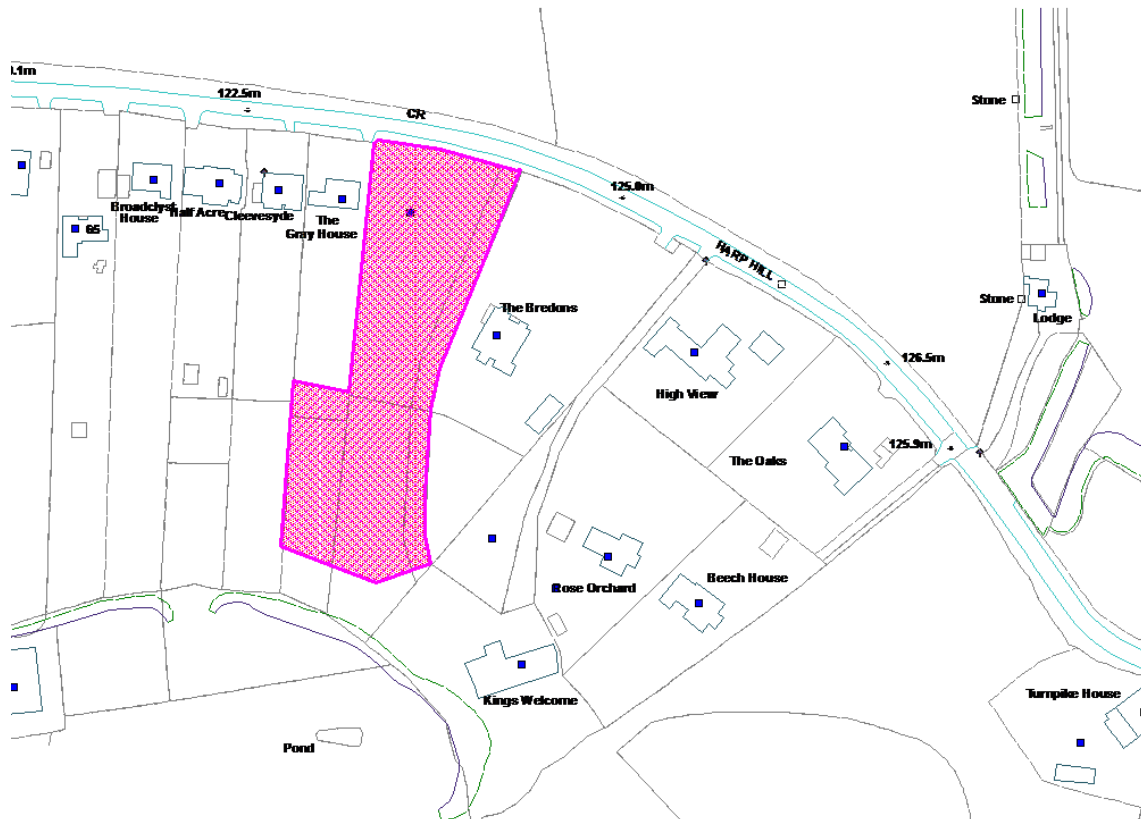


APPLICATION NO: 15/01165/FUL		OFFICER: Mr Ed Baker	
DATE REGISTERED: 11th July 2015		DATE OF EXPIRY: 5th September 2015	
WARD: Battledown		PARISH: Charlton Kings	
APPLICANT:	SPM Homes Ltd		
AGENT:	Hunter Page Planning		
LOCATION:	Land adjacent to Gray House, Harp Hill, Charlton Kings		
PROPOSAL:	Erection of two dwellings and associated works		

