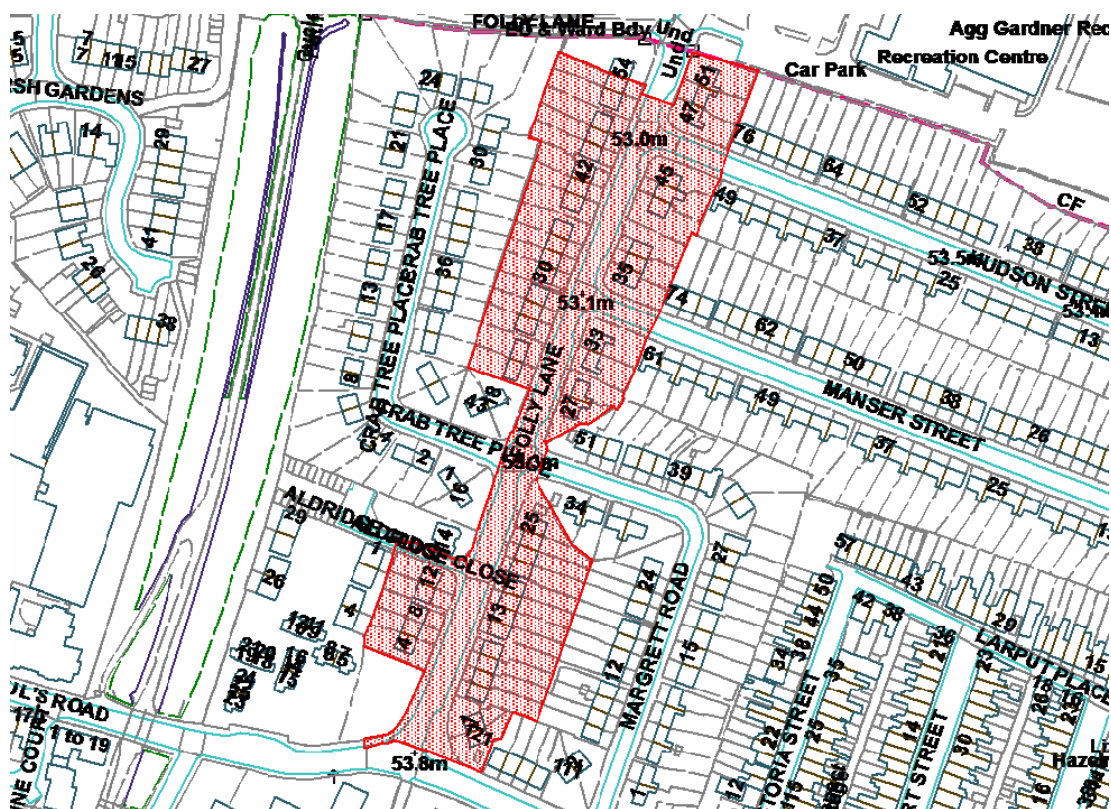


APPLICATION NO: 14/01374/FUL	OFFICER: Miss Michelle Payne
DATE REGISTERED: 31st July 2014	DATE OF EXPIRY: 30th October 2014
WARD: St Pauls	PARISH: None
APPLICANT:	Ms Alison Salter
AGENT:	Nash Partnership
LOCATION:	1 Folly Lane, Cheltenham
PROPOSAL:	External works to existing dwelling frontages at numbers 1-13 and 15-52 Folly Lane and 121 St Pauls Road to include installation of bay windows, replacement windows, front garden and boundary wall alterations (varies across properties); installation of new concrete ball features, public art, tree planting and re-surfacing works at junction of Folly Lane and St Pauls Road

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This is an application for a series of external improvement works to 49 existing dwellings along Folly Lane, to include no.121 St Pauls Road.
- 1.2 The proposed works include the installation of bay windows, replacement windows, front garden and boundary wall alterations, and the installation of new concrete ball features, public art, tree planting and re-surfacing works at junction of Folly Lane and St Pauls Road. 13 of the 49 dwellings are privately owned with the remaining 36 dwellings owned by Cheltenham Borough Council and managed by Cheltenham Borough Homes.
- 1.3 The proposals form part of the wider St Pauls Regeneration Project and have been derived from the transformational works which have been carried out on a number of properties in Hudson Street, Manser Street and Hanover Street as part of Phase One.
- 1.4 The application is before planning committee as much of the land is owned by Cheltenham Borough Council; Members will visit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Flood Zone 2
Honeybourne Line
Landfill Site boundary
Smoke Control Order

