

APPLICATION NO: 15/00354/FUL	OFFICER: Miss Michelle Payne
DATE REGISTERED: 4th March 2015	DATE OF EXPIRY: 3rd June 2015
WARD: St Pauls	PARISH:
APPLICANT:	Cheltenham Borough Homes Ltd
AGENT:	Quattro Design Architects Ltd
LOCATION:	York Place 47 Swindon Road Cheltenham
PROPOSAL:	Erection of 10no. residential units comprising 5no. one bed flats, 3no. 2 bed flats and 2no. 2 bed houses following demolition of all existing buildings on land at corner of Swindon Road and Brunswick Street

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This application proposes the erection of 10no. residential units comprising 5no. one bed flats, 3no. 2 bed flats and 2no. 2 bed semi-detached houses on a site located at the corner of Swindon Road and Brunswick Street; the scheme would provide for 7no. car parking spaces within the site.
- 1.2 The site is prominently located within the St. Paul's Character Area, one of 19 character areas that together form Cheltenham's Central Conservation Area, and adjacent to the Core Commercial Area which includes the Matalan Store and car park to the east of the site. To the north and west the site is bounded by two storey, terraced housing in Brunswick Street and St. Pauls Street North.
- 1.3 The site is currently vacant but was in use as a car mechanics garage until summer 2014. There are a number of buildings located to the rear of the site comprising single and two storey workshops, and the boundary with the highway is defined by a 2.4m high brick wall with access provided from both Swindon Road and Brunswick Street. A large advertisement hoarding is located on the corner of the site. The site is identified within the Townscape Analysis Map as being a 'significant negative building/space'.
- 1.4 The application site is before the planning committee as the land is owned by the Council and the applicant is Cheltenham Borough Homes. Members will visit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area
Residents Association
Smoke Control Order

Relevant Planning History:

80/01191/PF	PERMIT	7th March 1980
Renewal of permission for use of premises for car body repair work and respraying		
81/01183/PF	PERMIT	26th February 1981
Renewal of permission for use of premises for car body repair work and respraying		
82/01103/PF	PERMIT	25th February 1982
Renewal of permission for use of premises for car body repair work and respraying		
84/01427/PF	PERMIT	26th April 1984
Renewal of permission for use of premises for car body repair work and respraying		
82/01104/PF	PERMIT	6th December 1982
Demolition of some buildings and erection of building to extend car repair workshop area		
85/00416/PR	PERMIT	23rd May 1985
Renewal of permission for use of premises for car body repair work and respraying		
86/00023/PF	WITHDRAWN	10th March 1986
Replacement of derelict fence to boundary fronting Brunswick Street		
86/00066/PF	PERMIT	20th February 1986
Replacement of derelict fence to boundary with Brunswick Street		

86/00390/PR	PERMIT	22nd May 1986
Renewal of limited period planning permission for use of premises for car body repairing and respraying		
87/00420/PR	PERMIT	30th July 1987
Renewal of limited period permission for use of premises for car body repairs and respraying in accordance with the location plan received on 18 May 87		
87/00632/CD	PERMIT	16th July 1987
Total demolition of outbuildings, boundary fences and gates as on plan C1785/498/957		
88/00565/PR	PERMIT	26th May 1988
Renewal of temporary permission for use for car body repairs and re-spraying		
88/02047/PF	PERMIT	13th June 1988
Renewal of permission for use of premises for car body repair work and respraying		
92/00242/PR	PERMIT	30th April 1992
Continued use of the premises as a car body repair workshop and yard		

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
 BE 5 Boundary enclosures in conservation areas
 EM 2 Safeguarding of employment land
 HS 1 Housing development
 UI 2 Development and flooding
 UI 3 Sustainable Drainage Systems
 TP 1 Development and highway safety

Supplementary Planning Guidance/Documents

Development on garden land and infill sites in Cheltenham (2009)
 St. Paul's Character Area Appraisal and Management Plan (2008)

National Guidance

National Planning Policy Framework

4. CONSULTATION RESPONSES

Joint Waste Team

6th March 2015

The waste collection point for this development would be on Brunswick Street which is a one way. The collection vehicle would therefore be unlikely to be able to reverse onto the private drive and would have to block the road to make the collection. The closest bin storage area to the road (in the centre of the development) would be acceptable, but the bin storage area at the back corner of the development is likely to be over the 50 metres 'drag distance' we generally work to. This would block the road for a significant time and would not be practical. It would be better if the bin storage area in the centre of the development

were large enough to accommodate all bins. Finally, there is no mention of space for recycling and food waste bins as detailed in the environmental service planning guidance document.