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application relates to a parcel of land situated to the south side of Harp Hill. The site is located to the east edge of the town in an area of transition between housing and countryside. It is understood that the site is within the Battledown Estate.
- 1.2 The site is situated within and at the edge of the Cotswolds Area of Outstanding Natural Beauty. It is surrounded by housing on its west and east sides. To the other side of the road to the north is open countryside. At the rear of the site to the south there is a small wooded area beyond which is Hewlett's Camp, an Ancient Monument.
- 1.3 The site is 0.44 hectares in size. The land rises in a southerly direction. The site is currently grassed and open save for an internal hedge to the centre. There are a small number of small fruit trees at the rear of the site to the south.
- 1.4 The site is broadly rectangular in the shape. It has a frontage with Harp Hill Road on its north side. The frontage is approximately 40 metres and includes an access track on its east side. The track provides vehicular access to the site as well as the neighbouring properties, The Bredons and Kings Welcome.
- 1.5 The site stretches far back from the road and has a depth of around 125 metres. The site narrows in its centre then juts out at the rear on its west side.
- 1.6 As described, the site is bounded by housing on its west and east sides. To the west is a row of detached houses with a frontage to Harp Hill Road. These houses have very long rear gardens which extend the same depth as the application site. Like the site, these gardens rise from north to south. The nearest neighbour on the west side is the dwelling known as The Gray House. The site includes the bottom half of The Gray House's rear garden. Beyond The Gray House and next to the southern part of the site is Cleevesyde. To the east, the site is bounded by The Bredons. To the south east is Kings Welcome.
- 1.7 The application seeks full planning permission for the erection of two detached dwellings. Both dwellings would be split level to take account of the rise of the site. The architecture is quite modern with flat roofs and cladding. Each dwelling would have four bedrooms. Plot 1 would be located at the north part of the site and would have a frontage with Harp Hill Road. Plot 2 would be situated further into the site behind Plot 1 within the southern part. Plot 1 would be positioned perpendicular to the road. Plot 2 behind it would have a slight north east axis, similar to The Bredons in front of it. The application follows pre-application advice with officers.
- 1.8 Amended plans have been received which make small design adjustments to both plots, introduce an obscure glazed balustrade on the front terrace of Plot 2, propose additional planting and propose a 2.4 metres high dry stone wall on the west boundary of Plot 2 next to Cleevesyde.
- 1.9 The application is referred to the planning committee at the request of Councillor Babbage.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Area of Outstanding Natural Beauty
Residents Associations

Relevant Planning History:

08/00485/FUL 29rd May 2008 PER
Erection of a 4 bedroom bungalow and garage

02/01439/FUL 29th April 2003 PER
Proposed new dwelling on land adjacent to the grey house

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
GE 7 Accommodation and protection of natural features
CO 1 Landscape character
CO 2 Development within or affecting the AONB
NE 1 Habitats of legally protected species
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

Parish Council

28th July 2015

No objection, but comment. We note that this is in the AONB, but the boundary has been overtaken by properties developed to the east, making it infill, not fringe development. The committee was disappointed with the unimaginative design which is out of keeping with nearby houses.

GCC Highways Planning Liaison Officer

1st September 2015

The application seeks to erect two dwellings on the site; the proposed access is to be shared with an existing dwelling described as Kings Welcome. The access fronts Harp Hill which is subject to a 30mph speed limit.

History

The site benefits from an extant planning permission (08/00485/FUL) for the construction of a new dwelling. The access proposed for this application was for a separate access fronting Harp Hill.

Site Layout & Parking

The site layout provides for a shared access from Harp Hill, the proposed development would be intensification in the use of the existing access, however the road width is sufficient to allow for two vehicles to pass in opposite direction, each dwelling has an area which allows for at least two parking spaces and sufficient area so as to allow vehicles to manoeuvre so they can enter and exit the site in forward gear.

Access

The proposed access is to be gated, the gates being set back by 10m from the edge of the carriageway (Harp Hill), the road width is sufficient so as to allow a vehicle to be parked off the highway whilst waiting for the gates to open and for another vehicle waiting to exit the site onto Harp Hill.

