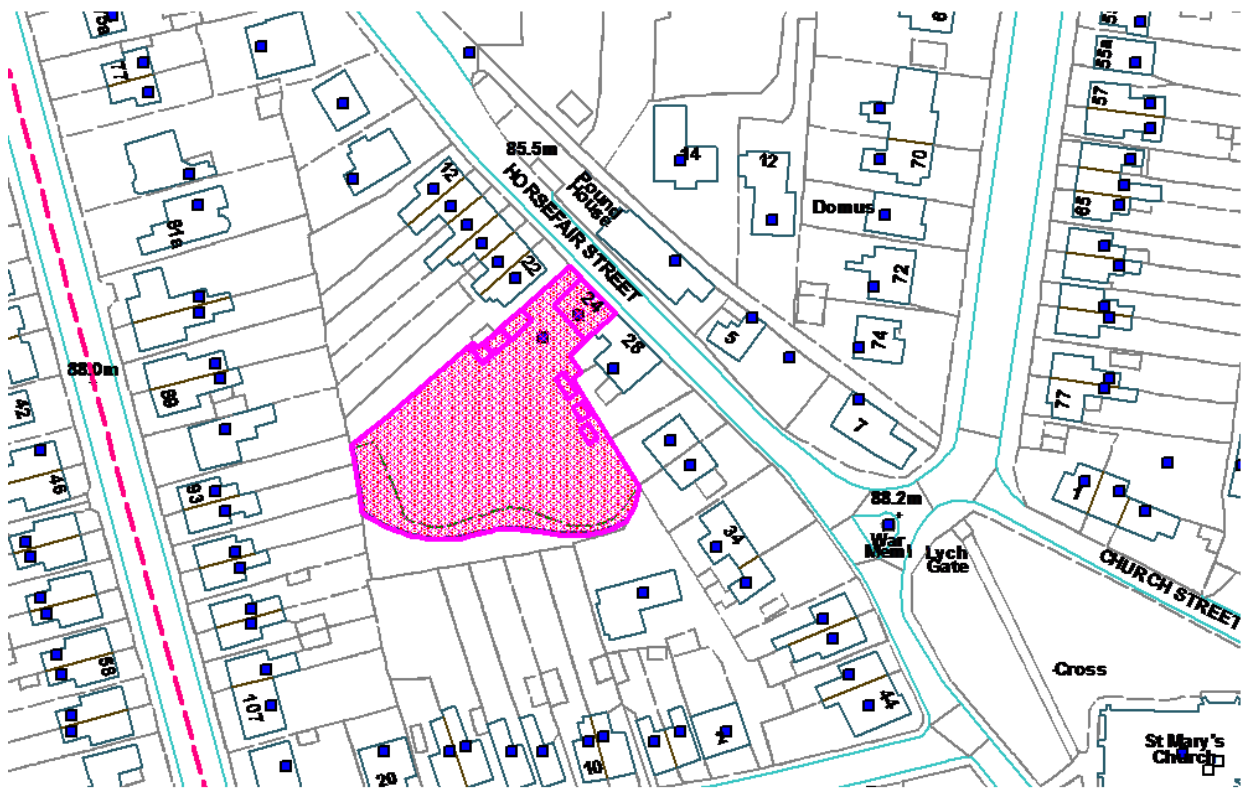


APPENDIX 1

APPLICATION NO: 14/00209/FUL	OFFICER: Miss Michelle Payne
DATE REGISTERED: 8th February 2014	DATE OF EXPIRY: 5th April 2014
WARD: Charlton Kings	PARISH: Charlton Kings
APPLICANT: Mr R Martin	
AGENT: Ian Murray Associates	
LOCATION: 24 Horsefair Street, Charlton Kings, Cheltenham	
PROPOSAL: Erection of 3no. detached dwellings with garages and construction of private access drive following demolition of existing dwelling	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This application proposes the erection of 3no. four bedroom dwellings to the rear of no. 24 Horsefair Street. The number of proposed dwellings has been reduced during the course of the application, from 4 to 3, to address concerns relating to an overdevelopment of the site.
- 1.2 No. 24 Horsefair Street was originally built as a pair of semi-detached dwellings, nos. 24 & 26 Horsefair Street, but has been altered internally at some point in the past to create one dwelling. One half of the existing dwelling would be demolished to provide the access to the development.
- 1.3 The site is discreetly located within the St. Mary's (CK) Conservation Area with the existing semi-detached property which addresses the road identified within the Townscape Analysis Map as a neutral building which neither positively contributes nor detracts from the character and appearance of the locality. The site is bounded by residential properties in Horsefair Street, Gladstone Road and Cirencester Road, with access to the site provided alongside the existing dwelling.
- 1.4 The site currently forms the garden to no.24 Horsefair Street however the site is shown as a sand pit on the 1884 OS map. A number of small outbuildings are present within the site. There are a number of trees within the site, the majority of which are in poor condition and are to be removed.
- 1.5 The application site is before the planning committee following an objection from the parish council. Members will recall that the application was deferred from the July committee meeting to allow for further consideration, principally in relation to the badger activity on the site.
- 1.6 Members will re-visit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area

Relevant Planning History:

None

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
BE 3 Demolition in conservation areas
BE 4 Timing of demolition in conservation areas
GE 6 Trees and development
NE 1 Habitats of legally protected species
NE 4 Contaminated land
HS 1 Housing development

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UI 2 Development and flooding
UI 3 Sustainable Drainage Systems
TP 1 Development and highway safety

Supplementary Planning Guidance/Documents

Development on garden land and infill sites in Cheltenham (2009)
St. Mary's conservation area character appraisal and management plan (2009)

National Guidance

National Planning Policy Framework

4. CONSULTATION RESPONSES

Contaminated Land Officer

12th February 2014

Please can you add the full standard contaminated land condition to this application. This site formerly contained a sand & gravel pit and as such there is the potential for the land to have been landfilled with waste.

