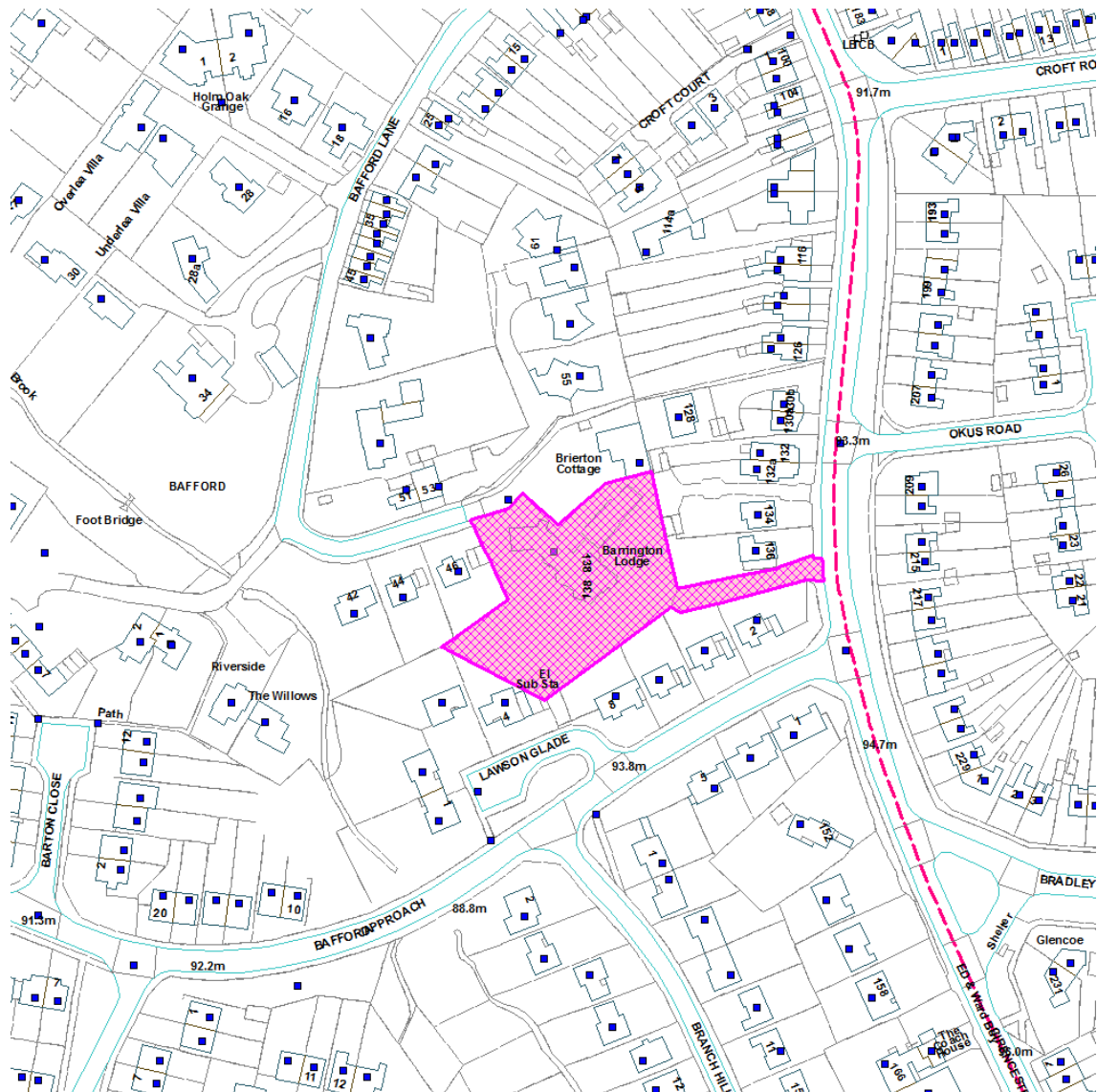


<b>APPLICATION NO:</b> 15/00958/FUL	<b>OFFICER:</b> Mr Ed Baker
<b>DATE REGISTERED:</b> 2nd June 2015	<b>DATE OF EXPIRY:</b> 28th July 2015
<b>WARD:</b> Charlton Park	<b>PARISH:</b> Charlton Kings
<b>APPLICANT:</b>	Robert Deacon Builders Ltd
<b>AGENT:</b>	MWA
<b>LOCATION:</b>	Former Barrington Lodge Nursing Home, 138 Cirencester Road, Charlton Kings
<b>PROPOSAL:</b>	Erection of four detached dwellings with garages (revised scheme)