Refuse Storage & Collection

The proposed dwellings both have sufficient area in which to store refuse and recycling bins. Drawing no PL003E shows an area set clear of the access road so as to provide for refuse bin storage and allow for a kerb side collection.

Visibility

The applicant has stated that their consultant has confirmed they can achieve the necessary visibility splays and access into the site. The applicant has submitted a transport statement which in part states that at the junction of the private drive and Harp Hill, vehicular visibility is good at 90 metres. They go on to say that it is more than adequate on a road with a speed limit of 30 mph. Given that the road is residential in nature, the Manual for Streets standard applies; requiring visibility splays of only 43 metres, that Harp Hill is lit which also assists with visibility.

Manual for Gloucestershire Streets and Manual for Streets (Mfs) are the most relevant highway standards to apply to the road fronting the development site and provide guidance on how accesses to the highway should be laid out in order to operate in a safe manner. Local evidence from Gloucestershire County Council (Annual Speed Monitoring Report 1998 to 2006) indicates that the 85%ile speeds for 30mph highway is 34mph.

Harp Hill is subject to a 30mph speed limit, the deemed to satisfy visibility standards as set out in Manual for Gloucestershire Streets for a road subject to a 34mph speed limit not on a bus route is 2.4m (X-distance) x 49m (Y-distance). If visibility splays cannot be provided in accordance with the deemed to satisfy requirements then as set out in Manual for Gloucestershire Streets the appropriate level of visibility can be derived from a speed survey.

Drawing No PL003 E shows a visibility eastbound splay 2.5m (X-distance) x 43m (Y-distance) to back of kerb, however westbound there is no detail submitted which demonstrates that 43m (Y-distance) is achieved to back of kerb. However the applicant has stated that vehicular visibility is good at 90 metres, however no speed survey results have been submitted and as the deemed to satisfy visibility standards are 49m, I question why the applicant has not shown the 90m visibility for both directions on the submitted drawing No PL003 E, having said this I am able deal with the visibility by condition.

I recommend that no highway objection be raised subject to the following conditions:

- (1) No beneficial occupation of the approved building(s) shall occur until the vehicular access from Harp Hill has been laid out and completed with any gates situated 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 10.0 m of the carriageway edge of the public road surfaced in bound material, and maintained as such thereafter and 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 49 m distant in both directions (the Y points). 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.

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) None of the dwellings hereby permitted shall be occupied until the vehicular parking facilities have been provided in accordance with the submitted drawing no PL003 E 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.

Landscape Architect

19th August 2015

Character and Appearance of the Area

The application site lies within the boundary of the Cotswolds Area of Outstanding Natural Beauty (AONB). It is, therefore, a sensitive site and necessary to have regard to the purposes of AONB designation when assessing the proposals.

Along Harp Hill, in the vicinity of the application site, the streetscape is composed of frontage development, set back from the road by grass verges. The existing properties have large rear gardens sloping up to a belt of trees at the top of the hill, with the Scheduled Ancient Monument of Battledown Camp to the south-west. The set-back from the road and the large rear gardens give this area a spacious character, appropriate for the boundary between the AONB and the town. The gardens, with their trees and hedges contribute to the rural feel of this edge of town locality. In my opinion the proposals represent an over-development of the site. In this location built form should be subservient to landscape in order to conserve the boundary of the AONB.

The distance between the built form of Plot 2 and its southern boundary is approximately 6m. This is not acceptable. Existing properties have gardens of about 54m separating dwellings from the boundary at the top of the hill. A substantial buffer space is required between the proposed dwellings and the southern boundary. This could only be achieved by reducing the number and/or size of the proposed dwellings. Smaller dwellings would fit better with the existing character of the area. A more traditional design of building, (consider pitched roofs), would conform better with the background landscape and be in keeping with the established streetscape.

As currently submitted the proposals would be contrary to Cheltenham Borough Local Plan (Second Review Adopted July 2006) Policy CP7 because the built form is too extensive and therefore the proposed development would not complement and respect neighbouring development and the character of the locality and landscape.

