

<b>APPLICATION NO:</b> 19/01890/FUL		<b>OFFICER:</b> Michelle Payne
<b>DATE REGISTERED:</b> 24th September 2019		<b>DATE OF EXPIRY:</b> 24th December 2019
<b>DATE VALIDATED:</b> 24th September 2019		<b>DATE OF SITE VISIT:</b>
<b>WARD:</b> Charlton Kings		<b>PARISH:</b> Charlton Kings
<b>APPLICANT:</b>	Cheltenham Borough Council	
<b>AGENT:</b>	Jacobs	
<b>LOCATION:</b>	Hearne Brook Flood Relief, Charlton Kings, Cheltenham	
<b>PROPOSAL:</b>	Site B (land south of Beeches Road) - formation of a low level bund and shallow grassed swale with small diameter piped outfalls to the exiting watercourse channel to address fluvial and overland flooding of residential property	

## Update to Officer Report

- 1.1 At the time of writing the original report, a response from the County Highways Development Management team was still awaited. Subsequently, a verbal response has now been received raising no objection subject to a condition requiring the provision of wheel washing facilities during construction works.
- 1.2 The officer recommendation therefore is to grant planning permission subject to updated schedule of conditions below:

## 2. SUGGESTED CONDITIONS / INFORMATIVES

- 1 The planning permission hereby granted shall be begun not later than the expiration of three years from the date of this decision.

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 planning permission hereby granted 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 Not less than six months prior to the commencement of development, a badger survey shall be undertaken by a suitably qualified ecologist and the results of the survey and any mitigation measures proposed shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard protected species that could be adversely affected by the development and to ensure that adequate mitigation measures are provided, having regard to adopted policy SD9 of the Joint Core Strategy (2017) and paragraphs 8 and 170 of the National Planning Policy Framework. This information is required up front because without proper mitigation the construction works could have an unacceptable impact on protected species at the beginning of construction.

- 4 Prior to the felling of any trees, bat roost inspections shall be undertaken by a licensed ecologist and the results of the inspections and any mitigation measures proposed shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard protected species that could be adversely affected by the development and to ensure that adequate mitigation measures are provided, having

regard to adopted policy SD9 of the Joint Core Strategy (2017) and paragraphs 8 and 170 of the National Planning Policy Framework.

- 5 Prior to the commencement of development, a Tree Protection Plan (TPP) to BS 5837:2012 (or any standard that reproduces or replaces this standard) shall be submitted to and approved in writing by the Local Planning Authority. The TPP shall include the methods of tree and /or hedge protection, the position and specifications for the erection of tree protective fencing, and a programme for its implementation. The works shall not be carried out unless in accordance with the approved details, and the protective measures specified within the TPP shall remain in place until the completion of the construction process.

Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to saved policies GE5 and GE6 of the Cheltenham Borough Local Plan (2006). Approval is required upfront to ensure that important trees are not permanently damaged or lost.

- 6 The development hereby permitted shall be carried out in strict accordance with the recommendations set out in paragraphs 5.2 – 5.4 of the Preliminary Ecological Appraisal dated November 2018 submitted with the planning application.

Reason: To safeguard important species that could be adversely affected by the development and to ensure that adequate mitigation measures are provided, having regard to adopted policy SD9 of the Joint Core Strategy (2017) and paragraphs 8 and 170 of the National Planning Policy Framework.

- 7 Prior to the commencement of development, wheel washing facilities shall be provided within the curtilage of the site in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The wheel washing facilities shall thereafter be used and maintained in good working condition throughout the construction process.

Reason: To minimise disruption on the public highway during the course of the construction works in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017). Approval is required upfront because without proper mitigation the works could have an unacceptable highway impact during construction.

## **INFORMATIVES**

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 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.