

APPLICATION NO: 15/00591/FUL	OFFICER: Mr Ed Baker
DATE REGISTERED: 10th April 2015	DATE OF EXPIRY: 5th June 2015
WARD: Hesters Way	PARISH:
APPLICANT:	Mr Gordon Malcolm
AGENT:	Mrs Samantha Harrison
LOCATION:	Former Garage Site Rear Of 10-26 Hesters Way Road Cheltenham
PROPOSAL:	Erection of four dwellings and associated hard and soft landscaping

Update to Officer Report

1. The applicant has provided the following additional information:

- (i) Number of garage lockups previously at the site – the applicant confirms that according to their records there were 19 garages on the site.
- (ii) Status of third party rights of way – *‘We have been working with David Roberts, CBC Head of Property, in relation to the rights of access across the site. 52 Barbridge Road and 90 Ashlands Road have acquired a prescriptive right and a formal legal agreement is being drafted at present to legalise this right of access. The final right of access is presumed as there is historic evidence of continuous and unfettered access and therefore this has also been accommodated.’*

2. The Highway Authority has provided an updated response on the application, which supersedes the earlier version reported to members. A copy of the response is appended to this update if members wish to view it.

In summary, the updated response provides an explanation for the Highway Authority’s non objection to the proposal. It also suggests additional conditions in the event that planning is granted. Having regard to this advice, five additional conditions are recommended as follows:

- (i) None of the dwellings hereby permitted shall be occupied until the visibility splays onto Hesters Way Road have been laid out. The visibility splays shall extend from a point 2.4 m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road at least 2.4m (X-distance) x 54m (Y-distance) in a north westerly direction. The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05 m and 2.0 m at the X point and between 0.26 m and 2.0 m at the Y point above the adjacent carriageway level. The visibility splay shall thereafter be maintained at all times.

Reason: In the interests of highway safety, having regard to Policy TP1 of the Cheltenham Borough Local Plan (adopted 2006).

- (ii) The development shall not be occupied until dropped kerbs and tactile paving to link the existing footway(s) across the proposed access of the site have been constructed in accordance with details which shall have been submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety, having regard to Policy TP1 of the Cheltenham Borough Local Plan (adopted 2006).

- (iii) The development shall not be occupied until line markings at the junction with Hesters Way Road and across the proposed access of the site have been laid down and provided in accordance with details which shall have been submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety, having regard to Policy TP1 of the Cheltenham Borough Local Plan (adopted 2006).

- (iv) No development shall be undertaken until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The Statement shall:
- i. specify the type 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 access points to be used and maintained during the construction phase(s).

The development shall not be carried out unless in accordance with the details so approved.

Reason: In the interests of the safety of pedestrians who use the footpath across the site, having regard to Policy TP1 of the Cheltenham Borough Local Plan (adopted 2006). This information is provided up front because pedestrian safety could otherwise be compromised at the beginning of construction.

- (v) The development shall not be occupied unless details of the arrangements for future management and maintenance of the proposed roads/streets within the development have been submitted to and approved in writing by the Local Planning Authority. The roads/streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.

Reason: In the interests of highway safety, having regard to Policy TP1 of the Cheltenham Borough Local Plan (adopted 2006).

Highways Development Management

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Our Ref: B/2015/034091

Your Ref: 15/00591/FUL

Date: 16 September 2015

Dear Ed Baker,

TOWN AND COUNTRY PLANNING ACT 1990 HIGHWAY RECOMMENDATION

Location: 26 Hesters Way Road Cheltenham Gloucestershire GL51 0DA

Proposed: Erection of 4no. dwellings and associated hard and soft landscaping

Proposal

The proposal is to erect five dwellings on a vacant site which previously housed garages servicing local tenants of Cheltenham Borough Homes, I am informed that these garages were surplus to requirements and the parking survey undertaken by the applicant demonstrates that the displaced parking in and around the garages has not have a significant impact on the local highway network.

Access

The proposed access is to use the existing garage(s) access from Hesters Way Road which is subject to a 30mph speed limit. Drawing no 4067/P/10 F sets out that road line markings are proposed to discourage parking on the access road close to the junction as set out in Road Safety Audit, point 3.0. This will also have the benefit of improving the visibility and discourage parking so as to enable pedestrians to have an un-obstructed movement when using the non-controlled pedestrian crossing.

Visibility

The deemed to satisfy visibility requirements for a road subject to a 30mph speed limit is 2.4m x 54m in both directions; The applicant has been able to demonstrate with the submitted drawing no ST 16110-02 that a visibility of 2.4m x 54m can be achieved in both directions.

Pedestrian Crossing

Drawing no 4067/P/10 F sets out that the existing non- controlled pedestrian crossing which links the existing footway fronting Hesters Way Road is proposed to have new dropped kerbs and tactile paving in line with the recommendation of the Non Motorised User Audit point 4.2.

Footway

The Pedestrian footway that links Hestersway Road and Ashlands Road will be retained as set out on drawing no 4067/P/10 F. The internal footway provision will be accommodated via the shared surface road.