Conditions Required

Should planning permission be granted, please could the following conditions be applied:

- LAN02B Landscaping scheme (short version)

- LAN03B Landscaping - first planting season
- A long-term maintenance plan for shared landscaped areas should be supplied.

Tree Officer

29th July 2015

In principle, the Tree Section has no objections with this application. The Tree Section requires a Tree Protection plan to be submitted and agreed prior to determination of this application.

A native hedge has been proposed for parts of the site however the percentage of *Ilex aquifolium* should be increase to 30% to give sufficient evergreen screening throughout the year. It is the Trees Officers opinion that the hedging that fronts onto Harp Hill should be a mixed native hedge.

1st October 2015

The Tree Section has no objections with this application. If permission is granted please use the following condition:

TRE03B Protective Fencing

Tree protective fencing shall be installed in accordance with the specifications set out within BS 5837:2012. The fencing shall be erected, inspected and approved in writing by the Local Planning Authority prior to the commencement of any works on site (including demolition and site clearance) and shall remain in place until the completion of the construction process.

Reason: In the interests of local amenity, in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.

Archaeologist, Gloucestershire County Council

13th October 2015

My attention has been drawn to the above planning application by CgMs Consulting, who have asked me to send you some comments on the archaeological implications. I note that CgMs have compiled a Heritage Desk-Based Assessment which has been submitted in support of this planning application.

In my view the application site has low potential to contain any significant archaeological remains – a similar area on the periphery of the nearby Scheduled Monument was investigated in 2003, with negative result. For that reason I recommend that no further archaeological investigation or recording need be undertaken in connection with this scheme.

In addition, given the presence of existing buildings close to and indeed within the Scheduled Monument then in my view the proposed development will have no significant additional impact on the setting of the Scheduled Monument. However, should you have any further concerns on that issue then I recommend that Historic England should be consulted.

Architects Panel

29th July 2015

The panel felt that this was a well-designed and interesting scheme which sat well within the landscape and its context. The level of information submitted was welcomed and helped understand the proposal. We were slightly unsure of the logic behind the angle of unit two on its plot as it seemed slightly contrived but would nevertheless support this application as a good example of contemporary design.

Battledown Trustees

16th July 2015

The Trustees have no objections to this proposal. We note, however, that the Transportation Statement does not take into account the forthcoming development at the top of Harp Hill on the old GCHQ site. The Trustees have been told that even with current traffic levels Harp Hill can be unsafe for children to walk to school.

Cheltenham Civic Society

14th August 2015

This is an appropriate site for development. We like the modern design here and the good use of the topography

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	10
Total comments received	7
Number of objections	4
Number of supporting	2
General comment	1

5.1 Comments Received

These are attached to the report.

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 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.

6.3 The Development Plan for the area is the Cheltenham Borough Local Plan (adopted 2006).

6.4 The main issues relevant to the consideration of the planning application are:

- (i) Planning history
- (ii) Housing supply
- (iii) Impact on the Area of Outstanding Natural Beauty and character and appearance of the area
- (iv) Trees
- (v) Impact on neighbouring property

- (vi) Access and highway issues
- (vii) Archaeology
- (viii) Ecology
- (ix) Play space

6.5 Planning history

6.6 Planning permission has previously been granted for the erection of a dwelling at the front of the site in the location of Plot 1 (02/01439/FUL and 08/00485/FUL).