Building Control

12th March 2015

No comment.

Crime Prevention Design Advisor

23rd March 2015

In my capacity as Crime Prevention Design Advisor for Gloucestershire Constabulary I would like to comment on the material considerations of the planning application specifically relating to designing out crime.

I would like to draw your attention to the PDF document attached to the carrying e-mail which relates to the following comments. See annex A as below, referring to your Planning Authority's planning policy.

It is recommended that the development is built to meet Secured by Design standards. Secured by Design (SBD) is a police initiative owned by the Association of Chief Police Officers (ACPO), to encourage the building industry to adopt crime prevention measures in the design of developments. It aims to assist in reducing the opportunity for crime and the fear of crime, creating a safer and more secure environment, where communities can thrive.

Research conducted by Secured by Design has proven that SBD developments are half as likely to be burgled, have two times less vehicle crime and show a reduction of 25% in criminal damage, thereby increasing the sustainability of a development.

The following observations have been made with regard to the proposal:

1. SBD required for whole site
2. All houses and flats should have their own doors and windows to BS PAS24:2012.
3. Side and rear gates should be the same height as other fencing and be lockable. Apartment gates will need to be key operated.
4. A gated entrance will create a more secure compound.
5. The lighting plan should be designed to encompass the development and allow for seasonal variations within the planting scheme; thereby removing areas of deep shadow to reduce the fear of crime, along with opportunities of crime and ASB.
6. Review the 0.9m railings where they attach to the wall as they provide a climbing aide.
7. Cycle storage should be to SBD standards.
8. Ensure properties have suitable fenestration for surveillance.
9. Porches should be designed to avoid climbing opportunities.
10. Each apartment should be supplied with separate utility meters stored outside of the building. The delivery of mail needs careful consideration so that post can be securely deposited without compromising the building security.
11. The communal entrance doors should form the first line of security; fitted with an access control system that incorporates a CCTV/ telephone door entry system so that residents can confirm their visitors. The layout of the stairwell should restrict access to each floor, with the apartment door creating the final security measure for each residence.
12. Parking should be designed to avoid potential conflict issues.
13. Landscaping requires on-going maintenance provision.

Gloucestershire Constabulary's Crime Prevention Design Advisors are more than happy to work with the Council and assist the developers with further advice to create a safe and secure development, and when required assist with the Secured By Design accreditation.

Architects Panel

30th March 2015

This proposal comprises two blocks, one containing apartments and the other two semi-detached houses.

There was some discussion relating to how the design could be tweaked by, for example, adding a parapet to the houses as a transition to the apartment block and increasing the mass on the Swindon Road elevation; however, we felt that overall this was a robust and well considered proposal which should be supported.

GCC Highways Planning Liaison Officer

9th April 2015

Proposal

The proposal is for conversion of a group of garage sites managed by Cheltenham Borough Homes, Residential (C3), comprising 10 residential units with seven vehicle parking spaces being proposed.

Existing use

The existing use is for garages and a car repair workshop being Sui Generis use of 445m². Therefore it can be assumed that the site attracted vehicle and person trips to the site.

Accessibility

The proposed site is centrally located and within walking distance to the local bus service(s) being 0.5 miles from the Cheltenham town centre environment serviced by local amenities with many social amenities, public house(s), community centre a library shops and many employment sites. There is a good standard of pedestrian pathways linking to local retail and commercial services together with the Cheltenham town centre and adequate cycling accessibility. I consider that the opportunities for sustainable transport modes have been taken up given the nature and location of the site in accordance with Paragraph 32 of the NPPF.

