

<b>APPLICATION NO:</b> 20/02296/FUL		<b>OFFICER:</b> Mr Ben Warren	
<b>DATE REGISTERED:</b> 24th December 2020		<b>DATE OF EXPIRY:</b> 18th February 2021	
<b>WARD:</b> Leckhampton		<b>PARISH:</b> Leckhampton With Warden Hill	
<b>APPLICANT:</b>	Ms R Tuffy		
<b>AGENT:</b>	Mr R Guilor		
<b>LOCATION:</b>	Villa Nova Undercliff Terrace Cheltenham		
<b>PROPOSAL:</b>	Demolition of existing dwelling, garage and shed and erection of replacement dwelling and additional new dwelling with garaging		

## Update to Officer Report

### 1. OFFICER COMMENTS

- 1.1. Further to paragraph 6.41 of the officer report, which relates to trees and a protection plan, officers have been made aware by the agent that they will accept a condition regarding tree protection fencing and associated tree protection measures. Tree protection fencing has been identified on drawing number 2018 100 Rev F and a tree protection report was provided on the 4<sup>th</sup> May 2021. Officers have therefore added a further condition (condition 10) to ensure the development is carried out in accordance with these details.

### 2. CONCLUSION AND RECOMMENDATION

Officer recommendation remains to permit the application, subject to the conditions set out below:

### 3. CONDITIONS

- 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 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) the garage/car parking space(s) hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles

associated with the residential occupation of the property and ancillary domestic storage without the grant of further specific planning permission from the Local Planning Authority.

Reason: In the interest of highway and pedestrian safety, and to ensure vehicles are able to pull clear of the adopted highway and avoid becoming an obstruction to oncoming traffic, in accordance with Adopted JCS policy INF1.

- 4 The development hereby permitted shall not be first occupied until the proposed dwellings have been fitted with an electric vehicle charging point. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and Manual for Gloucestershire Streets. The electric vehicle charging point shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging points shall be of the same specification or a higher specification in terms of charging performance.

Reason: To promote sustainable travel and healthy communities in accordance with adopted JCS policies SD3 and INF1.

- 5 The development hereby permitted shall not be occupied until cycle storage facilities for a minimum of 2no. bicycles have been made available for use and those facilities shall be maintained for the duration of the development.

Reason: To ensure the provision and availability of adequate cycle parking, in accordance with adopted JCS policies SD3 and INF1.

- 6 Prior to occupation of the dwellings hereby approved, all hard and/or soft landscaping works shall be carried out in accordance with drawing number 2018 100 REV F, 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 which shall be first agreed in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to adopted policies D1, GI2 and GI3 of the Cheltenham Plan (2020), and adopted policies SD4 and INF3 of the Joint Core Strategy (2017). Approval is required upfront because the landscaping is an integral part of the development and its acceptability.

- 7 Prior to the first occupation of the development hereby approved, the development shall be carried out in accordance with the approved drainage details set out in the Flood Risk Assessment and SUDs Strategy received on 18th March 2021.

Reason: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (The Cheltenham Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Practice Guidance), in accordance with adopted JCS policy INF2.

- 8 The development shall be carried out in accordance with the details contained within the construction method statement, accompanying method statement site plan and Asbestos survey and report received on 7th May 2021.

Reason: To prevent a loss of amenity affecting surrounding occupiers due to noise and nuisance from construction works, in accordance with adopted Cheltenham Plan policy SL1 and Adopted JCS policy SD14.

- 9 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), the first floor side elevation window in plot 1 (serving Bed 1) shall at all times be non-opening and glazed with obscure glass to at least Pilkington Level 3 (or equivalent).

Reason: To safeguard the amenities of adjacent properties, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017).

- 10 Prior to the commencement of development (including demolition and site clearance), the tree protection fencing, as shown on drawing number 2018 100 Rev F shall be erected and shall remain in place for the duration of the works.

The works shall also be carried out in accordance with the tree protection report received on 4th May 2021.

Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to adopted policies GI2 and GI3 of the Cheltenham Plan (2020). Approval is required upfront to ensure that important trees are not permanently damaged or lost.

#### 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, the authority sought revisions to address various matters such as design, layout, flooding landscaping;

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

- 2 The construction of a new access will require the extension of a verge and/or footway crossing from the carriageway under the Highways Act 1980 - Section 184 and the Applicant is required to obtain the permission of Gloucestershire Highways on 08000 514 514 or [highways@gloucestershire.gov.uk](mailto:highways@gloucestershire.gov.uk) before commencing any works on the highway.
- 3 The application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury borough council on 01242 264321 for further information.
- 4 The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with;
- Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
  - Code for sustainable homes - A step-change in sustainable home building practice

- The local flood risk management strategy published by Gloucestershire County Council, as per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))
- CIRIA C753 SuDS Manual 2015