**RECOMMENDATION:**



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## **1. DESCRIPTION OF SITE AND PROPOSAL**

- 1.1** The application relates to the site of the former Barrington Lodge Nursing Home. The site is located to the west side of Cirencester Road from which it is accessed.
- 1.2** The site is set back from Cirencester Road and is accessed via a narrow drive between neighbouring houses at No. 136 Cirencester Road to the north and No. 2 Bafford Approach to the south. The site then opens up and is uneven in shape.
- 1.3** The site comprises approximately 0.3 hectares. The land broadly falls in a south westerly direction. It is surrounded by residential neighbours on all sides including Cirencester Road to the east; Bafford Approach to the south; Lawson Glade and Bafford Lane to the west; and Bafford Lane to the north.
- 1.4** There is an important Cedar tree in the south west corner of the site. The tree is protected by a Tree Protection Order.
- 1.5** The Bafford Conservation Area is located outside the site to the north and west.
- 1.6** The site originally comprised a nursing home. Planning permission was granted in January 2015 for the redevelopment of the site with four detached dwellings, including demolition of the nursing home (14/02133/FUL). A revision to the design and layout was approved in May 2015 (15/00326/CONDIT).
- 1.7** The nursing home has been demolished and Plots 2, 3 and 4 are at an advanced stage of construction. The application seeks planning permission for a further revised scheme involving an enlargement of Plot 1.
- 1.8** The proposed design changes are summarised below:
  - Plot 1 – two storey enlargement on north side to provide utility/boot room at ground floor and enlarged bedrooms at first floor. Enlargement of the front of the house by around 1 metre. Single storey enlargement at rear on south side to create family room. Removal of basement.
  - Plot 2 – no change.
  - Plot 3 – no change.
  - Plot 4 – no change.
- 1.9** There is no change to the remaining layout, access or highway arrangements.
- 1.10** As before, the proposed dwellings have a modern design. The dwellings are relatively low with flat rooves. Many of the windows at first floor are box style. The predominant external materials would be painted render, composite boarding and aluminium windows and detailing. All the dwellings would be detached and would have two storeys. Plots 2, 3 and 4 would have basements (revised Plot 1 would not have a basement).
- 1.11** It should be noted that the current planning application, as originally proposed, sought permission for five dwellings. The plans have since been revised with the scheme reduced from five to four dwellings as described above.
- 1.12** Councillor Sudbury has requested that the application is considered by the Planning Committee if the officer recommendation is to grant planning permission.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### Constraints:

Smoke Control Order

### Relevant Planning History:

**15/00326/CONDIT 29th May 2015 PER**

Variation of condition 2 on planning permission 14/02133/FUL alteration to design

**15/00191/DISCON 15th June 2015 DISCHA**

Discharge of conditions (3) (annotated elevations), (4) (detailed landscaping scheme), (5) (water drainage system), (6) (site investigation), (7) (scheme for recreational facilities) on planning permission 14/02133/FUL

**14/01395/FUL 6th August 2014 WDN**

5No. New Dwellings on former Barrington Lodge

**14/01451/FUL 19th November 2014 REF**

Erection of 5No detached dwellings on site of former nursing home

**14/01452/DEMCON 9th September 2014 NPRIOR**

Prior notification for demolition of former care home

**14/02133/FUL 26th January 2015 PER**

Erection four dwellings on site of former nursing home

**14/02150/FUL 13th January 2015 WDN**

Erection of 5 detached dwellings on site of former nursing home

## 3. POLICIES AND GUIDANCE

### Adopted Local Plan Policies

CP 1 Sustainable development

CP 4 Safe and sustainable living

CP 7 Design

GE 5 Protection and replacement of trees

GE 6 Trees and development

NE 3 Biodiversity and geodiversity of local importance

HS 1 Housing development

HS 2 Housing Density

RC 6 Play space in residential development

RC 7 Amenity space in housing developments

UI 3 Sustainable Drainage Systems

TP 1 Development and highway safety

TP 2 Highway Standards

TP 6 Parking provision in development

### Supplementary Planning Guidance/Documents

Development on garden land and infill sites in Cheltenham (2009)

### National Guidance

National Planning Policy Framework

## 4. CONSULTATIONS

### **GCC Highways Planning Liaison Officer**

*18th June 2015*

Proposed: Erection of five detached dwellings, integral garages, provision of landscaping and internal access road I refer to the above application for proposed erection of five detached dwellings on site of a former nursing home.

