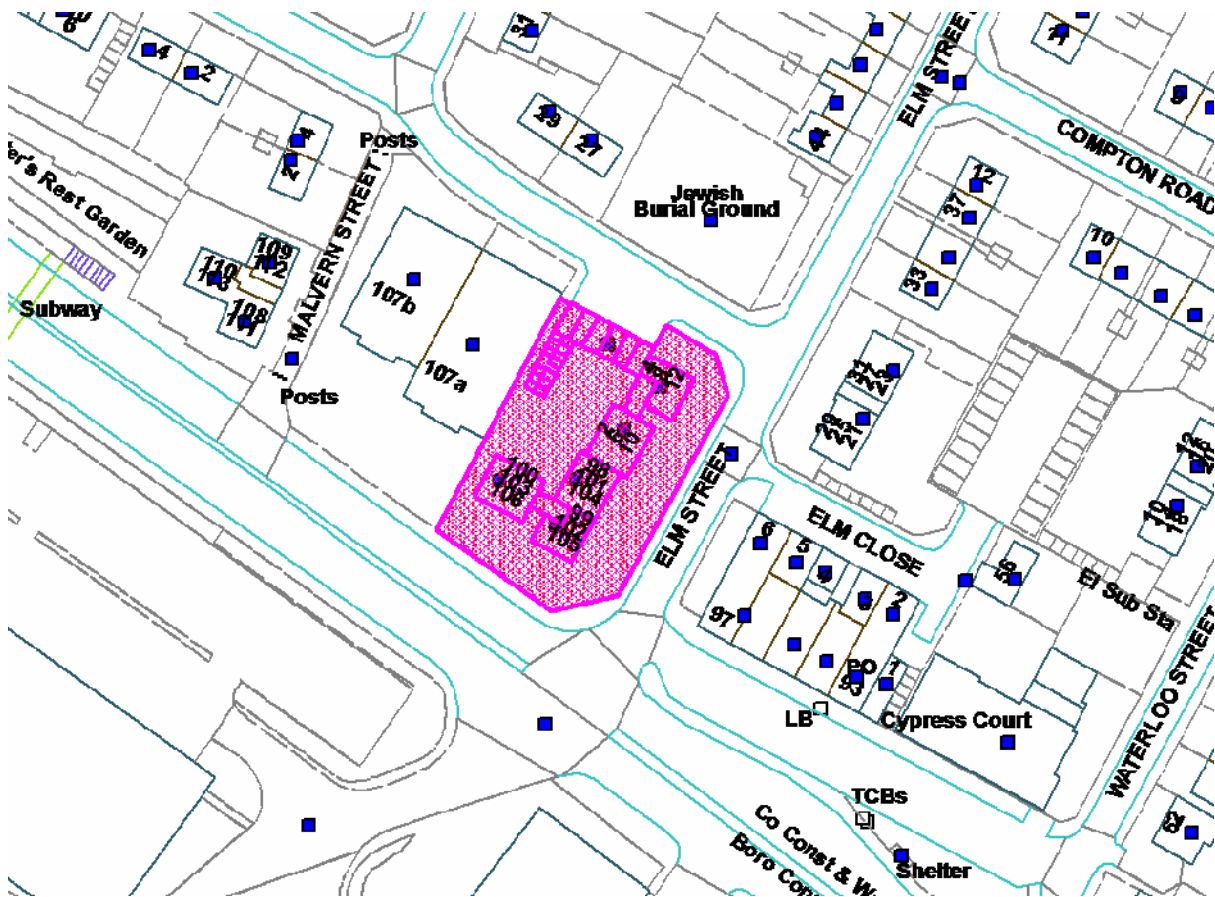


APPLICATION NO: 14/00681/FUL	OFFICER: Mrs Victoria Harris
DATE REGISTERED: 29th April 2014	DATE OF EXPIRY: 24th June 2014
WARD: Swindon Village	PARISH:
APPLICANT:	Cheltenham Borough Council
AGENT:	Cheltenham Borough Homes
LOCATION:	1 Malvern House, Malvern Street, Cheltenham
PROPOSAL:	Proposed dropped kerb to the side of 1 and 2 Malvern House, Malvern Street

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is located on the corner of Elm Street and Malvern Street and is currently a block of flats and two new houses.
- 1.2 The proposal is for a dropped kerb to the side of the new houses. The dropped kerb will allow access to the side passage for UBICO to collect refuse bins from the rear of the flats along Elm Street and Tewkesbury Road. The bins have historically been located along the side passage.
- 1.3 The proposal requires planning permission as the flats do not benefit from permitted development rights.
- 1.4 The application is before the planning committee because the application is made by Cheltenham Borough Council.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Smoke Control Order

Relevant Planning History:

10/01703/FUL 17th December 2010 PER

Erection of two affordable flats following demolition of existing garage block

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development
CP 3 Sustainable environment
CP 4 Safe and sustainable living
CP 7 Design

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)

National Guidance

National Planning Policy Framework

4. PUBLICITY AND REPRESENTATIONS

Number of letters sent	34
Total comments received	0
Number of objections	0
Number of supporting	0
General comment	0

5. OFFICER COMMENTS

- 5.1 The key issue in determining this application is considered to be Highway Safety.

- 5.2 Local Plan Policy TP1 advises that development will not be permitted where it would endanger highway safety.
- 5.3 Malvern Street is a non-classified highway with a speed limit of 30 mph. There are a number of dropped kerbs along Elm Street and Malvern Street and the proposed dropped kerb will not be out of keeping with the locality.
- 5.4 The proposed access has an acceptable visibility splay which will ensure highway safety is not endangered.
- 5.5 The dropped kerb will facilitate an improvement to the site in terms of bin storage and would not adversely affect the character of the existing building or locality or have any unacceptable impact on the amenity of the residents or neighbouring properties.

6. CONCLUSION AND RECOMMENDATION

- 6.1 The proposed dropped kerb will not result in harm to highway safety in accordance with Local Plan Policy TP1 and therefore the recommendation is to permit this application.

7. CONDITIONS / INFORMATIVES

- 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 681.02, 681.03 and 681.04 received 17.04.2014.
Reason: To ensure the development is carried out in strict accordance with the approved drawings.

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.