

<b>APPLICATION NO:</b> 15/02105/FUL		<b>OFFICER:</b> Mrs Emma Pickernell
<b>DATE REGISTERED:</b> 2nd December 2015		<b>DATE OF EXPIRY:</b> 27th January 2016
<b>WARD:</b> St Marks		<b>PARISH:</b>
<b>APPLICANT:</b>	Cheltenham Borough Homes	
<b>AGENT:</b>	Quattro Design Architects Ltd	
<b>LOCATION:</b>	Land At Garage Site, Rowanfield Exchange, Devon Avenue, Cheltenham	
<b>PROPOSAL:</b>	Erection of 3no. dwellings and associated hard and soft landscaping	

**RECOMMENDATION:** Permit

## UPDATE TO OFFICER REPORT

### 1. OFFICER COMMENTS

The applicant (Cheltenham Borough Homes) has confirmed that the proposed dwellings are to be affordable houses. As such, an additional condition is suggested to secure them in this use in perpetuity.

In light of the above-mentioned condition the playspace condition is no longer appropriate as the Playspace Supplementary Planning Document confirms that such contributions are not applicable to affordable dwellings.

Further to para 6.5 of the committee report comments have now been received from the Highways Officer which are detailed below. They have no specific comments to make on the proposal.

### 2. CONSULTATIONS

**GCC Highways Planning Liaison Officer**  
*17th February 2016*

I refer to the above planning application received.

With regards to the above site; under our Highway's Standing advice criteria we do not need to be consulted on this application and this can be dealt with by ourselves with the aid of our guidance.

If you have any queries please do not hesitate to contact me.

#### Statement of Due Regard

Consideration has been given as to whether any inequality and community impact will be created by the transport and highway impacts of the proposed development. It is considered that no inequality is caused to those people who had previously utilised those sections of the existing transport network that are likely to be impacted on by the proposed development.

18<sup>th</sup> February 2016

It is considered that the following protected groups will not be affected by the transport impacts of the proposed development: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, other groups (such as long term unemployed), social-economically deprived groups, community cohesion, and human rights.

### 3. CONCLUSION

The recommendation remains to permit the application subject to the revised conditions below.

### 4. 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 the approved plans listed in Schedule 1 of this decision notice.  
Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Within the first planting season following the first occupation of any of the dwellings hereby approved the site shall be landscaped in accordance with a landscaping and planting scheme which shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a survey of all existing trees on the land showing the size and species and identifying those trees, if any, it is proposed to remove. In addition it shall show in detail all proposed tree and shrub planting, hard surfacing (which should be permeable or drain to a permeable area) and areas to be grassed.  
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.
- 4 Prior to the first occupation of the development, the car parking area shall be completed and marked out in accordance with the approved plan(s). The car parking area shall thereafter be retained in accordance with the approved plans and kept available for use as car parking.  
Reason: To ensure adequate car parking within the curtilage of the site in accordance with Local Plan Policy TP1 relating to development and highway safety.
- 5 Prior to their use in the development 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.

- 6 Prior to the commencement of any works on site (including demolition and site clearance) a Tree Protection Plan (TPP) to BS5837:2012 shall be submitted to and approved in writing by the Local Planning Authority. The TPP shall detail the methods of tree/hedge protection and clearly detail the positioning and specifications for the erection of tree protective fencing. 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.
- 7 The residential units hereby approved shall be occupied in perpetuity as Affordable Housing in accordance with the definition of Affordable Housing provided in the Glossary of the National Planning Policy Framework, or any national planning policy statement revoking and/or re-enacting the National Planning Policy Framework, or in such other manner to be first agreed in writing by the Local Planning Authority.  
Reason: To ensure that the residential units are provided as Affordable Housing in accordance with the requirements of the National Planning Policy Guidance.

## 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, the authority sought amendments to the layout in order to make the scheme acceptable.

Following these negotiations, the application now constitutes sustainable development and has therefore been approved in a timely manner.