Parish Council

25th February 2014

Object. Increase in traffic on narrow road. Site is within the conservation area, with protected trees, and wildlife including badgers. Concern over drainage implications of a large area of hard surface. There is a dispute over boundaries, and no information about no.26 which is joined to no.24.

Environmental Health

4th March 2014

Please can I add the following condition and advisory point:

1) This proposal includes an amount of demolition of existing buildings, this will inevitably lead to some emissions of noise and dust which have a potential to affect nearby properties, including residential property. I must therefore recommend that if permission is granted a condition is attached along the following lines:

The developer shall provide a plan for the control of noise and dust from works of construction and demolition at the site. The plan should also include controls on these nuisances from vehicles operating at and accessing the site from the highway. Such a plan is to be submitted to and approved by the Local Planning Authority before work commences on site.

Reason: To protect local residents

Advisory: One point the developers should consider is to keep to the recommended times of work for construction on sites (Monday - Friday 07:30 - 18:00, Saturday 08:00 - 13:00) to reduce the noise impact upon other local residents.

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Cheltenham Civic Society

7th March 2014

This development needs more thought to be given to the layout to maximise the potential of the site. What is proposed makes it look as if the proposed dwellings have been scattered at random. We also regard the design as very uninspired.

Tree Officer

12th March 2014

The Tree Section has no objection to this application providing the following can be submitted and agreed:

- 1) Tree protection Plan Drawing no HCK.084.T.3 does not show protective fencing for T1 the Japanese maple and T5 the Rowan. Discussions with the current owner reveals a desire for these to be retained and as such protective fencing distances (to BS5837 (2012)) needs to be shown on the plan.
- 2) A method statement needs to be submitted demonstrating how the concrete surface adjacent the above trees can be removed without damage to the root protection area of these two trees.
- 3) Proposed trees for the front gardens of the proposed dwellings. Without such trees/landscaping this development could have a harsh appearance and as such this should help 'soften' this. Details for such trees should include species, size, root type.
- 4) Details of the proposed boundary planting in terms of size of native hedging plants to be planted.
- 5) It is unclear as to how overall soil levels will rise or drop and as such this needs to be clarified-especially in relation to proposed retained trees. Existing trees would not likely tolerate changes in their root protection areas of more than 40-50mm. Therefore such clarification would be helpful in terms of final proposed sections through the site in relation to trees.

