

<b>APPLICATION NO: 15/00681/FUL</b>		<b>OFFICER: Mr Craig Hemphill</b>	
<b>DATE REGISTERED:</b> 2nd May 2015		<b>DATE OF EXPIRY:</b> 1st August 2015	
<b>WARD:</b> Leckhampton		<b>PARISH:</b> Leckhampton With Warden Hill	
<b>APPLICANT:</b>	Boo Homes (Leckhampton) Ltd		
<b>AGENT:</b>	Mr Richard Manning		
<b>LOCATION:</b>	Land south of 205 Leckhampton Road, Leckhampton Road, Cheltenham		
<b>PROPOSAL:</b>	Erection of 10 houses and associated works (revised scheme)		

## Update to Officer Report

### 1. OFFICER COMMENTS

- 1.1. The recommended conditions are set out below. At the time of writing this update, due to IT difficulties, the revised plans cannot be linked the recommended Condition 2\* (approved documents). This condition will be updated to include the revised plans as soon as the system is corrected.

### 2. CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 \*The development hereby permitted shall be carried out in accordance with drawing numbers received.  
Reason: To ensure the development is carried out in strict accordance with the approved drawings.
- 3 No occupation of the dwellings hereby approved until the access road layout together with the junction from Leckhampton Road to the development site has been completed to at least binder course level and the works shall be maintained as such thereafter unless and until adopted as highway maintainable at public expense.  
Reason: To reduce potential highway impact by ensuring a safe and suitable access, in accordance with paragraphs 32 and 35 of the NPPF, and CBC LP Policy TP1.
- 4 None of the dwellings hereby permitted shall be occupied until the vehicular parking facilities have been provided in accordance with the submitted Drawing BM070-190 and shall be maintained available for that purpose thereafter.  
Reason: To reduce potential highway impact in accordance with paragraph 39 of the NPPF.
- 5 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 and CBC LP Policy TP1 and TP2.

- 6 No dwelling on the development shall be occupied until the carriageway(s) (including surface water drainage/disposal, 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 32 of the NPPF and CBC LP Policy TP1

- 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 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 National Planning Policy Framework (NPPF) and CBC LP Policy TP1.

- 9 Development shall not begin until drainage details, incorporating sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied.

Reason: This information is required prior to commencement to ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

- 10 Prior to the commencement of development details of surface water attenuation/storage works shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied.

Reason: This information is required prior to commencement to prevent the increased risk of flooding, It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

- 11 The development hereby permitted shall not commence until drainage plans for the disposal of foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.  
Reason: This information is required prior to commencement to ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.
- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and/or re-enacting that order with or without modification), no extensions, garages, walls, fences or other structures of any kind (other than those forming part of the development hereby permitted) shall be erected without planning permission.  
Reason: Any further extension or alteration requires detailed consideration to safeguard the amenities of the locality and the landscape quality of the adjacent Area of Outstanding Natural Beauty in accordance with Local Plan Policies CP4, CP7, CO1 and CO2.
- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and/or re-enacting that order with or without modification), no earth works or retaining walls shall be carried out or erected without planning permission.  
Reason: Any further alterations to the levels approved will require detailed consideration to safeguard the amenities of the locality and the landscape quality of the adjacent Area of Outstanding Natural Beauty in accordance with Local Plan Policies CP4, CP7, CO1 and CO2.
- 14 Prior to the commencement of development, an annotated elevation with a detailed specification of all external materials and finishes (including all windows and external doors) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented strictly in accordance with the details so approved and maintained as such thereafter.  
Reason: To ensure a satisfactory form of development in accordance with Local Plan Policy CP7 relating to design.
- 15 Prior to the commencement of development, a scheme for the provision or improvement of recreational facilities to serve the proposed dwelling(s) shall be submitted to and approved in writing by the Local Planning Authority. The dwelling(s) shall not be occupied until the approved scheme has been implemented.  
Reason: To avoid any increase in the Borough's imbalance between population and the provision of outdoor play space and related facilities in accordance with Local Plan Policy RC6 relating to play space in residential development.
- 16 Prior to the commencement of development, a detailed scheme for boundary walls, fences or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority and the boundary walls, fences or other means of enclosure shall be erected before the development hereby permitted is first occupied.  
Reason: To ensure that the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Local Plan Policy CP7 relating to design.
- 17 Prior to the commencement of development, plans detailing the specification and location of all hard surfacing materials shall be submitted to and approved in writing by