#### Planning History

The site has been subject to previous planning permission on 26th January 2015 (14/02133/FUL) to allow the erection of four dwellings. There are no proposed changes to the access for this application as set out under previous planning permission.

This new application omits much of the information which is required to be able to provide a favourable recommendation to this scheme. Specific issues are listed below; whilst the information for GCC to be able to consider the proposal is included in more detail:

- Lack of technical detail submitted - also dimensions in full to be shown on all submitted drawings
- Vehicle Tracking
- Street lighting
- Number of refuse bins required to service development
- Utility service corridor
- Details/proposal for private road agreement
- Road safety audit

#### Road Safety Audit

A Stage F and 1 Road Safety Audit (RSA), designer's response and exception report (if required) will be required for both junctions onto the existing highway and covering the internal layout. Any safety issues identified will require resolving at the planning stage and the design should be altered and re-submitted to the Local Planning Authority.

This will remove historical problems experienced where fundamental safety issues have been identified at the technical submission for a highway works or adoption agreement stage due to a lack of Safety Auditing at the application stage. Once planning permission has been granted, if amendments are required as a result of an RSA post planning, a new planning permission would be required which adds an additional unnecessary cost to the applicant and delay to delivering development.

#### Internal junction/private access visibility

Details of junction visibility throughout the layout are required and should be annotated on the submitted plan, commensurate with the design speed as detailed in Gloucestershire Manual for Streets. Emerging and forward visibility should also be checked from each dwelling access onto the highway.

#### Forward Visibility

Details of forward visibility around bends throughout the layout are required and should be annotated on the submitted plan, commensurate with the design speed as detailed in Gloucestershire Manual for Streets. Forward visibility around bends should be included within highway land.

#### Parking

Details of parking space widths, internal garage dimensions and parking aisle widths together with a parking schedule and details of visitor parking provision including justification for proposed level of parking based on Paragraph 39 of NPPF in the absence of

any locally adopted parking policy. (consider conditioning garages to be kept available for parking, if the garages are required to meet the parking needs).

#### Street geometry

Details of all carriageway, footways/cycle ways and shared surface widths annotated on plan, together with annotations to denote any changes in width.

Are the widths appropriate to accommodate the expected vehicle movements and pedestrian/cycle flows ensure that footpaths/cycle ways are of appropriate width, overlooked and lit if appropriate to ensure a secure and safe design. Details of junction radii's to be annotated on plan. Turning heads should be provided at the end of all streets (including private drives) that exceed 20m in length capable of accommodating the expected vehicles to access.

#### Vehicle Tracking

Details of vehicle tracking for two estate cars passing along all streets including, junctions with the existing highway and within turning heads with 500mm clearance to boundaries and between vehicles.

To avoid large bend radii's, adequate forward visibility needs to be provided to allow drivers to be able see another vehicle prior to committing to the manoeuvre. Two estate cars should however be able to pass on bends and junctions, whilst a box van should be able to pass on a straight.

#### Shared Surface Streets

Shared surface streets encourage low vehicle speeds, create a pedestrian friendly environment, promote social interaction and make it easier for people to move around. Disabled people's needs should be considered and a traffic free route for these users should be provided so that this group is not disadvantaged. Shared surface streets work well where they form short lengths, cul-de-sacs and the volume of traffic <100 vehicles a hour.

Shared surface streets require greater planning for services, lighting, gateway features, on street parking as the layouts are often quite restrictive. Consideration should also be given to access from dwellings and the possibility of windows and porches over sailing the highway and visibility along street edge at access points.

#### Refuse Collection

Residents can carry waste up to 30m to a storage point and waste vehicles should be able to get within 25m of the storage point MfS 6.8.9. Bin collection points should be provided where large groups of bins will cause an obstruction to the highway i.e. at the end of shared drives or flats.

*1st September 2015*

#### Planning History

The site has been subject to previous planning applications:

14/01451/FUL - Previous planning application for 5 x dwellings to which No Highway objection was raised subject to conditions.

14/02133/FUL - Previous planning permission for 4 x dwellings to which No Highway objection was raised subject to conditions.