Access

Access for the site is from the existing vehicular access from Brunswick Street which is a Class 4 road subject to a 30mph speed limit. This access will be a shared surface with other pedestrian only access being from Swindon Road and Brunswick Street.

Vehicle & Cycle Parking

The applicant proposes parking for 7 vehicles and associated cycle parking.

Having considered the Residential Car Parking Research (Communities and Local Government) which takes into account factors influencing car ownership and car parking demand, the calculation for parking demand from this site as owner occupied apartment(s) is 0.72 spaces per apartment (7.2 spaces) and non-owner occupied apartment(s) being 0.37 spaces per apartment (3.7 total spaces).

Using the Office of National Statistics – Neighbourhood Statistics 2011 Census – Car or Van Availability, (see table below) the parking demand for the site is between 0.90 and 0.99 space per apartment.

Office of National Statistics - Neighbourhood Statistics 2011			
Car or Van Availability for Cheltenham			
St Pauls Ward GL50 4AH			
Geographic Area	Ward	Middle	Lower
Number of Households	2,432	700	2,958
Car or Van Availability	2,179	683	2,915
Average Vehicle Space(s) per Household	0.90	0.98	0.99

A resident parking zone is located nearby, but there is no guarantee that future residents would gain a permit.

The on-site parking for the site is sufficient, coupled with the level of resident parking availability to the site the sustainable location of the site. I consider therefore adequate parking is available to accommodate the parking demand generated from the site.

Having considered the application and supporting documents submitted, I recommend that no highway objection be raised subject to the following Condition(s) being attached to any permission granted:

1) The building shall not be occupied until the vehicle & cycle parking shown on drawing no 3834/P/10 has been provided.

Reason: To give priority to pedestrian and cycle movements, and have access to high quality public transport facilities and in accordance with paragraph 35 of the NPPF and CBC LP Policy TP6.

2) The vehicular access hereby permitted shall not be brought into use until the all vehicular accesses to the site (other than that intended to serve the development) have been permanently closed, and the footway/verge in front has been reinstated, in accordance with details to be submitted to and agreed in writing beforehand by the Local Planning Authority.

Reason: To reduce potential highway impact by ensuring there is no further use of an access that is deemed to be unsuitable to the serve the development and in accordance with paragraph(s) 32 and 35 of the NPPF.

3) 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. measures to control the emission of dust and dirt during construction;
- viii. specify the access points to be used and maintained during the construction phase(s);

Reason: To reduce the potential impact on the public highway and in accordance with paragraph 35 of the NPPF and CBC LP Policy TP1.

Heritage and Conservation

22nd April 2015

1. The replacement of the current garage use is welcomed.
2. The form, mass, detailed design and generally the site layout are all acceptable.

3. However I do have some concerns with the site layout and these are as follows-
 - a. The corner flats in the block of flats have large windows on the corner but this corner window is extremely close to the back edge of pavement, with very little or no defensible space between the living accommodation with large windows and the busy pavement and nearby road with heavy traffic. I suggest that the access drive into the site is decreased in width and the flat block is moved over on the site slightly.
 - b. The ground floor flat which faces on to the site access drive has no defensible space to its bedroom windows and again I suggest that this aspect needs further consideration and revisions.
4. However I have some concerns with the block of flats and these are as follows –
 - a. The proportions and design of the proposed flat building, relies on the evenly spaced fenestration with subtle variations in that fenestration. This approach is not unreasonable provided it is well thought through and is achievable.
 - b. Regrettably I remain unconvinced that the slick fenestration design can be achieved, and the resulting proportions of altering the fenestration pattern will be poor.
 - i. For example the corner living rooms with full height fixed glazing facing due south and east will over heat and will require openable windows. Currently the proportions of the new building rely on these fixed glazing panels.
 - ii. The openable window to the flat access staircase is located on the half landing area. This will cause safety issues for people falling through the glass and needs more consideration.
 - iii. The bottom window on the staircase will be partly hidden in a store cupboard. How will the window be treated? With obscure glass to hide things stored in the cupboard?
 - iv. However there are ways in which this slick fenestration can be achieved as well as providing ventilation. I suggest the applicant considers adopting the type of windows to the new block of flats near Waitrose, where similar problems have been encountered.
 - v. The application form fails to confirm the type of material for the windows, albeit that the Design and Access Statement states that the material of the windows has yet to be confirmed. The window material is critical in order to achieve the desired appearance and confirmation should be given now on the intended material.
5. Materials - the proposed materials have been identified on the application form as red brick, grey brick and off white cladding panels. However the Design and Access Statement states that the walls will be off-white render. This contradictory information needs to be clarified.