6.7 The applicant claims that work commenced on 08/00485/FUL and that this permission is therefore extant. However, there was no obvious visual evidence of commencement when the site was visited. However, the Building Control site inspection report for 08/0337/DOMBN confirms the following:

‘SITE INSPECTION REPORT

Application Number: 08/00337/DOMBN Address: Kings Welcome Harp Hill Charlton Kings

Description: 1 No Four bed detached bungalow Officer: BC_DH

22.04.0822.04.08 BC_DH COMM excavs commenced

12.01.09 BC_DH DRN1 drain run continuing from neighbours land
100mm plastic bed and surround in pea gravel

14.01.09 BC_DH DRN1 further drainage from neighbours land to site
100mm plastic bed and surround in pea gravel

05.02.13 BC_DH ADHOC work still in progress.’

6.8 The nature of the works described above would suggest that development has commenced and that the planning permission is still extant. This is a very important material consideration because it establishes the principal of development of Plot 1 at the front of the site.

6.9 It should be noted that there is no Lawful Development Certificate that confirms that works have legally commenced.

6.10 Housing supply

6.11 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).

6.12 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.’*

6.13 The site is located within the Principal Urban Area as identified by the Local Plan.

6.14 The site is a reasonably sustainable location for two new dwellings with access to shops, services, jobs and public transport.

- 6.15** The proposal would make use of undeveloped land in a residential part of the town.
- 6.16** The site appears to benefit from an extant planning permission for a single dwelling at the front of the site. The development of this part of the site is therefore established.
- 6.17** The proposal does not raise any strategic concerns and the site is considered to be an acceptable location, in principle, for two new dwellings.
- 6.18** The acceptability of the proposal should rest on the consideration of the following other land-use planning issues.
- 6.19 Impact on the Area of Outstanding Natural Beauty and character and appearance of the area**
- 6.20** The site is located at the very edge of the Area of Outstanding Natural Beauty ("AONB"). The edge of the AONB is the west boundary of the site itself, next to The Gray House.
- 6.21** The site is a reasonable sized gap of undeveloped land situated between houses on either side. The fact that the site is undeveloped makes it somewhat conspicuous. An immediate question is why has the site not been developed yet? The front part of the site next to Harp Hill benefits from extant planning permission for the erection of a large detached house, although there is no obvious visible sign of development on the ground. The provision of a dwelling in this location will continue the frontage of dwellings with this part of Harp Hill and would be consistent with the pattern of development in the locality.
- 6.22** The site currently has an open character providing views of the woodland at the top (rear) of the site beyond which is Hewlett's Camp. The Council's Landscape Architect describes the site as having a rural feel. The site forms the very edge of the AONB, although it is not rural countryside, but within an area of loose-knit housing as the built-up part of the town gradually peters out into countryside.
- 6.23** The Landscape Architect has concerns about the visual impact of Plot 2, which would be located at the back of the site behind Plot 1. They state that the character of this part of Harp Hill is houses set within much more spacious plots, interspersed by groups of trees. Plot 2 is at its closest about 6 metres from the boundary with the neighbouring property, Cleevesyde. The Landscape Architect feels that the proposal would be over-development of the site. They suggest that the proposed dwellings are made smaller or that one of the dwellings is removed from the proposal. They further suggest that pitched roofs rather than flat roofs would be more appropriate for the dwellings.
- 6.24** These concerns are not shared. Although Plot 2 is very close to the boundary with the rear garden of Cleevesyde, this relationship would not be noticeable from public views. Plot 2 would be situated behind Plot 1, albeit on higher ground. There is a precedent for dwellings positioned one behind the other to the east. Kings Welcome to the south east is itself, for example, set behind The Bredons. In this regard, the location of Plot 2 would not be unusual. The axis of Plot 2 has been angled on a different geometry from Plot 1 so that the development does not have the character of regimented tandem development, but instead more organic. Tree planting will soften the impact of the dwellings and together with the proposed entrance gate and Plot 1 will limit the visual impact of Plot 2.
- 6.25** As mentioned, the provision of a dwelling at the front of the site next to Harp Hill Road, where Plot 1 is to be located, would appear to be visually logical in terms of continuing the row of houses on the frontage to the road to the west. To the east of this existing line of houses, the houses become looser-knit and are seen as more as a group of dwellings, some set further back from the road, and some houses one behind the other. Moreover, there is an extant planning permission for a new dwelling in this location. Plot 1 is therefore acceptable.