Relevant Planning History:

07/01720/DEMCON

NO OBJECTION

22nd January 2008

Demolition of 2-42 (consecutive) Crabtree Place, 29-51 (odd) and 34-56 (even) Manser Street, 17-35 (odd) and 34-52 (even) Hudson Street as part of the St Pauls Regeneration Project

09/01495/FUL

PERMIT

20th January 2010

Erection of 48no. dwellings and a community centre, provision of an area of public open space and associated works and alterations to the street facades of the existing houses along Hudson Street, Manser Street and nos. 52,54,56,58,60 and 62 Hanover Street.

13/00800/FUL

PERMIT

23rd August 2013

Construction of 56 residential units including 24 affordable units and associated works

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
GE 5 Protection and replacement of trees
GE 6 Trees and development
TP 1 Development and highway safety

National Guidance

National Planning Policy Framework

4. CONSULTATION RESPONSES

Contaminated Land Officer

31st July 2014

No comment.

Cheltenham Tree Group

1st August 2014

We are happy that the existing trees are being retained and are keen that they are properly protected during the work.

Tree Officer

7th August 2014

The Tree Section welcomes the proposals along Folly Lane as described.

New Street Tree Planting should considerably soften the landscape in this area and the proposed Ginko biloba and Liriodendron tulipifera, whilst they may match planting adjacent, may become out of proportion with this road at maturity. However both species seem to grow well in Cheltenham and should provide relatively maintenance-free amenity for many years to come. However Ginko can take several years to establish and as such it is strongly recommended that a generous planting spec is used for such tree planting.

Please could details of specific tree size, tree pit details, (incorporating the use of fresh top soil, irrigation tubes and underground guying) as well as suitable landscaping finish offering suitable physical protection be submitted and agreed.

Similarly the retention of the birch trees at the southerly end of Folly Lane is also welcome. However I recommend that a suitable method statement is submitted so as describe the safe retention of feeding roots under the existing hard surface which is to be removed. It is important that such feeding roots are not damaged during the construction process. Similarly it is also recommended that existing (or new) tree protective grilles and guards remain around these trees so as to prevent damage into the future.

Many of the gardens are due to have much of the existing soft landscaping removed and replaced with a combination of slabs only (predominantly), lavender, rosemary and roses. Within short periods of time such lavender and rosemary can become tatty and unkempt. It would be good if such soft landscaping could be reinforced with considerably longer lived small trees as well. Such small front garden tree planting has worked well on properties facing onto the Bath Road using Amelanchier lamarckii. Similarly Amelanchier canadensis or ballerina may also be suitable. These do not cast dense shade and will not grow so as to cause nuisance to property. They respond well to pruning if required and provide much colour when in flower and also during the autumn. They should provide some height to the proposed landscaping.

Gloucestershire Centre for Environmental Records

8th August 2014

The data search for this site is based on the grid reference supplied by CBC, which is assumed to be located at the centre of the planning application site. GCER searches for all data within 250m of the grid reference. The provision of this data shows that important species or habitats are present on or near the proposed development site; however it does not show that important species or habitats are not present or not affected by the development.

Local Highway Manager

14th August 2014

I have no objection to the removal of the guard rails however the planters should be arranged in such a way to prevent parking and overrunning of the corners and to guide pedestrians to use the dropped kerbs. The current layout shows partial obstruction of the dropped kerbs – this needs amending.

The surface of the new paved area should contrast the surrounding area but I am not happy with blocks being used. Experience tells me that, in areas of low footfall, weeds and moss can cause an additional maintenance problem. I don't think it will be an issue on the main footway but will be a problem in the wider non/lightly trafficked areas.

As we are not set up to deal with the cosmetic maintenance of the either the contents of planters or the planters themselves we will need to approved details of who will be responsible for them. If this is anyone other than CBC then a licence will be required.