CONSERVATION AND HERITAGE SUMMARY: I have concerns with the proposals for the reasons given above.

5. PUBLICITY AND REPRESENTATIONS

- 5.1 Letters of notification were sent out to 26 neighbouring properties. In addition, a site notice was posted and an advert published in the Gloucestershire Echo. In response to the publicity, five representations have been received; one of which has been submitted

on behalf of the St Pauls Road Area Residents' Association in support of the application, from local residents in objection to the application. These representations have been circulated in full to Members.

- 5.2 Whilst the principle of developing the site for housing is generally supported, the objections largely relate to the proposed density and mix of residential units. Other concerns relate to the design being out-of-keeping with neighbouring development, the level of parking provision proposed, crime, and loss of light.

6. OFFICER COMMENTS

6.1 Determining Issues

6.1.1 The main considerations when determining this application relate to the loss of the employment land; the principle of residential development, the design and layout of the proposed housing and impact on the conservation area; impact on neighbouring amenity; and parking and highway safety.

6.2 Loss of employment land and redevelopment for housing

6.2.1 Local plan policy EM2 (safeguarding of employment land) seeks to protect existing land and buildings in an existing B1-B8 use.

6.2.2 The application site, whilst currently vacant, benefits from a long established, unrestricted B2 (general industrial) use and has until quite recently been used as a car mechanics; as such the site is afforded protection under policy EM2. It is acknowledged that the site has not been marketed for commercial purposes and therefore the application should fail on this policy unless material considerations indicate otherwise.

6.2.3 In this respect, it should be borne in mind that the site, whilst currently unoccupied, has an unrestricted B2 use and although previous users may have operated in a manner which has not caused disturbance to nearby residential occupiers, there are a wide range of uses that fall within a B2 use class which would be wholly incompatible in such close proximity to neighbouring residential uses. Furthermore, the nature and mix of existing buildings on site, which appear largely dilapidated, make the site extremely unlikely to attract ongoing commercial users for the site. Officers also consider that the speculative redevelopment of the site for commercial purposes is also doubtful.

6.2.4 In addition, it is also important to consider the significant potential benefits that redeveloping the site could bring to the character and appearance of the conservation area. As previously mentioned, the site is prominently located within the St. Paul's Character Area yet identified within the Townscape Analysis Map as being a 'significant negative building/space'; one which currently detracts from the character and appearance of the area, but offers the potential for enhancement.

6.2.5 Moreover, the application has been submitted on behalf of Cheltenham Borough Homes and would provide much needed affordable housing to help address the local housing need within the area.

6.2.6 Therefore, on balance, officers feel that given the particular circumstances of this case, there is a strong argument for the redevelopment of this site for housing which would outweigh the conflict with policy EM2 and would justify a departure from the development plan.

6.2.7 The loss of this relatively small parcel of employment land would be far outweighed by the benefits of providing new affordable housing within this highly sustainable location,

together with the benefits the proposed scheme would bring to the appearance of the conservation area, and the potential to address environmental problems that could arise from the unfettered B2 use from which the site currently benefits. When considered against the general provisions of the NPPF, such an approach embraces a more positive approach to decision making, which will bring forward sustainable development in timely manner.

6.2.8 On balance, therefore, officers are satisfied that the principle of redeveloping the site for residential purposes is one that can be supported subject to further considerations which are set out below.

6.3 Design, layout and impact on the conservation area

6.3.1 Local plan policy CP7 (design) requires all new development to be of a high standard of architectural design and to complement and respect neighbouring development and the character of the locality.

