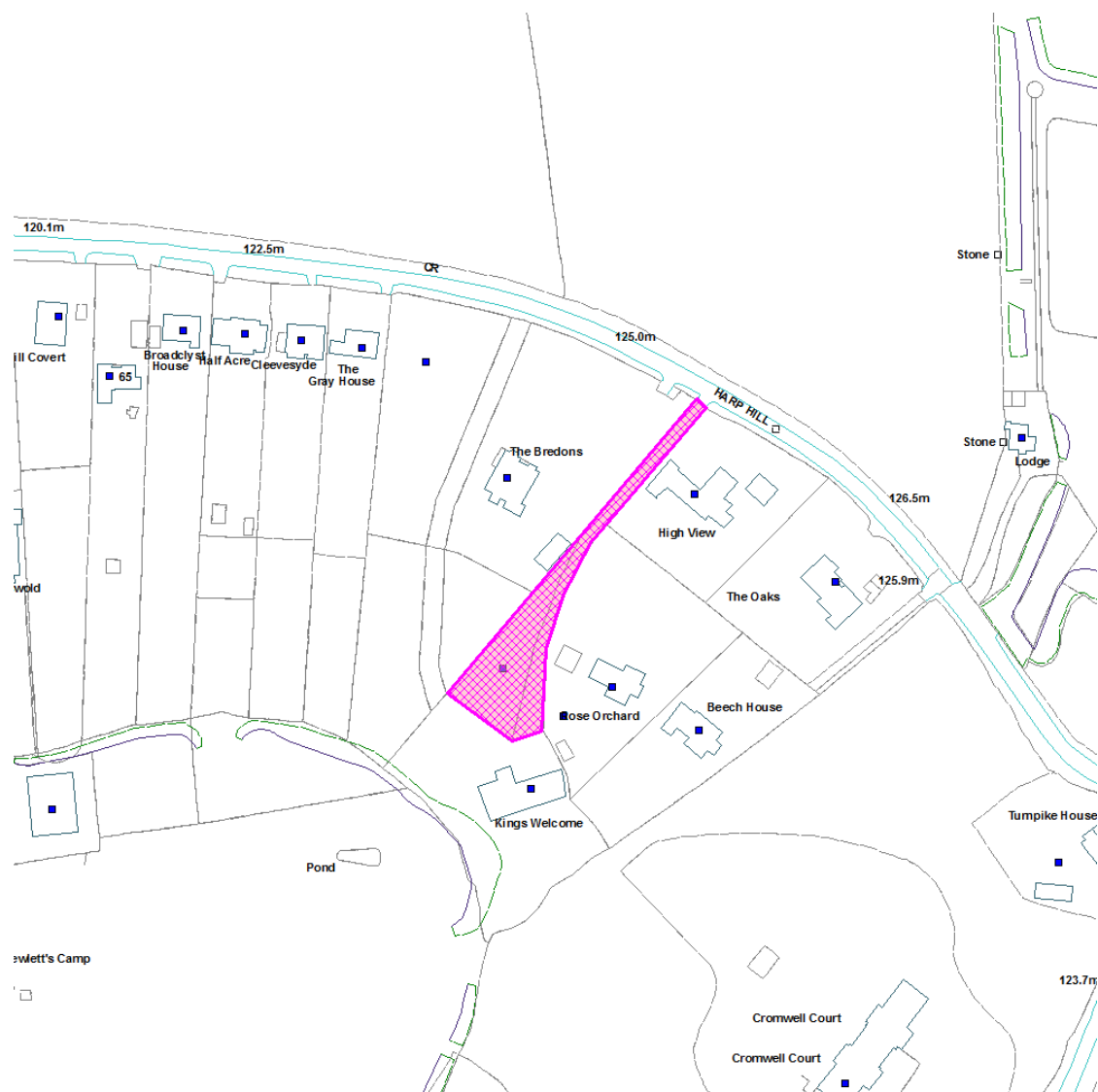


<b>APPLICATION NO:</b> 15/01441/OUT	<b>OFFICER:</b> Mr Ed Baker
<b>DATE REGISTERED:</b> 15th August 2015	<b>DATE OF EXPIRY:</b> 10th October 2015
<b>WARD:</b> Battledown	<b>PARISH:</b> Charlton Kings
<b>APPLICANT:</b>	Mr R.J. Ashton
<b>AGENT:</b>	SF Planning Limited
<b>LOCATION:</b>	Land off Harp Hill, Charlton Kings
<b>PROPOSAL:</b>	Outline application for the erection of dwelling (revised submission following refusal of 14/01612/OUT)