Architects Panel

12th March 2014

Although the site is within the Conservation Area, the proposals will not have a significant impact due to the hidden nature of its location; however, additional information showing the relationship of the proposal to adjacent buildings would have been helpful in assessing the proposal. The solution, four houses, was acceptable in terms of its scale, proportion and materials; and whilst not ground-breaking in terms of its vision, was competent in its execution. We would therefore support this application.

Heritage and Conservation

10th April 2014

1. The present property 24/26 Horsefair Street appears to be the two former cottages now joined together to form one dwelling with a central rear extension infilling what had previously been garden land/rear yards to the former two cottages. These

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cottages are shown on the 1884 map but it is possible that they are considerably older than later 19th century. They have been extensively altered on the outside with new windows, tile hanging cladding and poorly proportioned windows to the side and rear elevations.

2. The principle of developing the application site for new housing is acceptable subject to the detailed design of the houses.
3. However I do have concerns about the proposed partial demolition of 24/26 Horsefair Street. It is clear from the application that only 24 is being removed, however this is used as one dwelling in conjunction with 26 (ie one front door, one staircase). It is not clear from the application information which sections of the existing dwelling will remain and what the external appearance of the remaining section will be like. The modern in-fill rear extension has very poor proportions however fortunately it is currently hidden from the public view points. However it seems that following the partial demolition of this existing property this rear extension will be very visible from the street, or does the applicant intend to re-build this section of building? Confirmation of the external appearance of the remaining building needs to be given now, and in terms of the conservation area is perhaps more important than the proposed appearance of the new dwellings.
4. However given that the whole of the street elevation of 24/26 Horsefair Street is poor including the retained section, this application should be used as an opportunity to negotiate some improvements to the quality of the appearance of the retained building.
5. In addition to the lack of information over the final appearance of the remaining building, I am concerned that it is possible that these two buildings now one dwelling may be older than late 19th century and the applicant has failed to submit an historic assessment of the section of building proposed for demolition.
6. In terms of the design and massing and quantity of the proposed new dwellings these all appear to be acceptable and the proposed site layout is acceptable. Therefore generally the development of this former sand pit is not something which will harm the character and appearance of the conservation area, subject to the following –
 - a. The historic assessment of the existing building (i.e. 24/26 Horsefair Street) is prepared and submitted as part of this application and considered by the conservation team, and then the acceptability for the partial demolition of this existing building is considered in light of that assessment.
 - b. The appearance of the access arrangements is acceptable in relation to any boundary enclosures of the retained building.
 - c. The appearance of the retained section of the existing building is acceptable and its current poor appearance is improved.
 - d. Pre-commencement conditions (i.e. materials, landscaping, windows and external doors details etc.)

GCC Highways Planning Liaison Officer
20th May 2014

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I have assessed the above application site and I will require more information to help me assess and to make this proposed site safe and suitable for all users:-

- 1) Can the Applicant/Agent provide visibility splays from the proposed access? The required visibility for 30 mph speed is 2.4 metres back from the carriageway edge x 54 metres in each direction. If the required visibility splays cannot be provided the appropriate level of visibility can be derived from a speed survey. For further information please see <http://www.gloucestershire.gov.uk/CHttpHandler.ashx?id=44314&p=0>
- 2) Can the Applicant/Agent provide a swept path analysis for a 3 axle vehicle and a car to pass each other on the proposed site layout? Also, can dimensions be added to the proposed site layout. The adoptable standard estate road width is a 5.5 metre carriageway with 2 metres footways either side or a shared surface can be considered as well which is a carriageway width of 6.8 metres which caters for all users. A turning head will be required capable of accommodating the turning characteristics of a 3 axle refuse vehicle. An adoptable turning head needs to be 12.5 metres by 12.5 metres.
- 3) Can the dimensions of the garage be amended? To consider the garage as a car parking space it will need to have the minimal internal dimensions of a single garage, 3 metres x 6 metres, or 6 metres x 6 metres for a double garage.