- 6.26** The proposed layout of the development, their scale and massing is considered appropriate. The application is supported by a figure plan (an updated OS site location plan with the footprint of the proposed dwellings added). This demonstrates that whilst the proposed dwellings are sizeable, their arrangement would not be out of keeping with the loose-knit and more organic pattern of dwellings to the east side of The Gray House.
- 6.27** In terms of architecture, the design of the dwellings is modern with the use of flat roofs and cladding systems. Planning should not stifle new and innovative design, and the focus should be on design quality. It is considered that the design, massing and scale of the dwellings are appropriate for the site and its context. The choice of materials is appropriate, blending local traditional materials such as Cotswold stone with more modern materials and cladding. The scheme has the support of the Architects Panel and the design of the dwellings is considered acceptable.
- 6.28** In conclusion, it is considered that the proposal would not harm the natural beauty of the Area of Outstanding Natural Beauty, consistent with the conclusions of the applicant's Landscape Visual Impact Assessment. It is considered that the character and appearance of the area would be preserved.
- 6.29 Trees**
- 6.30** The Tree Officer is happy with the amended plans and offers no objection subject to tree protection measures being provided during construction. A condition is recommended.
- 6.31 Impact on neighbouring property**
- 6.32** As previously described, there are existing houses on both sides of the site, to the west and east. The neighbours likely to be most affected by the proposal are: The Gray House and Cleevesyde to the west; and The Bredons and Kings Welcome to the east. The impact of the proposal on these properties is dealt with in turn.

The Gray House

- 6.33** The Gray House is situated to the immediate west of the site. It has a frontage to Harp Hill Road and Plot 1 would sit beside it. The Gray House's rear garden is next to the northern part of the site. The bottom part of their rear garden forms part of the site itself where Plot 2 is to be located.
- 6.34** The massing of the front part of Plot 1 is similar overall to the extant dwelling. Both plots would have flat roofs and the height of Plot 1 would actually be lower than the approved dwelling. The roof height would be substantially lower than the ridge line of The Gray House and would sit around 1 metre above The Gray House's eaves, but well below its ridge line.
- 6.35** The footprint of Plot 1 is quite large and extends significantly further back than the extant dwelling. However, the design of Plot 1 is kept low and is primarily single storey at the rear. At its highest point, the rear part of Plot 1 would be a height of 4.8 metres. It is proposed to retain the existing boundary hedge which would screen much of the side of Plot 1 from The Gray House's rear garden.
- 6.36** The first floor front balcony off the cinema room/snug has been redesigned and is now proposed as being ornamental only – this can be controlled by condition and will ensure no harmful overlooking of The Gray House.
- 6.37** Plot 2 is positioned close to the end of The Gray House's rear garden. The distance from the terrace at its closest point is about 7 metres. However, the revised plans include a 2 metre high obscure balustrade on two sides of the terrace, which would prevent overlooking. The screen should be required by means of a condition.

6.38 There has been no objection from The Gray House.

6.39 In summary, it is considered that the proposals would not harm the living conditions of The Gray House.

Cleevesyde

6.40 Cleevesyde is located next to The Gray House, further to the west. It would be relatively unaffected by Plot 1. However, Plot 2 would be situated alongside the bottom half of Cleevesyde's rear garden, furthest from the house.

6.41 It is understood that the occupier of Cleevesyde has been negotiating directly with the applicant with regard to concerns about overlooking and impact on their property. This has contributed in part to revised plans which see additional planting on the boundary with Cleevesyde, the introduction of an obscured glazed balustrade on the nearside of the front terrace to Plot 2; and proposals for a 2.4 metre high dry stone wall on the boundary.

6.42 The occupier of Cleevesyde has withdrawn their objection on the understanding that the amendments that they are seeking are incorporated. The neighbours most affected by the proposals, including Cleevesyde, have been re-consulted on the amended plans and no further comments from Cleevesyde have been received.