### Current Application

The proposal is for erection of five detached dwellings on the site; it is not proposed to make changes to the access where planning permission was granted on 14/02133/FUL for four dwellings.

### Access & Visibility Splays

The proposed development will continue to use the existing point of access directly from Cirencester Road which is a Class A (A435) Road subject to a speed limit of 30mph. The access is able to satisfy the required visibility standards being at least 54m in both directions.

### Waste Collection Bin Storage

The refuse collection will be road side collection, the bin storage is acceptable in terms of enabling road side collection however the location of the Bin Storage area is in excess of the recommended distance that house-holders should be expected to move private waste collection bins.

### Layout & Parking

Drawing no 2015/15/102F demonstrates 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 within the curtilage of each dwelling; 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.

### Construction Compound

The applicant has stated that the construction compound would be sited on the area proposed for the turning head while the fifth plot is completed. I consider that site area inclusive of the area proposed by the applicant is sufficient in area so as to provide for the parking of vehicles of site operatives and visitors, provide for the loading and unloading of plant and materials, provide for the storage of plant and materials used in constructing the development and provide for wheel washing facilities.

I refer to the above application **to which no highway objection is raised subject to the following conditions being attached to any permission granted:-**

- 1. None of the dwellings hereby permitted shall be occupied until, the vehicular access is laid out and constructed in accordance with the submitted Drawing No 2015/15/102F with any gates situated at least 5.0 m back from the carriageway edge of the public road and hung so as not to open outwards towards the public highway and with the area of driveway within at least 5.0 m of the carriageway edge of the public road surfaced in bound material, and shall be maintained thereafter.*

*Reason: To reduce potential highway impact by ensuring that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with paragraph 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 2015/15/102F 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.*

**Tree Officer**

*24th June 2015*

The Tree Section does not object in principle to this application provided the following can be submitted and agreed prior to determination of this application:

1. Tree Protection Plan-this needs to be as per root protection areas/radii recommended in BS5837 (2012) para 4.6
2. Shade analysis of the large Cedar tree on the proposed plot 5 demonstrating that shade cast by this tree will not overwhelm the living room of the proposed dwelling. This too is recommended in BS5837 (2012) para .5.3.4
3. A full detailed landscaping plan showing details of tree species, planting size, root type (it is anticipated that container grown trees will be planted) and protection so as to ensure quick successful establishment.

The Tree Protection Plan and shade analysis need to be on plans that can be scaled to. Plans that cannot be scaled to will not be accepted.

*15th July 2015*

The tree survey has stated that the Cedar is 40m tall however this is incorrect, as a result the shade analysis has casted a far larger shadow.

From the information that has been submitted the Tree Section would most likely not support this application as it is anticipated that the living room windows for Plot 5 would be in constant shade from the protected Cedar. If this application was to be granted there would be post development pressure on the Cedar to be heavily reduced or felled. If the primary living rooms were to be reconfigured this could reduce the negative effect of the shade.

It is anticipated that the foundations of Plot 5 would be appropriate for tree root growth. As the submitted information is not correct the Tree Section would like another shade analysis submitted and agreed prior to the determination of this application. This would also have to be updated in the Tree Survey Schedule. The Tree Section would appreciate all tree information to be submitted in one report rather than spread through several reports.

**Contaminated Land Officer**

*25th June 2015*

Noise from Demolition and Construction

Demolition or construction works on the development shall not take place other than during the following times:

1. Monday to Friday 0800 to 1800 hours
2. Saturday 0800 to 1300 hours

Nor at any time on Sundays, Bank or Public holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to protect existing residents who are in close proximity to this site.

## **Gloucestershire Centre for Environmental Records**

*23rd June 2015*

Pipistrelle bats have been identified within 190 metres of the centre of the site.

## **Wales and West Utilities**

*23rd June 2015*

No objection. We advise the developer to contact us because our apparatus might be at risk during construction.

## **Parish Council**

*2015*

"We reiterate our objection to this application for 5 houses on this site, as forwarded in October 2014. We are concerned with the density of housing in a plot of this size. We are also aware of concern regarding impact on neighbouring properties in terms of massing and potential overlooking issues and we support this concern."

## **Cheltenham Civic Society**

*9th July 2015*

Comments: We consider that the scale and density of the development is appropriate, and we applaud the modern approach, which seems appropriate here and a refreshing change.