GCC Highways Planning Liaison Officer (revised comments)

16th June 2015

The proposal seeks permission for 3 detached residential dwellings with garages and the construction of a private access drive following the demolition of the existing dwelling. This is one less unit than that sought in the original planning application.

The access currently provides vehicular access for one property, with poor levels of emerging visibility and almost no pedestrian intervisibility. The proposal seeks permission to widen the access to enable simultaneous access and egress of vehicles with pedestrian intervisibility splays and improved emerging visibility splays.

On street parking is permitted on Horsefair Street and this will impact on the emerging vehicular visibility splay. However, Manuals for Streets do accept on street parking in visibility splays within certain circumstances of which this is one. Forward visibility on Horsefair Street is good.

I refer to the additional information submitted on the 2nd of June 2015 containing the revised site access drawing M348/03 Rev C. The revised access includes a build out at the access to assist with traffic calming along Horsefair Street and to enable the provision of a safe and suitable access to the site. The drawing demonstrates emerging visibility splays from the site access of 2.4m to by 27m to be achieved to the running lane of vehicles. The 27m splay is commensurate with the recorded 85th percentile speed of the road.

Drawings numbers M348/04 and M348/05 demonstrate that cars and a fire tender can access the site. A bin collection point has been included in the site within 15m of the site access to negate the need for a refuse vehicle to enter the site.

I refer to the above planning application received with Plan(s) Nos: M348/03 Rev C. I recommend that no highway objection be raised subject to the following condition(s) being attached to any permission granted:

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1. 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

Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance with paragraph 35 of the National Planning Policy Framework.

2. No development shall commence on site until the first 10m of the proposed access road, including the junction with Horsefair Street, build out with reflective bollards and associated visibility splays as shown in drawing numbered M348/03 Rev C, has been completed to at least binder course level and shall be maintained as such thereafter until and unless adopted as highway maintainable at public expense.

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.

3. The proposed dwellings shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan drawing no. RM2 Rev A and those facilities shall be maintained available for those purposes thereafter.

Reason: 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.

Note: The proposed development will involve works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing those works.

5. PUBLICITY AND REPRESENTATIONS

5.1 Letters of notification were sent out on receipt of the original application. In addition, a site notice was posted and an advert published in the Gloucestershire Echo. Further notifications were sent out at key stages of the application. In response to the publicity, during the course of the application, a total of 29 representations have been received – 2 in support and 27 in objection; the comments have been circulated in full to Members.

5.2 In brief, the main concerns relate to:

- Traffic and highway safety
- Impact on wildlife
- Impact on conservation area
- Loss of trees

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- Overlooking / loss of privacy
- Surface water run-off
- Overdevelopment

6. OFFICER COMMENTS

6.1 Determining Issues

6.1.1 The main considerations when determining this application relate to the principle of residential development, the design and layout of the proposed housing and impact on the conservation area; impact on neighbouring amenity; and parking and highway safety.

6.2 Principle of development

6.2.1 Paragraph 14 of the NPPF states that “At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking”. For decision-taking this means (unless material considerations indicate otherwise) approving development proposals that accord with the development plan without delay. The second bullet point says that where the development plan is absent, silent or relevant policies are out of date then the presumption in favour of sustainable development means that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF policies as a whole or specific NPPF policies indicate that development should be restricted.