Landscape Architect

26th August 2014

Paving & Drainage

- Most residents have opted for 'Garden Option 3' i.e. paving. This will have the unfortunate effect of removing areas of grass and gravel and replacing them with impermeable paving slabs.
- Cheltenham Borough Council requires that all hard surfacing be permeable or drain to a permeable area.
- Details of proposed permeable paving for front gardens and parking spaces should be submitted and include: supplier/manufacturer, colour, constructions details.
- Alternatively, the area of paving in front gardens could be reduced and replaced with soft landscape to which the paved areas could drain. This would have the advantage of providing space for small trees and other planting which would soften the street scene, contribute to green infrastructure and be beneficial for wildlife.
- Consider installing 'rain gardens' in the front gardens. A rain garden is an area of soft landscape which utilises special, engineered soil which can retain a greater quantity of water than ordinary garden soil. A rain garden can therefore attenuate surface water run-off more than a normal garden border.
- CBC has been involved with an Environment Agency led project to retro-fit Sustainable Urban Drainage (SuDS), including rain gardens, in the Priors Park area of Cheltenham, where a number of the properties are owned by Cheltenham Borough Homes. For further information, please contact CBC's Townscape team.
- Revised drawings should be submitted for the preferred drainage option.

Trees

CBC's Tree Officer's comments regarding planting small trees in front gardens are noted and agreed with. The frontage of the dwellings and the street scene in general would be enhanced by the inclusion of suitable species of small trees in front gardens.

Wheelie Bins

Where boundaries are open to the highway, what provision has been made to screen wheelie bins, bikes and other household paraphernalia?

Public Realm

Junction of Folly Lane and St Pauls Road (Drawing No. 14032(L)203 Rev: P1)

Neighbourhood problems caused by people gathering on the corners of the street may be exacerbated when the corners are widened, especially if raised planters are installed as these could also be used as seats. Consider replacing the planters with a group of small trees which would have more impact in softening the street scene, contribute towards green infrastructure, be more beneficial for wildlife and require less maintenance.

Drawing No. 14032(L)012 Rev. P2 Proposed Boundary, fence and front garden details
plan sheet 1

Plot 20

Why are there two pedestrian gates?

Plots 24, 26, 32, 34, 49, 50

The boundaries are open to the highway - see note about wheelie bins etc above. Suggest including a length of 1100 mm high brickwork wall across the boundary with the footpath to provide screening for wheelie bins.

Plot 33

Suggest replacing 1800mm close board fence abutting Manser Street with a combination of a wall surmounted with fence panels e.g. continue the 1100 mm high brickwork wall proposed for the corner boundary and fix 700mm high fence/trellis panels on top to provide privacy for rear garden. This combination will provide a more robust boundary and better continuity for the street scene than 1800mm high fence panels.

Plot 35

Suggest replacing the section of 1800mm high brickwork wall abutting Manser Street with a combination of a wall surmounted with fence panels, as suggested for Plot 33. The combination of a wall and fence panels will appear less intimidating in a residential street than an 1800mm high wall.

If it is decided to keep the 1800mm high wall then consider replacing the close boarded fence panels between the wall and the house with a further section of 1800mm wall to provide continuity of boundary treatment.

Plots 45, 47

Suggest replacing the section of 1800mm high brickwork wall abutting Hudson Street with a combination of a wall surmounted with fence panels, as suggested for Plots 33 & 35.

Drawing No. 14032(L)013 Rev. P1 Proposed Boundary, fence and front garden details
plan sheet 2

Plots 1 & 121

Replace section of 1800mm high close boarded fence panels to rear garden with 1800mm high brickwork wall. Replacing the fence with a wall will provide greater continuity with built form.

Plot 12

The gate in the boundary wall opens across the gate to the rear garden. Consider moving the gate in the boundary wall to a new position, so that it lines up with the entrance of No. 12, with sections of 1100mm high galvanised mild steel vertical railing to either side.

Plot 15

Suggest planting the proposed small tree slightly off to one side, towards Plot 17, to allow for informal surveillance of the street and reduce potential shading.