Refuse Collection

The applicant has submitted detail in the form of email exchanges with Ubico, Cheltenham Borough Councils refuse collection provider who has confirmed in an email dated 24th July 2015 that the site will be serviced by a smaller refuse vehicle being 22 tonne- (narrow track Dennis) which is approximately 9 metres length. Drawing no 4067/P/10 F sets out vehicle tracking which demonstrates the refuse vehicle to be used by Ubico and will be able to enter the site and have sufficient turning area in which to enable the refuse vehicle to manoeuvre and that the vehicle can enter and exit the site in forward gear. The refuse bins will be stored in a shared facility for collection.

Layout- & Parking

Drawing no 4067/P/10 F demonstrate that the internal road layout is of sufficient width so as to enable two vehicles to pass whilst travelling in opposite direction. Provision has been made for a least two vehicle parking spaces for each dwelling and one visitor parking; the level of parking proposed is in accordance with the predicted car ownership levels. I consider that there is sufficient area for turning manoeuvrability so as to allow vehicles to enter and exit the site in forward gear.

Access arrangements has also been made for rear vehicle access to three separate properties, of which one fronts Barbridge Road and two via Ashlands Road, these properties retain access rights from the proposed development access road.

I recommend that no highway objection be raised subject to the following condition(s);

(1) None of the dwellings hereby permitted shall be occupied until, the vehicular accesses from Hestersway Road street has been laid out and completed with the visibility splays extending from a point 2.4 m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road at least 2.4m (X-distance) x 54m (Y-distance) in both directions. The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05 m and 2.0 m at the X point and between 0.26 m and 2.0 m at the Y point above the adjacent carriageway level and shall be maintained thereafter.

Reason: - To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with paragraph(s) 32 and 35 of the NPPF and CBC LP Policy TP1.

(2) - The dwellings hereby permitted shall not be occupied until the vehicular parking facilities have been provided in accordance with the submitted drawing no 4067/P/10 F and shall be maintained available for that purpose thereafter.

Reason: To reduce potential highway impact in accordance with paragraph 39 of the NPPF and CBC LP Policy CP5 & TP6.

(3) - No development shall commence until details of dropped kerbs and tactile paving to link the existing footway(s) across the proposed access of the site have been submitted to and agreed in writing by the Local Planning Authority, the approved works shall then be completed in all respects prior to first occupation of any of the proposed dwellings and shall be retained as such thereafter unless and until adopted as highway maintainable at public expense.

Reason: To ensure there is safe and suitable pedestrian routes from the site to facilities, in accordance with paragraph 32 and 35 of The NPPF and CBC LP Policy TP 1.

(4) - No development shall commence until details of road line markings at the junction with Hestersway Road and across the proposed access of the site have been submitted to and agreed in writing by the Local Planning Authority, the approved works shall then be completed in all respects prior to first occupation of any of the proposed dwellings and shall be retained as such thereafter unless and until adopted as highway maintainable at public expense.

Reason: To ensure there is safe and suitable pedestrian routes from the site to facilities, in accordance with paragraph 32 and 35 of The NPPF and CBC LP Policy TP 1.

(5) 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 TBC LP Policy TPT1.

(6) No dwelling on the development shall be occupied until the carriageway(s) (including surface water drainage/disposal, bin storage areas, vehicular turning head(s) and street lighting) providing access from the nearest public highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

Reason: In the interest of highway safety; to ensure safe and suitable access has been provided for all people; and to safeguard the visual amenities of the locality and in accordance with paragraph(s) 32 & 35 of the NPPF.

(7) No development shall commence on site until a scheme has been submitted to, and agreed in writing by the Council, for the provision of fire hydrants (served by mains water supply) and no dwelling shall be occupied until the hydrant serving that property has been provided to the satisfaction of the Council.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

(8) No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to

and approved in writing by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.

Reason: To ensure that safe, suitable and secure access is achieved and maintained for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with paragraph 32 and 35 of The Framework, and to establish and maintain a strong sense of place to create attractive and comfortable places to live, work and visit as required by paragraph 58 of the NPPF.

Informatives

Vehicle Crossing

(1) The proposed development will require works to be carried out on the public highway together with the amending the existing vehicle crossing/creating new vehicle access and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including appropriate bonds) with the Local Highway Authority, (Gloucestershire County Council), before commencing works on the development. Further details can be viewed at <http://www.gloucestershire.gov.uk/mfqs>

Hydrants

The developer will be expected to meet the full costs of supplying and installing the fire hydrants and associated infrastructure.

The Developer is requested to erect a sign at the boundary of the new estate street with the nearest public highway providing the Developer's contact details and informing the public that the County Council is not responsible for the maintenance of the street.

Management of Streets

The applicant is advised that to discharge condition 6 that the local planning authority requires a copy of a completed dedication agreement between the applicant and the local highway authority or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

Yours sincerely,

Owen Parry

Development Management