6.43 In general terms, the most sensitive area of a garden is that closest to the house. The further down the garden away from the house, the less sensitive overlooking issues might be. In this case, Cleevesyde has a very long rear garden of about 100 metres. The bottom section of the garden is much less formal with fruit trees and has the appearance of a small orchard. Nevertheless, the occupier of Cleevesyde says that they often use this space for outside eating and recreation.

6.44 Plot 2 is close to the boundary with this space. The front first floor terrace of Plot 2 would be a distance of 10 metres from the boundary. The elevated first floor, full height dining room window on the west elevation would also be 10 metres to the boundary. Plot 2 is angled towards Cleevesyde at its rear, with the rearmost part of the house only 2 metres from the boundary with Cleevesyde.

6.45 The provision of the 2.4 dry stone boundary wall and additional planting should afford the adjacent garden of Cleevesyde some screening. Given the informal character of this part of Cleevesyde's garden and which is located a substantial distance from the main house (around 60 metres), it is considered that the relationship is acceptable. The overall living conditions of Cleevesyde would not be unacceptably harmed by the proposals.

6.46 It is important that the planting and hard landscaping scheme, including the dry stone wall, are implemented and this should be secured by means of a condition.

The Bredons

6.47 Plot 1 would be located on the west side of The Bredons, alongside the house and its front garden.

6.48 The first floor terrace of Plot 1 would be around 12 metres from the boundary of the front garden of The Bredons. The distance to the house would be 26 metres. This relationship is considered acceptable.

6.49 The distance from the side window of bedroom 2 to the boundary of The Bredons would be around 8 metres. This is quite close and it considered appropriate for the window to be fitted with obscure glazing (this would be appropriate as it is a secondary window). A condition is recommended accordingly.

6.50 The front of Plot 2, including its first floor terrace, would look towards the rear of The Bredons. However, the distance to the boundary is 18 metres, and distance to the house is 40 metres. Plot 2 is therefore sufficiently far away from The Bredons not to result in unacceptable overlooking or other adverse impacts.

6.51 No objections have been received from The Bredons.

6.52 In summary, it is considered that the proposal would not have any harmful impacts.

Kings Welcome

6.53 Kings Welcome is located to the south east of Plot 2. At its closest point, Plot 2 would be around 21 metres from the boundary with Kings Welcome, which itself has a very substantial garden.

6.54 No objections have been received from Kings Welcome.

6.55 It is considered that the proposals would not have an adverse impact.

Other neighbours

6.56 Other objectors are further away from the development than those neighbours described above. The impacts on other neighbours would be less than the impacts identified previously and the relationship with those properties is considered acceptable.

6.57 Access and highway issues

6.58 The Highway Authority offers no objection to the proposal. In view of the Highway Authority's advice, it is considered that the proposed development is acceptable with regard to highway safety.

6.59 The proposals provide sufficient space for at least two cars to park with the curtilage of each of the dwellings. This level of parking is considered acceptable.

6.60 No severe impacts on the highway are identified.

6.61 Archaeology

6.62 Hewlett's Camp, an Ancient Monument, is located just to the south of the site. The County Archaeologist is satisfied with the archaeological information provided with the application and confirms that no further survey or recording work is required.

6.63 Ecology

6.64 No unacceptable impacts are identified.

6.65 Play space

6.66 In accordance with Policy RC6, a financial contribution towards local play provision should be secured by means of a condition.

6.67 Other considerations

6.68 In response to concerns that planning permission would set a precedent, each application should be considered on its own individual merits.

6.69 An objector refers to an appeal decision where planning permission was refused for dwellings behind No. 65 Harp Hill further to the west (03/01494/OUT). That application

was in outline and the current proposal is considered to have a different physical and policy context. As mentioned, each application must be judged on its own merits.