5. PUBLICITY AND REPRESENTATIONS

- 5.1 53 letters of notification were sent out to local residents; and in addition, 4 site notices were posted at intervals along Folly Lane. No representations have been received in response to the publicity.

6. OFFICER COMMENTS

- 6.1 The proposed improvement works follow the same design principles as those recently completed as part of Phase One of the regeneration project. These completed works have been well received by local residents and, as the Design and Access Statement sets out, have been deemed “a huge success in terms of improving the character, streetscape and architectural quality of the existing dwellings”.
- 6.2 Local residents have been fully consulted on the proposals prior to the submission of the application, through a series of public consultations, and have been closely involved in the proposals for their individual properties, being able to choose one of three alternative landscaping options for their front gardens.
- 6.3 In response to the comments received from the Landscape Architect and Local Highway Manager, the applicant has submitted revised plans during the course of the application to address some of the issues raised. Namely, the planters proposed to the St. Pauls junction have been replaced by concrete ball features, and a new surfacing material has been proposed; and additional gate has been proposed to Plot 12; and the second gate to Plot 20 has been omitted.
- 6.4 Whilst it is acknowledged that the revised plans do not address all of the issues highlighted, officers consider the revisions to be a wholly reasonable compromise, particularly given the significant benefits the scheme would bring to the area.

7. RECOMMENDATION AND CONCLUSION

- 7.1 Officers consider that the proposals would result in a significant and much needed enhancement to the locality. The scheme has been directly influenced by the very successful improvement works recently carried out during phase one of the regeneration project and as such will ensure a high quality finish is achieved.
- 7.2 The recommendation therefore is to grant planning permission subject to the following conditions:

8. CONDITIONS

- 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 Nos. 14032(L)012 REV P2, 14032(L)013 REV P1, 14032(L)120 REV P3, 14032(L)123 REV P2, 14032(L)124 REV P2, 14032(L)126 REV P3, 14032(L)127 REV P, 14032(L)129 REV P3, 14032(L)131 REV P3, 14032(L)133 REV P2, 14032(L)135 REV P2, 14032(L)137 REV P2, 14032(L)139 REV P1, 14032(L)141 REV P2, 14032(L)143 REV P3, 14032(L)145 REV P2, 14032(L)147 REV P2, 14032(L)149 REV P2, 14032(L)151 REV P2, 14032(L)153 REV P3, 14032(L)153 REV P3, 14032(L)155 REV P4, 14032(L)156 REV P1, 14032(L)200 REV P1, 14032(L)201 REV P2, 14032(L)202, 14032(L)203 REV P2.
Reason: To ensure the development is carried out in accordance with the approved drawings.

- 3 Notwithstanding the submitted details, prior to their installation, full details of the proposed concrete ball features to the St. Pauls Road/Folly Lane junction (including the number and position of each ball) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented strictly in accordance with the details so approved, and maintained thereafter as such.
Reason: To ensure a high quality of development in accordance with Local Plan Policies CP7 and TP1 relating to design, and development and highway safety.
- 4 Prior to planting, a scheme for the provision of street trees shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of specific tree sizes, tree pits, tree protective grilles and guards, and suitable landscaping finishes, and shall be implemented strictly in accordance with the agreed details unless otherwise agreed in writing.
Reason: To ensure a satisfactory form of development in accordance with Local Plan Policies CP7 and GE6 relating to design, and trees and development.
- 5 Prior to the commencement of any works on the highway at the St. Pauls Road/Folly Lane junction, a method statement for the retention of the existing birch trees shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall detail the safe retention of feeding roots under the existing hard surface, and any proposed tree protective grilles or guards. The development shall be implemented strictly in accordance with the agreed details.
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.
- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and/or re-enacting that order with or without modification), no fences, gates, or walls shall be erected or other external alteration made to the front of the dwellings identified within the red line on Drawing No.14032(L)003 REV P1 without the prior granting planning permission.
Reason: Any further boundary enclosures requires detailed consideration to safeguard the amenities of the locality in accordance with Local Plan Policies CP4 and CP7 relating to safe and sustainable living, and design.

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 new Community Artwork will require the submission of a separate application for planning permission.