**RECOMMENDATION:** Refuse



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site comprises a triangular parcel of land which narrows to a point and at its widest, is 24m wide. It is accessed via a track which leads off Harp Hill, this currently provides primary access to Rose Orchard and also provides a secondary access to Kings Welcome, whose main access is further to the west. The site is located within the Cotswolds Area of Outstanding Natural Beauty, is bound by hedging and trees and is currently empty.
- 1.2 The application is made in outline with all matters reserved for future consideration except for access, which would be provided by the existing track. The proposal is for the construction of one new dwelling.
- 1.3 Members may recall that planning permission was refused in November 2014 for a very similar form of development. That application was refused for the following reasons:
- 1.4 *The application site is within the AONB and contributes to the spacious semi-rural character of the area. The development of the site would be detrimental to this character and would result in a cramped form of development which would fail to respond to the prevailing character and layout of the surrounding area. As such the application is contrary to policies CP7 and CO2 of the Adopted Local Plan, the Development on Garden Land and Infill Sites in Cheltenham SPD and advice contained in the NPPF.*
- 1.5 *The application fails to demonstrate that the proposal can ensure safe and suitable means of access. The existing access and visibility from it are inadequate to accommodate the vehicular movements associated with the proposal and as such the proposal would result in highway danger. Therefore the application is contrary to policy TP1 and advice contained in the NPPF.*
- 1.6 This application seeks to overcome both refusal reasons and the application is now supported by a report provided by a transport consultant, as well as further indicative material which demonstrates how the site might be developed. It is before committee at the request of Cllr Babbage.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### **Constraints:**

Area of Outstanding Natural Beauty  
Residents Associations

### **Relevant Planning History:**

**14/01612/OUT    21st November 2014    REF**  
Outline application for the erection of 1 dwelling

## 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  
CO 1 Landscape character  
CO 2 Development within or affecting the AONB  
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**

### **Wales And West Utilities**

*1st September 2015*

Wales & West Utilities acknowledge receipt of your notice received on 20.08.2015, advising us of the planning application and proposals at: land off Harp Hill, Charlton Kings.

We enclose an extract from our mains records of the area covered by your proposals together with a comprehensive list of General Conditions for your guidance. This plan shows only those pipes owned by Wales & West Utilities in its role as a Licensed Gas Transporter (GT). Gas pipes owned by other GT's and also privately owned pipes may be present in this area. Information with regard to such pipes should be obtained from the owners. The information shown on this plan is given without obligation, or warranty and the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Wales & West Utilities, its agents or servants for any error or omission.

Wales & West Utilities has pipes in the area. Our apparatus may be affected and at risk during construction works. Should the planning application be approved then we require the promoter of these works to contact us directly to discuss our requirements in detail before any works commence on site. Should diversion works be required these will be fully chargeable.

You must not build over any of our plant or enclose our apparatus.

Please note that the plans are only valid for 28 days from the date of issue and update plans must be requested before any work commences on site if this period has expired.

### **Parish Council**

*25th August 2015*

No objection.

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

*25th August 2015*

I have the following comments on the application for erection of a dwelling:

This is a revised submission following the previous application on 14/01612/OUT on the site that was refused on the grounds that:

*'The application fails to demonstrate that the proposal can ensure safe and suitable means of access. The existing access and visibility from it as inadequate to accommodate the vehicular movements associated with the proposal, and as such the proposal would result in highway danger.'*

This was based on the conclusion that 'The existing vehicular access is located at a point on Harp Hill where visibility is severely restricted and the intensification in use of that access would increase highway dangers and hazards contrary to the interests of highway safety and paragraph 32 of The Framework'. This conclusion was arrived at due to the lack of suitable evidence supporting the application.