7. CONCLUSION AND RECOMMENDATION

7.1 It is recommended that the application is approved with conditions.

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 number PL001 received on 03 July 2015; and drawing numbers PL003 F, PL009, PL10 D, PL011B, PL012 A, PL020 D, PL021 C, PL22 C and DLA.1651.L001 C received on 10 September 2015.
Reason: To ensure the development is carried out in strict accordance with the approved drawings.
- 3 The dwellings shall not be occupied until a scheme for the provision or improvement of recreational facilities to serve the proposed dwelling has been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until the approved scheme has been implemented.
Reason: To ensure appropriate levels of local play provision for the development, having regard to Policy RC6 of the Cheltenham Borough Local Plan (adopted 2006).
- 4 The works hereby approved shall not be carried out unless in accordance with the approved Tree Protection Plan. The measures set out in the Tree Protection Plan shall be implemented for the duration of the construction of the dwellings.
Reason: To safeguard existing tree(s) in the interests of visual amenity and the ecosystem, having regard to Policies GE5 and GE6 of the Cheltenham Borough Local Plan (2006).
- 5 All hard and/or soft landscaping works shall be carried out in accordance with drawing number DLA.1651.L001 Revision C. 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 Local Planning Authority prior to commencement of development. 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 Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details.
Reason: In the interests of the character and appearance of the area, and the amenities of Cleevesyde and The Gray House, having regard to Policies CP1 and CP7 of the Cheltenham Borough Local Plan (adopted 2006).
- 6 Notwithstanding the submitted details, no works relating to the erection of Plot 2 shall be carried out until details of the 2.4 dry stone wall on the boundary with Cleevesyde has been submitted to and approved in writing by the Local Planning Authority. Plot 2

shall not be occupied until the wall has been erected in accordance with the approved details. The wall shall be retained at all times.

Reason: In the interests of the privacy of Cleevesyde, having regard to Policies CP1 and CP7 of the Cheltenham Borough Local Plan (adopted 2006).

- 7 Neither of the dwellings shall be occupied until the visibility splays onto Harp Hill 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 49 m (Y-distance) in both easterly and westerly 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. 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).

- 8 The dwellings hereby approved shall not be occupied or operated until the parking and turning areas have been provided in accordance with the approved plans. Such areas shall not be used for any purpose other than the parking and turning of vehicles associated with the development and shall remain free of obstruction for such use at all times.

Reason: To ensure adequate car parking within the site, having regard to Policies TP1 and TP6 of the Cheltenham Borough Local Plan (adopted 2006).

- 9 Any entrance gates shall be set back at minimum distance of 10 metres from the carriageway edge as shown on drawing number PL003 F received on 10 September 2015.

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

- 10 Plot 2 shall not be occupied until the 2 metre high obscure glazed balustrade has been provided in accordance with the approved plans. The balustrade shall be retained at all times in accordance with the approved plans and shall not be removed. The balustrade shall be retained at all times and shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent)

Reason: To prevent overlooking of Cleevesyde and The Gray House, having regard to Policy CP4 of the Cheltenham Borough Local Plan (adopted 2006).

- 11 The first floor front balcony off the cinema room/snug to Plot 1 shall not be used as an amenity space and there shall be no front enclosure of this part of the balcony at any time as shown on drawing number PL011 B received on 10 September. The balcony shall be retained in accordance with drawing number PL011 B received on 10 September at all times:

Reason: To prevent overlooking of The Gray House, having regard to Policy CP4 of the Cheltenham Borough Local Plan (adopted 2006).

- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and/or re-enacting that order), the window shown as serving an en-suite bathroom at first floor of the west elevation of Plot 1; and window shown as serving bedroom 2 on the east elevation of Plot 1 shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the floor that the window serves.

Reason: To safeguard the privacy of adjacent properties having regard to Policies CP4 of the Cheltenham Borough Local Plan (adopted 2006).

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.