6.3.2 In addition, the NPPF sets out at paragraph 56 that “Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”. It goes on to say at paragraphs 59 and 60 that design policies “should concentrate on guiding the overall scale, density, massing, height” etc. and “should not attempt to impose architectural styles or particular tastes”.

6.3.3 The application proposes a contemporary design approach, which is considered to be wholly acceptable subject to a high quality design. Such an approach is also supported by the Architects’ Panel who consider the scheme to be “a robust and well considered proposal which should be supported”. Additionally, the Conservation Officer considers the form, mass, detailed design and general site layout to be acceptable.

6.3.4 The Conservation Officer did however raise some concerns in respect of the layout and the detail of the apartment block. In response, the agent, having discussed the concerns directly with the Conservation Officer, has submitted revised plans to address these concerns where possible. Most notably, the building has been moved away slightly from the back edge of the pavement adjacent Swindon Road, as far as practicable, and ventilation louvres have been added to the corner windows of the building to aid the flow of air, which together with opening top light to the kitchen would provide cross ventilation to the open plan living space. In addition, the ground floor fenestration facing the proposed access has been amended.

6.3.5 The materials proposed for the apartment block are red brick, grey brick and off-white cladding panels; with grey powder coated aluminium windows.

6.3.6 The pair of dwellings which would sit adjacent to the terraced housing in Brunswick Street would adopt a more traditional form although a contemporary approach has again been taken. The houses would be faced in off-white render, with pitched grey tiled roofs and grey windows.

6.3.7 A shared vehicular and pedestrian access to the site would be provided from Brunswick Street, with an additional pedestrian access provided from Swindon Road.

6.3.8 Officers are therefore confident that the overall scale, height, massing and footprint of the development is appropriate in this location and that it would sit comfortably within its context and would provide a significant enhancement to the street scene. As such, the proposal is considered to be in accordance with the aims and objectives of policy CP7 and guidance set out within the Council’s SPD relating to development on garden land and infill sites, and the NPPF.

6.3.9 The proposal also fully accords with the Planning (Listed Buildings and Conservation Areas) Act 1990 in that there is no doubt that the proposal would serve to enhance this prominent corner site within the Central Conservation Area which is currently identified as being a significant negative space.

6.4 Impact on neighbouring amenity

6.4.1 Local plan policy CP4 (safe and sustainable living) states that development will be permitted only where it would not cause unacceptable harm to the amenity of adjoining land users and the locality.

6.4.2 Officers consider that the proposed residential units could be comfortably accommodated within the site without significant harm to neighbouring amenity in respect of privacy, daylight or outlook.

6.4.3 With the exception of the first floor windows to the west facing elevation serving Flat 4, all upper floor windows would achieve well in excess of the 10.5m minimum accepted distance to the site boundary. As Flat 4 benefits from additional windows serving both the bedroom and open plan living area, it is considered wholly reasonable to require the windows to the west facing elevation to be obscurely glazed and fitted with a restricted opening mechanism; this could be secured by way of a condition.

6.4. It is also noteworthy that in response to the publicity only four objections have been received from local residents.

6.4.8 The development is therefore in accordance with the aims and objectives of policy CP4, and guidance set out within the Council's SPD relating to development on garden land and infill sites and the NPPF.

6.5 Parking and highway safety

6.5.1 Local plan policy TP1 (development and highway safety) states that development will not be permitted where it would endanger highway safety, directly or indirectly, by creating a new access or generating high turnover on-street parking.

6.5.2 The application proposes 7no. unallocated car parking spaces within the site together with 10.no secure cycle parking spaces. The County's highway officer considers this level of on-site parking to be sufficient in this sustainable own centre location and has raised no objection to the scheme subject to conditions being imposed on any planning permission should permission be granted.

6.5.3 Therefore, although raised as a concern by local residents, the development accords with the requirements of policy TP1 and guidance set out within the NPPF.