6.2.2 In this instance, the application site is located within the built up area of Cheltenham in a sustainable location. The principle of considering a residential redevelopment in this location is therefore acceptable and NPPF compliant but is subject to further considerations as set out below.

6.3 Design, layout and impact on the conservation area

6.3.1 Local plan policy CP7 (design) requires all new development to be of a high standard of architectural design and to complement and respect neighbouring development and the character of the locality.

6.3.2 In addition, the NPPF sets out at paragraph 56 that “Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”. It goes on to say at paragraphs 59 and 60 that design policies “should concentrate on guiding the overall scale, density, massing, height” etc. and “should not attempt to impose architectural styles or particular tastes”.

6.3.3 The application proposes a fairly traditional design approach which is considered to be wholly acceptable in this location. Such an approach is also supported by the Architects’ Panel who consider the scheme to be “acceptable in terms of its scale, proportion and materials” albeit they acknowledge that it is “not ground-breaking in terms of its vision”. This view is shared by the Civic Society who considers the design to be “very uninspired” however the Conservation Officer considers the design and massing of the dwellings to be acceptable.

6.3.4 The proposed houses are one and a half storeys, with half hipped roofs and dormers. The external elevations of the dwellings would be brick faced and plain tiled roofs are proposed together with painted timber windows and doors. Such a palette of materials is considered to be wholly appropriate in this location.

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6.3.5 It is acknowledged that a rather informal layout is proposed, which is somewhat at odds with the surrounding pattern of development, however the layout has been guided by a number of constraints including the irregular shape of the plot, varying land levels, and a construction exclusion zone required as a result of badger activity within the site. Such a layout is not considered to be inappropriate in this back land location and is fully compliant with the SPD in relation to garden land development.

6.3.6 Some concern has been raised by the Conservation Officer in respect of the proposal to demolish part of the existing building, and the resultant appearance of the retained building. It has been suggested that an historic assessment of the existing building should be prepared however given that the building has been extensively altered in the past with new and altered windows and the introduction of tile hanging at first floor, together with internal alterations to combine the dwellings, officers consider the commissioning of an historic assessment would be an overly onerous requirement of the applicant. It is important to remember that whilst the property is located within a conservation area, it is not listed or locally indexed and is identified as being a neutral building within the Townscape Analysis Map. Officers consider that the submitted drawings adequately illustrate the appearance of the retained building and that, subject to a condition requiring the exposed elevations to be rendered and painted, the proposal would provide an enhancement within the street scene.

6.3.7 In the absence of this application for planning permission, the proposed demolition, whilst deemed to be 'development', could be carried out as permitted development under Part 11 of the Town and Country Planning (General Permitted Development Order) 2015; all that would be required is an application to the Local Planning Authority to check whether the authority requires prior approval of the method of demolition and any proposed restoration of the site.

6.3.8 Overall, officers are therefore confident that the overall scale, height, massing and footprint of the development is appropriate in this location and that it would sit comfortably and discreetly within its context without causing harm to the wider conservation area. As such, the proposal is considered to be in accordance with the aims and objectives of policy CP7 and guidance set out within the Council's SPD relating to development on garden land and infill sites, and the NPPF.

6.4 Impact on neighbouring amenity

6.4.1 Local plan policy CP4 (safe and sustainable living) states that development will be permitted only where it would not cause unacceptable harm to the amenity of adjoining land users and the locality.

6.4.2 Officers consider that the proposed residential units could be comfortably accommodated within the site without significant harm to neighbouring amenity in respect of privacy, daylight or outlook.

6.4.3 Given the significant difference in land levels, and the one and a half storey nature of the proposed dwellings, the surrounding properties in Gladstone Road and Cirencester Road would not be unduly affected by the development. The properties which would be most affected by the proposal are those in Horsefair Street, principally nos. 22 and 28.