## **Architects Panel**

*1st July 2015*

The panel had reviewed this scheme previously and the current application shows the replacement of a garage with an additional dwelling. The panel was generally happy with the massing but felt that there was potential to ease it away from the nearest property to the south-west. Elevationally, the additional unit seemed slightly odd with first floor windows being too close to the parapet line and perhaps too far apart. We were also concerned about the proximity of the unit to the RPA of an adjacent tree.

With some additional refinement the panel would support this application.

## **5. PUBLICITY AND REPRESENTATIONS**

Number of letters sent	<b>22</b>
Total comments received	<b>8</b>
Number of objections	<b>5</b>
Number of supporting	<b>0</b>
General comment	<b>3</b>

### **5.1 Comments Received**

These are attached to this report.



## **6. OFFICER COMMENTS**

- 6.1** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions are made in accordance with the Development Plan, unless materials considerations indicate otherwise.
- 6.2** The Development Plan for the area is the Cheltenham Borough Local Plan (adopted 2006).
- 6.3** The National Planning Policy Framework ("NPPF") is the Government's national planning policy. The NPPF sets the weight to be attached to existing Local Plan policies. Paragraphs 214 and 215 state that where a Local Plan has not been adopted in accordance with the Planning and Compulsory Act 2004 – as is the case for the Cheltenham Borough Local Plan – weight should be afforded to Local Plan policies in proportion to their degree of consistency with the NPPF.
- 6.4** The Cheltenham Local Plan was adopted in accordance with pre-2004 legislation and therefore only policies which accord with the NPPF carry significant weight. Where the Local Plan is not in accordance, or is silent, then the NPPF prevails.
- 6.5** The main issues relevant to the consideration of the planning application are:
- (i) Planning history
  - (ii) Nature of consultation responses
  - (iii) Housing supply
  - (iv) The effect of the proposal upon the character and appearance of the area, including the adjacent Conservation Area
  - (v) Impact on neighbouring property
  - (vi) Other matters
  - (vii) Conditions
- 6.6 Planning history**
- 6.7** The site's planning history is especially relevant to this application.
- 6.8** In August 2014, an application seeking planning permission for the erection of five dwellings was withdrawn (14/01395/FUL).
- 6.9** In November 2014, planning permission was refused for the erection of five dwellings (14/01451/FUL).
- 6.10** In January 2015, planning permission was granted for the erection of four dwellings (14/02133/FUL).
- 6.11** A further application seeking permission for the erection of five dwellings was withdrawn in January 2015 (14/02150/FUL).
- 6.12** In May of this year, planning permission was granted to vary condition 2 of planning permission 14/02133/FUL so as to change the design of the approved scheme (15/00326/CONDIT). This planning permission is currently being implemented with Plots 2, 3 and 4 near completion.
- 6.13** In June of this year, conditions 3, 4, 5, 6 and 7 of planning permission 14/02133/FUL were discharged (15/00191/DISCON).
- 6.14 Nature of consultation responses**

**6.15** The majority of the consultation responses and comments from neighbours were received in connection with the original scheme for five dwellings. The scheme has since been amended to four dwellings as described. A further representation has been received in relation to the revised scheme on behalf of No. 46 Bafford Lane. All consultation responses are reported.

#### **6.16 Housing supply**

**6.17** The Council cannot currently demonstrate a five year housing supply (plus 20% buffer). The five year housing supply position at 31 March 2015 is that taking account of shortfall and the application of a 5% buffer, the Council has a 3.6 year housing supply. This means that the housing supply policies in the Local Plan are not considered up to date, and the policies in the NPPF should prevail (par. 49).

**6.18** Paragraph 14 of the NPPF says that where Local Plan policies are out-of-date, planning permission should be granted unless *'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in the Framework indicate development should be restricted.'*

**6.19** The site already benefits from planning permission for the erection of four dwellings. The principle of development has therefore been firmly established. The proposal would make effective use of previously developed land. It has good access to shops, services, jobs and public transport. The proposal is acceptable in principle.

#### **6.20 The effect of the proposal upon the character and appearance of the area, including the adjacent Conservation Area**

**6.21** The proposed amendments to the previously approved scheme are limited to the enlargement of Plot 1.

**6.22** Plot 1 is located in south west corner of the site and not easily visible from the public realm. There may be very limited glimpses of Plot 1 from the end of Bafford Lane to the north between Plot 2 and No. 46 Bafford Lane. However, Plot 1 is likely to be barely noticeable from this position if at all. The impact of the proposed amendments on the Conservation Area to the north would be negligible. The character and appearance of the Conservation Area would be preserved.

