

APPLICATION NO: 17/01266/FUL		OFFICER: Miss Michelle Payne
DATE REGISTERED: 4th July 2017		DATE OF EXPIRY: 3rd October 2017
WARD: Pittville		PARISH: n/a
APPLICANT:	Mrs Catherine Sheppard – Newland Homes Ltd	
AGENT:	n/a	
LOCATION:	102 Prestbury Road, Cheltenham	
PROPOSAL:	Construction of 30 new dwellings with associated infrastructure and parking following the demolition of existing commercial buildings	

1. SUGGESTED CONDITIONS/INFORMATIVES

- 1 The development hereby permitted shall be begun before the expiration of three 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 The development hereby permitted, including any works of demolition, shall be carried out in accordance with the Construction Method Statement dated 13th October 2017, for the duration of the construction period.

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.

- 4 Prior to the commencement of development, including any works of demolition, tree protective fencing to BS5837 (2012) for the retained tree shall be erected, inspected and approved in writing by the Local Planning Authority and shall remain in place until the completion of the construction process.

Reason: To ensure the protection and retention of trees, in the interests of local amenity, having regard to Policies GE5 and GE6 of the Cheltenham Borough Local Plan (adopted 2006).

- 5 Prior to the commencement of development, other than those works required by this condition, the proposed access road as shown on approved Drawing No. 218-141-2, including the junction with the existing public road, shall be completed to at least binder course 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 paragraphs 32 and 35 of the National Planning Policy Framework.

- 6 Prior to the commencement of development, other than those works necessary to comply with the requirements of this condition, the approved remediation scheme as detailed in the Geo-Environmental Assessment (dated November 2015) shall be implemented in full.

Following the completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority.

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, having regard to Policy NE4 of the Cheltenham Borough Local Plan (adopted 2006).

- 7 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 in writing immediately to the Local Planning Authority and development shall be halted on that part of the site affected by the unexpected contamination. An investigation and risk assessment must then be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11 and a remediation scheme, where necessary, also submitted.

Following the completion of measures identified in the approved remediation scheme, a verification report shall be submitted to and approved in writing by the Local Planning Authority before development can recommence on the part of the site identified as having unexpected contamination that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority.

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, having regard to Policy NE4 of the Cheltenham Borough Local Plan (adopted 2006).

- 8 Prior to any piling works being undertaken on site, a method statement providing full details of the proposed piling operation shall be submitted and approved in writing by the Local Planning Authority. All piling shall be carried out strictly in accordance with the approved details.

Reason: To protect the amenity of the occupiers of nearby properties, having regard to Policy CP4 of the Cheltenham Borough Local Plan (adopted 2006).

- 9 The external facing and roofing materials used in the development shall be in accordance with approved Drawing Nos. 729-08 A and 729-08-01 A (External Material Schedule) unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to Policy CP7 of the Cheltenham Borough Local Plan (adopted 2006).

- 10 Floor levels shall be set at least 600mm above the 1% flood level including an allowance for climate change as set out in the table within Paragraph 3.4 of the Flood Risk Assessment undertaken by BWB Consulting dated November 2016.

Reason: To protect the development from flooding, having regard to Policy UI1 of the Cheltenham Borough Local Plan (adopted 2006).

- 11 Prior to first occupation of the development, a SuDS management and maintenance plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be adhered to for the lifetime of the development and shall:

i) include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime;

ii) fully detail the access that is required to reach the surface water management component for maintenance purposes; and

iii) include a plan for the safe and sustainable removal and disposal of waste periodically arising from drainage system, detailing the materials to be used and standard of work required including method statement.

The approved SUDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding to the site and elsewhere, having regard to Policy UI2 of the Cheltenham Borough Local Plan (adopted 2006).

- 12 Prior to first occupation of the development, 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 shall be completed to at least binder course level and the footway(s) to surface course 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 Paragraphs 32 and 35 of the National Planning Policy Framework.

- 13 Prior to first occupation of the development, the vehicular parking and turning facilities including any garages and carports shall be provided in accordance with approved Drawing No. 218-141-1 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 Paragraphs 32 and 35 of the National Planning Policy Framework.

- 14 Prior to first occupation of the development, fire hydrants (served by mains water supply) shall be provided in accordance with the applicant's email correspondence dated 10th October 2017 unless other agreed in writing by the Local Planning Authority.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire in accordance with Section 4 of the NPPF.

- 15 Prior to first occupation of the development, the drainage strategy for the disposal of foul and surface water flows shall be implemented in full in accordance with Drawing No. 735-142-1 A.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution, having regard to Policy UI2 of the Cheltenham Borough Local Plan (adopted 2006).

- 16 Prior to occupation of plots 1, 2, 3, 4, 29 and 30, the dwellings shall be fitted with glazing and ventilation as per the noise mitigation measures set out in the conclusion to the Noise Impact Assessment (Ref.M1728/R01a) dated 30th June 2017.

Reason: To ensure that suitable mitigation measures are installed to protect future residents of the dwellings, having regard to Policy CP4 of the Cheltenham Borough Local Plan (adopted 2006).

- 17 All hard and/or soft landscaping shall be carried out in accordance with approved Drawing Nos. 17/450/01 B and 18-141-1 A. The hard landscaping works shall be carried out in accordance with the approved details prior to first occupation of the development unless otherwise agreed in writing by the Local Planning Authority.

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 location, 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, having regard to Policies CP1 and CP7 of the Cheltenham Borough Local Plan (adopted 2006).

- 18 All planting, seeding or turfing approved under condition 17 above shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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

- 19 The future management and maintenance of the proposed streets within the development shall be in accordance with Newland Homes Letter of Intent to the County Council dated 5th October 2017 and accompanying plan. 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 paragraphs 32 and 35 of the National Planning Policy 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 Framework.

- 20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting that order with or without modification), no extensions, garages, sheds, outbuildings, walls, fences or other built structures of any kind (other than those forming part of the development hereby permitted) shall be erected without express planning permission.

Reason: Any further extension or alteration requires further consideration to safeguard the amenities of the area, and to maintain access to the culverted watercourse for maintenance or improvements and provide for overland flood flows, having regard to Policies CP4, CP7 and UI4 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, the authority sought a number of revisions to secure a site layout that better responds to the irregular shape of the site, and provides for a more linear form of development which is street frontage led. The revisions have consequently led to a reduction in the number of residential units.

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

- 3 Should a survey of the existing building (prior to any work beginning) indicate the presence of any asbestos containing materials, the demolition of the building will need to be undertaken in accordance with the legislation surrounding asbestos removal and the demolition of buildings containing asbestos and the waste disposed of in a legally compliant manner.
- 2 The applicant/developer is advised that the construction phase to be kept within the times of work as follows: 7:30am - 6:00pm Monday - Friday and 8:00am - 1:00pm Saturdays with no noisy work on a Sunday or Bank Holiday and to be mindful of noise when deliveries arrive at the site.
- 4 The applicant/developer is advised to contact Amey Gloucestershire on 08000 514 514 to discuss whether the development will require traffic management measures on the public highway.
- 5 The applicant/developer will be expected to meet the full costs of supplying and installing the fire hydrants and associated infrastructure.
- 6 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 appropriate bond) with the County Council before commencing those works.