6.6 Other considerations

6.6.1 Concerns have been raised by local residents with regard to the mix of housing proposed for the site, particularly the single occupancy units, suggesting that there is a greater need for family houses. In response to these concerns, the Development Project Manager for CBH has confirmed that the mix reflects the local housing need in the area, and more widely across the town, in that there is significant demand for smaller properties. The mix is fully supported by the Council's Housing Enabling Officer and CBH's Housing Management Team.

6.6.2 The Crime Prevention Design Advisor at Gloucestershire Constabulary has provided a detailed response to the proposals, much of which goes beyond the remit of the planning application; however the agent has subsequently met with them and agreed some minor changes to the scheme as necessary.

6.6.3 The apartment block would be served by a communal refuse and recycling store which would be within an acceptable 50 metre 'drag distance'. The Joint Waste Team has raised concern about the bin storage area shown for one of the dwellings as it is in excess of 50 metres from the highway; the dwellings however would be expected to present their bins for collection at the roadside, as is the existing situation for the adjacent terraced properties.

6.6.4 Due to the previous potentially contaminative use of the site, it is suggested that the standard contaminated land condition be imposed in accordance with local plan policy NE4 (contaminated land) should permission be granted.

6.6.5 Finally, as the application proposed 10no. new residential units, provision for play space would be required to meet the requirements of local plan policy RC6 (play space in residential development). As on-site play space provision is clearly not feasible in this location, policy RC6 envisages a commuted sum in order to achieve its requirements and it is considered that this matter could be adequately dealt with by way of a condition should permission be granted.

7. CONCLUSION AND RECOMMENDATION

- 7.1 Whilst the development would result in the loss of a parcel of employment land contrary to local plan policy EM2, officers consider that because of specific material considerations which relate uniquely to this site, which are set out above, there is a strong argument for a departure from the development plan in this case.
- 7.2 Officers consider that the proposed redevelopment scheme is of a suitable scale, height, massing and footprint for the site and would sit comfortably within its context; and would provide a significant enhancement to the conservation area.
- 7.3 In addition, the scheme would not result in any significant or unacceptable harm to neighbouring amenity or highway safety.
- 7.4 Therefore, in conclusion, the recommendation 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. 3834/P23, 3834/P24 and 3834/P71 received by the Local Planning Authority on 27th February 2015 and Drawing Nos. 3834/P10 C, 3834/P20 B, 3834/P21 B, 3834/P22 B and 3834/P70 C received 1st July 2015.
Reason: To ensure the development is carried out in strict accordance with the approved drawings.
- 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 Prior to the commencement of development, including any works of demolition, a Construction Method Statement shall be submitted to and agreed in writing by the Local Planning Authority. The statement shall be strictly adhered to throughout the construction period and 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. measures to control the emission of dust and dirt during construction;
 - viii. specify the access points to be used and maintained during the construction phase(s).

Reason: To reduce the potential impact on the public highway in accordance with Local Plan Policy TP1 and paragraph 35 of the NPPF.

- 5 Prior to the commencement of development, including any works of demolition, a scheme for the control of noise and dust from the site during the demolition and construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the proposed hours of work, equipment and procedures to control dust emissions, and any other steps to be taken to control similar nuisances. The works shall thereafter be implemented strictly in accordance with the agreed details.

Reason: To safeguard the amenity of adjoining properties and to protect the locality in accordance with Local Plan Policy CP4 relating to safe and sustainable living.

- 6 Prior to the commencement of development, the following condition shall be complied with and satisfactorily agreed in writing by the Local Planning Authority.

i) Site characterisation

A site investigation and risk assessment should be carried out to assess the potential nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report must include;

a) a survey of the extent, scale and nature of contamination

b) an assessment of the potential risks to:

- human health
- property (including buildings, crops, livestock, pets, woodland and service lines and pipes)
- adjoining land
- ecological systems
- groundwaters and surface water
- archaeological sites and ancient monuments

c) an appraisal of remedial options to mitigate against any potentially significant risks identified from the risk assessment.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11'

ii) Submission of a remediation scheme

Where remediation is required, a detailed remediation scheme to bring the site to a condition suitable for the intended use should be produced and will be subject to the approval, in writing, by the Local Planning Authority prior to implementation. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2a of the Environmental Protection Act (1990) in relation to the intended use of the land after remediation.

iii) Implementation of approved remediation scheme

Any approved remediation scheme must be carried out in accordance with its terms prior to the commencement of the development, other than that required to carry out remediation. Following completion of measures identified in any approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval, in writing, by the Local Planning Authority.