**6.23** Views of Plot 1 are generally limited to within the development itself and the adjacent properties surrounding the site, including No. 46 Bafford Lane (north west); Nos. 6 and 8 Bafford Approach (south); and No. 4 Lawson Glade (south west).

**6.24** The two storey extension on the north side is relatively modest in scale. The south west rear extension is single storey and low impact. The replacement of a high level window at the front with a more regular square window to match the other front windows is a design improvement. In terms of impact on the character and appearance of the area, the proposed amendments are relatively inconsequential.

**6.25** The character and appearance of the area would be preserved.

#### **6.26 Impact on neighbouring property**

**6.27** The neighbours closest to Plot 1 and likely to be most affected by any changes to its design are: No. 8 Bafford Approach to the south; No. 4 Lawson Glade to the south west; and No. 46 Bafford Lane to the north west. The planning officer has visited each of these neighbours during the assessment of the application.

**6.28** *No. 8 Bafford Approach*

**6.29** The position of Plot 1 in relation to this neighbour is unchanged. The nearside two storey element is now 1 metre further forward and the single storey nearside wing has been extended at the rear by around six metres. The nature of these changes is that the impact on No. 8 over and above the approved scheme is likely to be minimal. The impact of the changes on this neighbour is therefore considered acceptable.

**6.30** *No. 4 Lawson Glade*

**6.31** There is a moderate increase in first floor fenestration at the rear of Plot 1 facing towards the rear garden of No. 4. However, the distance from elevation to boundary is over 15 metres and more than adequate to ensure no adverse overlooking. The increased bulk of Plot 1 – through the single storey rear enlargement and two storey north side enlargement – would not significantly impact on No. 4 over and above the approved situation. The impact of the changes on this neighbour is therefore considered acceptable.

**6.32** *No. 46 Bafford Lane*

**6.33** No. 46 is located to the north west of Plot 1. The amendment to Plot 1 closest to No. 46 is the enlargement of the north side gable with a modest two storey extension. This would bring Plot 1 closer to No. 46 than the approved scheme. However, the distance from the main part of No. 46 to the closest point of Plot 1 would still be generous at around 22 metres rather than 26 metres. Even then there would be the proposed single storey garage to Plot 1 between the two houses (the garage proposals are unchanged in the current revised scheme). There are two additional bedroom windows at the back of Plot 1 facing rearwards. However, there would not look directly towards the rear garden of No. 46. Views from these windows over the neighbour's garden would be acute at a distance of around 14 metres which more than meets the usual standards to ensure no unacceptable loss of privacy to No. 46. The impact of the changes on this neighbour is therefore considered acceptable.

**6.34** *Conclusion*

**6.35** Having regard to the above assessment, it is considered that the proposal would not have a harmful impact on the living conditions of neighbours adjacent the site.

**6.36** **Other matters**

**6.37** *Impact on trees*

**6.38** The Tree Officer offers no objection provided that tree protection measures are secured by means of a condition.

**6.39** *Access and highway issues*

**6.40** The Highway Authority advised no objection to the original revised scheme for five dwellings. The proposal has since been reduced to four dwellings and the access and layout arrangements are the same as previously approved. There would be no net severe impact on the highway resulting from the enlargement of Plot 1 or the changes proposed by the current planning application.

**6.41** *Ecology*

**6.42** The proposal is unlikely to impact on ecological interest over and above the existing approved scheme currently under construction.

**6.43** **Conditions**

**6.44** The conditions attached to the existing planning permission, 14/02133/FUL, are recommended save for the following changes:

Condition 2 – the drawing list is updated to reflect the revised proposals.

Condition 3 – reflects the fact that materials and finishes have been previously approved under application 15/00191/DISCON.

Condition 4 – revise the trigger points for a soft landscaping scheme to prior to occupation of Plot 1.

Condition 5 – as above.

Condition 6 – reflects the fact that contamination measures have been previously approved under application 15/00191/DISCON.

Condition 7 – the condition is made more precise.

Condition 8 – new condition.

Condition 9 – new condition.

**6.45** The Environmental Health Officer has recommended controls on hours for construction. This would be inappropriate because such controls were not imposed on the existing planning permission (currently being implemented) and because any concerns about disturbance under regulated under the Environmental Protection Act.