6.4.4 The neighbour at no. 22 Horsefair Street has raised a number of concerns in respect of the proposal which have been circulated in full to Members; overlooking and loss of privacy is one of the many concerns raised. Officers however are entirely comfortable with the proposed relationship between this dwelling and the proposed development, and particularly Plot 3 which would be located alongside the boundary.

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6.4.5 No.22 Horsefair Street benefits from a long rear garden, in excess of 35m long, which banks up at the rear. The proposed windows in the front elevation of Plot 3 would be in excess of the normally accepted distance of 21 metres between clear glazed first floor windows, and there are no upper floor windows proposed to the side elevation. In addition, a single storey wing to the rear of Plot 3 has been re-orientated so as to help mitigate any mutual overlooking from the raised bank in the neighbouring garden which is used as a raised terrace. Moreover, a 2m high timber fence is also proposed to this boundary. As such, officers do not feel that the development would have any unacceptable impact in terms of privacy. In addition, the garage which sits forward of Plot 3 would have its ridge running parallel to the boundary resulting in an eaves height of 2.6m adjacent to the boundary which is considered to be fully acceptable.

6.4.6 Plot 1 would be located to the rear of no. 28 Horsefair Street, some 12 metres from the principal rear elevation of this neighbouring property and 8 metres from the rear of an extension which has a window at first floor. Given these distances, it is not considered that any impact on this neighbour would be so significant as to warrant a refusal of planning permission. Again, there are no upper floor windows in the side elevation. Furthermore, whilst a letter of objection has been received from this neighbour, it does not raise any objection on amenity grounds.

6.4.7 The development is therefore in accordance with the aims and objectives of policy CP4, and guidance set out within the Council's SPD relating to development on garden land and infill sites and the NPPF.

6.5 Parking and highway safety

6.5.1 Local plan policy TP1 (development and highway safety) states that development will not be permitted where it would endanger highway safety, directly or indirectly, by creating a new access or generating high turnover on-street parking.

6.5.2 It is acknowledged that much concern has been raised by local residents in respect of these matters. Indeed, the delay in bringing this application to the planning committee has largely been due to extensive discussions and negotiation between the applicant's Highway Consultant and the County's Highway Team in respect of visibility issues.

6.5.3 As a result of these discussions, the access has been revised to include a build out at the access to assist with traffic calming along Horsefair Street which would enable the provision of a safe and suitable access to the site. An ATC (automatic traffic count) Survey and Road Safety Audit have also been submitted and reviewed by the County together with drawings that demonstrate that cars and a fire tender could access the site.

6.5.4 The neighbour at no. 22 Horsefair Street suggests that the build-out will prevent parking on his 'drive' however the build-out is wholly located outside the application site and does not extend across in front of his property.

6.5.4 The application proposes 2no. on-site car parking spaces per dwelling together with a single parking space for the retained dwelling. This level of on-site parking is considered to be sufficient in this location and has no Highway objection has been raised subject to a number conditions being imposed should permission be granted.

6.5.5 The NPPF is quite clear that "development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe".

6.5.6 Therefore, although raised as a concern by local residents, the development accords with the requirements of policy TP1 and guidance set out within the NPPF.

6.6 Other considerations

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6.6.1 During the course of the application, badgers were identified to be present within the site. A Badger Survey was therefore carried out by Willder Ecology, and a report submitted, in April 2014 in accordance with the requirements of local plan policy NE1 (habitats of legally protected species). The report acknowledged the presence of one active sett within the site, and a construction exclusion zone was identified in order to mitigate any harm to the badgers. It was this exclusion zone that resulted in the reduction of dwellings from 4 to 3. Given the length of time that has passed since the carrying out of the original survey, Willder Ecology revisited the site in June this year; the County Ecologist having suggested that a review should normally be carried out after 12 months. Following the visit, it has been confirmed in writing that the use of the site remains consistent with the original report and the mitigation measures proposed are therefore still appropriate; the only reduction in badger use has been in the level of digging in the lawn. A condition is recommended to ensure that a more detailed mitigation strategy for the protection of the badgers and their foraging areas is submitted and agreed should permission be granted.