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination until section iv) has been complied with in relation to that contamination.

iv) Reporting of unexpected contamination

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 immediately in writing to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with section i) and a remediation scheme submitted in accordance with section ii). Following completion of measures identified in the approved remediation scheme, a verification report must be produced in accordance with section iii).

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 Local Plan Policy NE4 relating to development on contaminated land.

- 7 Prior to the commencement of development, a scheme for the provision or improvement of recreational facilities to serve the proposed dwelling(s) shall be submitted to and approved in writing by the Local Planning Authority. The dwelling(s) shall not be occupied until the approved scheme has been implemented.

Reason: To avoid any increase in the Borough's imbalance between population and the provision of outdoor play space and related facilities in accordance with Local Plan Policy RC6 relating to play space in residential development.

- 8 Prior to any construction work above ground level, samples of the proposed facing materials and roofing materials shall be submitted to and approved in writing by the Local Planning Authority, and the materials used in the development shall be in accordance with the samples so approved.

Reason: To ensure a satisfactory form of development in accordance with Local Plan Policy CP7 relating to design.

- 9 Prior to the installation of any boundary walls, fences or other means of enclosure, a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority and the boundary walls, fences or other means of enclosure shall be erected prior to first occupation of the development.

Reason: To ensure that the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Local Plan Policy CP7 relating to design.

- 10 Prior to installation, a detailed scheme for landscaping, tree and/or shrub planting and associated hard surfacing (which should be permeable or drain to a permeable area) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify species, density, planting size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the building or completion of the development, whichever is the sooner.
Reason: To ensure that the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Local Plan Policies CP1 and CP7 relating to sustainable development and design.
- 11 Prior to first occupation of development, the refuse and recycling storage facilities (including appropriate containers) shown on Drawing No. 3834/P/10 C shall be completed in all respects and thereafter kept free of obstruction and maintained as such.
Reason: To ensure adequate provision and availability of refuse storage in order to achieve sustainable waste management in accordance with Gloucestershire Waste Local Plan Policy W36 relating to waste minimisation.
- 12 Prior to first occupation of the development, the cycle and car parking facilities shown on Drawing No. 3834/P/10 C shall be completed in all respects and available for use. The parking facilities shall thereafter be kept free of obstruction and available for parking only.
Reason: To ensure adequate cycle and car parking provision within the curtilage of the site, and to give priority to pedestrian and cycle movements, in accordance with Local Plan Policy TP1 relating to development and highway safety, and paragraph 35 of the NPPF.
- 13 Prior to the first occupation of the approved development, all vehicular accesses to the site (other than that intended to serve the development) shall be permanently closed, and the footway/verge in front has been reinstated in accordance with details to be submitted to and agreed in writing beforehand by the Local Planning Authority.
Reason: To ensure satisfactory access arrangements in accordance with Local Plan Policy TP1 relating to development and highway safety and paragraphs 32 and 35 of the NPPF.
- 14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that order) the first floor windows to the west facing elevation serving Flat 4 shall be glazed with obscure glass and shall incorporate a restricted opening mechanism, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The window shall be installed in accordance with the details so approved and shall be maintained as such thereafter.
Reason: To safeguard the amenities of the adjoining properties in accordance with Local Plan Policy CP4 relating to safe and sustainable living.
- 15 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 extensions, garages, walls, fences or other structures of any kind (other than those forming part of the development hereby permitted) shall be erected without planning permission.
Reason: Any further extension or alteration 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 applicant's/developer's attention is drawn to the Council's 'Code of Good Practice - Building and Demolition Site Operators' leaflet which sets out reasonable working hours for noisy activities which would be audible beyond the site boundary. The hours are 7:30am - 6:00pm Monday to Friday, and 8:00am - 1:00pm on Saturdays.