## **7. CONCLUSION AND RECOMMENDATION**

**7.1** The proposal is essentially to amend the existing planning permission for the erection of four dwellings at the site. The only change is the enlargement and design changes to Plot 1. These changes are not significant and would not result in harm to the character and appearance of the area or living conditions of adjacent residents.

**7.2** Paragraph 14 of the NPPF says that planning permission should be granted unless '*any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in the Framework indicate development should be restricted.*'

**7.3** No significant adverse impacts are identified. The proposal is considered sustainable development and any impacts that the proposal will have would not significantly and demonstrably outweigh the sustainable benefits of the proposal, which will increase the housing supply. Accordingly, planning permission should be granted.

## **8. 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 2015/15/100, 2015/15/105C, 2015/15/106B received on 01 June 2015;

drawing numbers 2015/15/107D received on 18 June 2015; and drawing numbers 2015/28 102 (ground floor block plan), 2015/28 104 (Plot 1) received on 23 September 2015.

- 3 All external materials and finishes (including all windows and external doors) shall be implemented in accordance with the details provided with application 15/00191/DISCON approved on 15 June 2015, unless otherwise agreed in writing by the Local Planning Authority prior to their installation and implementation.  
Reason: In the interests of the character and appearance of the area, having regard to Policy CP7 of the Cheltenham Borough Local Plan (adopted 2006).

- 4 Plot 1 shall not be occupied until a soft landscaping scheme for the whole site has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include details of all trees, hedgerows and other planting which are to be retained; a planting specification to include positions, density, size, species and positions of all new trees and shrubs; the location of grassed areas and a programme of implementation. All soft landscaping shall be carried out in accordance with the approved details.

The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Planning Authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a species and size to be first approved in writing by the Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to Policies CP1 and CP7 of the Cheltenham Borough Local Plan (adopted 2006). Approval is required upfront because the landscaping is an integral part of the development and its acceptability.

- 5 No development in relations to Plot 1 shall be carried out unless details of a surface water drainage scheme, which shall incorporate Sustainable Urban Drainage System (SUDS) principles, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include proposals for maintenance and management as well as a programme for implementation. The development shall not be carried out unless in accordance with the approved surface water drainage scheme.  
Reason: To ensure sustainable drainage of the development, having regard to Policy UI3 of the Cheltenham Borough Local Plan (2006). Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

- 6 The site shall be remediated in accordance with the details provided with application 15/00191/DISCON approved on 15 June 2015, unless otherwise agreed in writing by the Local Planning Authority. If during the course of development any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the Local Planning Authority within one month of the additional contamination being found. The development shall not be carried out unless in accordance with the details so approved.  
Reason: To minimise the risk of land contamination, having regard to Policy NE4 of the Cheltenham Borough Local Plan (adopted 2006).

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and/or re-enacting that order with or without modification), no additional windows, doors and openings shall be formed

above ground floor in the east elevation of Plots 3 or 4; without express planning permission.

Reason: Any further openings require detailed consideration to safeguard the privacy of adjacent properties, having regard to Policy CP4 of the Cheltenham Borough Local Plan (adopted 2006).

- 8 Plot 1 shall not be occupied until details of the 2 metre high wall along the boundary of Plot 1 with No. 46 Bafford Lane have been submitted to and approved in writing by the Local Planning Authority. Plot 1 shall not be occupied unless the boundary wall has been constructed in accordance with the approved details and shall be retained as such at all times.

Reason: To ensure privacy for No. 46 Bafford Lane, having regard to Policy CP4 of the Cheltenham Borough Local Plan (adopted 2006).

- 9 No works shall commence on site (including demolition and site clearance) unless a Tree Protection Plan ("TPP") to BS5837:2012 (or any standard that reproduces or replaces this standard) has been submitted to and approved in writing by the Local Planning Authority. The TPP shall detail the methods of tree/hedge protection and clearly detail the position and specifications for the erection of tree protective fencing and a programme for its implementation. The works shall not be carried out unless in accordance with the approved details and the measures specified by the TPP shall remain in place until the completion of the construction.

Reason: To safeguard existing tree(s) in the interests of visual amenity, having regard to Policies GE5 and GE6 of the Cheltenham Borough Local Plan (2006). Approval is required upfront to ensure that important trees are not permanently damaged or lost.

## **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.