The current application is for the access only with all other matters reserved.

The current application provides suitable visibility splays in both directions from the site entrance onto Harp Hill of 54m to the left (west) and 50m to the right (east) exiting the site on drawing SK\_01 rev B based on speed surveys evidence of 85th percentile speeds. The submitted evidence indicated the 85th percentile speed of traffic on Harp Hill as being 35 MPH westbound (towards Cheltenham) and 34 MPH eastbound (away from Cheltenham). Drawing SK\_02 further illustrates the availability of suitable forward visibility for a vehicle waiting to turn right into the access.

The existing shared driveway is limited in width with the proposed passing space for two cars set back from the highway up the driveway close to the proposed dwelling as shown on the block plan 730, 81 - 05C. It is considered although not ideal given the low number of movements expected along the driveway to and from the proposed and existing dwellings the impact of the additional dwelling would not be severe to warrant refusal.

The ground floor, site and block plans (730, 81 - 02B, 730, 81 - 05C, 730, 81 - 03C) illustrate parking marked as for two cars fronting the proposed dwelling. The area illustrated is noted to be too small to accommodate two standard size parking spaces and tunin space, however it is considered space is available within the site to provide two parking spaces with turning space for vehicles to enter and exit in forward gear.

Therefore having reviewed the submitted information I recommend no objection on highway grounds subject to the following conditions;

1. The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m 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 54 west and 50m east (the Y points). The area between those splays and the carriageway shall be cut back or reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

Reason:- To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and to ensure 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 the National Planning Policy Framework paragraph 32.

2. No building on the development shall be occupied until the carriageway including the passing place providing access from the nearest public highway to that dwelling have been completed to at least binder course level and similarly 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 the National Planning Policy Framework paragraph 32.

3. The car parking, vehicular loading and turning, and cycle parking arrangements agreed as part of the Reserved Matters application shall be provided prior to occupation of the dwelling to which they relate and shall be maintained thereafter.

Reason:- To reduce potential highway impact, in accordance with paragraph 32 and 35 of The Framework.

#### **Tree Officer**

*7th September 2015*

The Tree Section has no objections in principle with this proposal as an outline application. However as with 14/01612/OUT, there are no tree details submitted as a part of this application.

As a minimum CBC Tree Section would anticipate a full BS5837 (2012) tree survey of trees on and within the sphere of influence of this land. Similarly, road/access construction needs to take account of trees within the site as well as trees in adjacent property. Following this survey, it may be decided that a no-dig solution is necessary where the root protection area of trees falls within construction zone. As such this will require a method statement.

Details of proposed underground utility services need to be submitted and agreed. Similarly a method statement for their insertion will be necessary to be submitted and agreed.

A tree protection plan showing trees to be retained and protected will be necessary to be submitted and agreed as a part of the application. It would also be useful if this plan shows trees to be removed and where appropriate, pruned.

Landscaping proposals to mitigate for any loss of soft landscape features should also be submitted.

#### **Battledown Trustees**

*3rd September 2015*

The Trustees confirm that this application does not breach the Battledown Trust covenant. We reiterate the comment made on another application on Harp Hill concerning the safety of the upper part of the road for pedestrians.

#### **Gloucestershire Centre For Environmental Records**

*1st September 2015*

Report available to view on line.

## **5. PUBLICITY AND REPRESENTATIONS**

Number of letters sent	<b>13</b>
Total comments received	<b>7</b>
Number of objections	<b>7</b>
Number of supporting	<b>0</b>
General comment	<b>0</b>

- 5.1 Letters were sent to thirteen neighbouring properties to publicise the application, with 7 letters of objection being received. The objections principally focus on two main issues: highway considerations and the view that the proposal would represent an

overdevelopment of the site. There is also concern that the proposal will impact on the amenity of Kings Welcome.

- 5.2** Members are advised that one objection is supported by a detailed transport assessment, a copy of which can be read on-line.

## **6. OFFICER COMMENTS**

- 6.1** Officer comments and a full recommendation will follow as an update to this report.