6.6.2 There are currently a large number of trees within the site, the majority of which are in poor condition and are to be removed with the exception of a Japanese maple, a Rowan, and a Birch. The Tree Officer is largely supportive of the scheme subject to additional information being provided in respect of tree protection and landscaping; it is considered that this additional information could be secured by way of a condition.

6.6.3 There is some dispute as to who owns the boundary wall between nos. 22 and 24 Horsefair Street which is annotated to be reduced in height to 600mm on the site layout plan however Members will be aware that this is a civil matter to be resolved outside of the planning process and matters relating to the ownership of land cannot directly influence the outcome of the planning application.

6.6.4 Due to the previous potentially contaminative use of the site, the contaminated land officer has requested that the standard contaminated land condition be imposed in accordance with local plan policy NE4 (contaminated land) should permission be granted.

7. CONCLUSION AND RECOMMENDATION

- 7.1 Officers consider that the proposed scheme is of a suitable scale, height, massing and footprint for the site and that it would sit comfortably and discreetly within its context; it would not cause harm to the wider conservation area.
- 7.2 In addition, in its revised form, the scheme would not result in any significant or unacceptable harm to neighbouring amenity; or endanger highway safety.
- 7.3 Therefore, in conclusion, the recommendation is to grant planning permission subject to the following conditions:

8. 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.

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- 2 The development hereby permitted shall be carried out in accordance with Drawing No. R.M.10 received by the Local Planning Authority on 7th February 2014; Drawing Nos. R.M.2 A, R.M.3 A, R.M.4/1 A, R.M.4/2 A, R.M.5 A, R.M.6 A, R.M.7 A and R.M.8 A received 15th July 2014; Drawing Nos. R.M.8 A and R.M.11 received 29th July 2014; and Drawing No. M348/03 C received 2nd June 2015.
Reason: To ensure the development is carried out in strict accordance with the approved drawings.
- 3 Prior to the commencement of development, a detailed mitigation strategy for the protection of badgers and their foraging areas shall be submitted to and approved in writing by the Local Planning Authority. The approved strategy shall thereafter be carried out strictly in accordance with the agreed details.
Reason: To safeguard the known badger population in accordance with Local Plan Policy NE1 relating to habitats of legally protected species.
- 4 Prior to the commencement of any works on site (including demolition and site clearance), tree protective fencing to BS5837:2012 shall be installed in accordance with a Tree Protection Plan (TPP) to be submitted to and approved in writing by the Local Planning Authority. The fencing shall be erected, inspected and approved in writing beforehand by the Local Planning Authority 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.
- 5 Prior to the commencement of development, a method statement to demonstrate how the existing concrete surface, adjacent to the trees which are shown to be retained, can be removed without damage to the root protection areas shall be submitted to and approved in writing by the Local Planning Authority and the development shall be implemented strictly in accordance with the details so approved.
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.
- 6 Prior to the commencement of development, plans showing the existing and proposed ground levels and slab levels of the proposed and adjacent buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented strictly in accordance with the agreed details.
Reason: To ensure a satisfactory relationship of the proposed building with the adjoining properties and land in accordance with Local Plan Policies CP4 and CP7 relating to safe and sustainable living, and design.
- 7 Prior to the commencement of development, including any works of demolition, a Construction Method Statement shall be submitted to and agreed in writing by the Local Planning Authority. The statement shall be strictly adhered to throughout the construction period and 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).

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Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance with Local Plan Policy TP1 and paragraph 35 of the NPPF.

- 8 Prior to the commencement of development, including any works of demolition, a scheme for the control of noise and dust from the site during the demolition and construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the proposed hours of work, equipment and procedures to control dust emissions, controls on these nuisances from vehicles operating at and accessing the site from the highway and any other steps to be taken to control similar nuisances. The works shall thereafter be implemented strictly in accordance with the agreed details.

