constructed on site to illustrate the proposed render mix and colour. The sample panel shall be approved in writing by the Local Planning Authority and thereafter retained on site until the completion of the development to provide consistency.  
Reason: To ensure a high quality of design in accordance with Local Plan Policy CP7.

## **INFORMATIVES**

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 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 recommended hours of work for a site such as this are 7:30AM - 6:00PM Monday - Friday and 8:00AM - 1:00PM on Saturdays. Work producing noise audible at the site boundary will not normally be permitted on Sundays or Bank Holidays. In the event of work being necessary outside these hours, the site operator should seek approval under section 60 of the Control of Pollution Act 1974 from the Council's Public Protection Team. Bonfires will not be permitted on site at any time. Any crushers in use must be suitably permitted as required by The Environmental Permitting (England and Wales) Regs 2010, and operated in accordance with that permit.

- 3 The extractor system (required by condition 14) should be specifically designed for this site to serve the proposed kitchen and be suitable for the size of premises, amount of food prepared, and type of food being cooked. The discharge from the extractor system should be at least 1.5m above the eaves of the building and may need to be higher where other structures are in close proximity. The discharge should not be fitted with any cap, cowl, or other restriction. An acoustic report should be provided to demonstrate the noise level from this plant as it affects nearby premises. Note that merely providing the rated noise level from the manufacturer's specification will NOT be sufficient.

### **13/1501/LBC**

- 1 The works hereby granted consent shall be begun before the expiration of five years from the date of this consent.  
Reason: To accord with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with drawing numbers received.\*  
Reason: To ensure the development is carried out in strict accordance with the approved drawings.

[\* **Note:** *There are a number of drawings for this scheme and officers did not have sufficient time to prepare the full list. This condition will of course be updated should members resolve to grant consent.*]

- 3 Prior to the commencement of development, the detailed design including materials and finishes of the following items shall be submitted to and approved in writing by the Local Planning Authority:

- all new timber sliding sash windows

The design and details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 with full size moulding cross sections, where mouldings are used. The works shall thereafter be implemented strictly in accordance with the agreed details.

Reason: To ensure that the design of the windows are appropriate to the character of the building, which is listed as being of architectural or historic interest, thereby preserving the special architectural or historic interest which it possesses in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and national guidance set out within the National Planning Policy Framework and the Historic Environment Planning Practice Guide. These are important details which need to be constructed in a manner which ensures that they serve to preserve the special interest of the building.

- 4 Prior to the occupation of the development hereby approved, a scheme for the installation of fireplaces and grates to principal ground floor rooms shall be submitted to and approved in writing by the Local Planning Authority. The fireplace and grates shall be installed prior to the occupation of the development.

Reason: To ensure that a high quality of development thereby preserving the special architectural or historic interest which it possesses in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and national guidance set out within the National Planning Policy Framework and the Historic Environment Planning Practice Guide.

- 5 All new and disturbed surfaces shall be made good at the time of development using materials of matching composition, form and finish to those of the listed building.

Reason: To ensure that the character, appearance and integrity of the building is not prejudiced, thereby preserving the special architectural or historic interest which it possesses in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and national guidance set out within the National Planning Policy Framework and the Historic Environment Planning Practice Guide.

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