the Local Planning Authority. All new hard surfacing areas shall be formed from permeable materials or provision shall be made to direct run-off from the hard surface to a permeable or porous area (soakaway) within the site.

Reason: To maximise the absorption of rainfall on site in accordance with Local Plan Policy CP1 relating to sustainable development.

- 18 No development shall be commenced until details of the proposed arrangements for future management and maintenance of the surface water drainage system have been submitted to and approved in writing by the local planning authority. The surface water drainage system shall thereafter be maintained in accordance with the approved management and maintenance details thereafter.

Reason: To ensure the surface water drainage system does not contribute to flooding or pollution of the watercourse in accordance with Local Plan Policy UI3 relating to sustainable drainage systems.

- 19 The landscaping proposals hereby approved shall be carried out no later than the first planting season following the date when the development is ready for occupation or in accordance with a programme agreed in writing with the Local Planning Authority. All planted materials shall be maintained for 5 years after planting and any trees or plants removed, dying, being severely damaged or becoming seriously diseased within this period shall be replaced with others of similar size and species to those originally required to be planted.

Reason: To ensure that the planting becomes established and thereby achieves the objectives of Local Plan Policies CP1 and CP7 relating to sustainable development and design.

- 20 A Lighting Scheme comprising of low-level bollards and sensitively placed columns with luminaires that limit light spillage and avoid illumination of the new dedicated bat house, bat boxes, bat panels and the boundary hedgerows, shrubs and trees shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The scheme shall include a lux plan and be implemented in strict accordance with the approved details.

Reason - To avoid light pollution and impact on protected species (bats) and local amenity and in accordance with ODPM Circular 06/2005 plus National Planning Policy Framework paragraphs 109 and 118.

- 21 No hedgerow, tree or shrub removal shall take place between 1st March and 31st August inclusive unless a survey to assess the nesting bird activity on the site during this period has been undertaken and a method of working to protect any nesting bird interest found is established and then implemented.

Reason: To ensure that wild birds building or using their nests are protected as required by law and in accordance with ODPM Circular 06/2005 plus National Planning Policy Framework paragraphs 109 and 118.

- 22 A biodiversity enhancement scheme for bats and nesting birds including features set out in section 4 of the Ecological Appraisal (revision 1) dated February 2015 shall be submitted for written approval by the Local Planning Authority prior to development commencing. Locations and descriptions of features will need to be specified plus any required maintenance regime to maintain biodiversity interest or use. The scheme shall be implemented as approved within three months of the occupation of the first dwelling.

Reason: This is in accordance with National Planning Policy Framework paragraphs 109 and 118 and also Section 40 of the Natural Environment and Rural Communities Act 2006, which confers a general biodiversity duty upon Local Authorities.

- 23 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.

- 24 As part of the landscaping scheme all tree pit details shall be submitted to and approved in writing by the Local Planning Authority. Tree pits and planting shall be carried out in strict accordance with the approved details.

Reason: To ensure new tree planting is given the opportunity to successfully establish in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.

- 25 All service runs shall fall outside the Root Protection Area(s) unless otherwise agreed in writing by the Local Planning Authority. Any such works shall be in accordance The National Joint Utilities Group; Volume 4 (2007).

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.

#### INFORMATIVES :-

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.

- 2 The proposed development will require works to be carried out on the public highway together with the amending the existing vehicle crossing 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/mfsgs>

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.

The applicant is advised that to discharge condition 5 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.