Reason: To safeguard the amenity of adjoining properties and to protect the locality in accordance with Local Plan Policy CP4 relating to safe and sustainable living.

- 9 Prior to the commencement of development, the following condition shall be complied with and satisfactorily agreed in writing by the Local Planning Authority.

i) Site characterisation

A site investigation and risk assessment should be carried out to assess the potential nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report must include:

- a) a survey of the extent, scale and nature of contamination
- b) an assessment of the potential risks to:
 - human health
 - property (including buildings, crops, livestock, pets, woodland and service lines and pipes)
 - adjoining land
 - ecological systems
 - groundwaters and surface water
 - archaeological sites and ancient monuments
- c) an appraisal of remedial options to mitigate against any potentially significant risks identified from the risk assessment.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11'

ii) Submission of a remediation scheme

Where remediation is required, a detailed remediation scheme to bring the site to a condition suitable for the intended use should be produced and will be subject to the approval, in writing, by the Local Planning Authority prior to implementation. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2a of the Environmental Protection Act (1990) in relation to the intended use of the land after remediation.

iii) Implementation of approved remediation scheme

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Any approved remediation scheme must be carried out in accordance with its terms prior to the commencement of the development, other than that required to carry out remediation. Following completion of measures identified in any approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval, in writing, by the Local Planning Authority.

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination until section iv) has been complied with in relation to that contamination.

iv) Reporting of unexpected contamination

In the event that contamination is found at any time when carrying out the approved development, that was not previously identified, it must be reported immediately in writing to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with section i) and a remediation scheme submitted in accordance with section ii). Following completion of measures identified in the approved remediation scheme, a verification report must be produced in accordance with section iii).

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Local Plan Policy NE4 relating to development on contaminated land.

- 10 Other than those works necessary to complete the first 10m of the proposed access road, including the junction with Horsefair Street, build-out with reflective bollards and associated visibility splays as shown on Drawing No. 348/03 C, to at least binder level, no other development shall take place on site. The access shall be maintained as such thereafter until and unless adopted as highway maintainable at public expense.
Reason: To minimize 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, cyclists and pedestrians in accordance with guidance set out within the NPPF.
- 11 Prior to any construction work above ground level, samples of the proposed facing materials and roofing materials shall be submitted to and approved in writing by the Local Planning Authority, and the materials used in the development shall be in accordance with the samples so approved.
Reason: To ensure a satisfactory form of development in accordance with Local Plan Policy CP7 relating to design.
- 12 Prior to installation, a detailed scheme for landscaping, tree and/or shrub planting and associated hard surfacing (which should be permeable or drain to a permeable area) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify species, density, planting size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the building or completion of the development, whichever is the sooner.
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 Policies CP1 and CP7 relating to sustainable development and design.
- 13 Prior to first occupation of development, refuse and recycling storage facilities (including appropriate containers) shall be provided for each dwelling.
Reason: To ensure adequate provision and availability of refuse storage in order achieve sustainable waste management in accordance with Gloucestershire Waste Local Plan Policy W36 relating to waste minimisation.

APPENDIX 1

- 14 Prior to first occupation of the development, the parking and turning facilities shown on Drawing No. R.M.2 A shall be completed in all respects and kept available for those purposes thereafter.
Reason: To ensure adequate car parking provision within the curtilage of the site and to ensure a safe, suitable and secure means of access in accordance with Local Plan Policy TP1 relating to development and highway safety and paragraph 35 of the NPPF.
- 15 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 additional openings shall be formed in the development without planning permission.
Reason: Any further openings require detailed consideration to safeguard the amenities of the locality in accordance with Local Plan Policies CP4 and CP7 relating to safe and sustainable living and design.
- 16 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 in accordance with Local Plan Policies CP4 and CP7 relating to safe and sustainable living and design.

Erection of dwelling and single garage

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 involve works to be carried out on the public highway and the Applicant/Developer is therefore required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing those works.