

| | | | |
|--|--|---|--|
| APPLICATION NO: 21/02019/FUL | | OFFICER: Michelle Payne | |
| DATE REGISTERED: 8th September 2021 | | DATE OF EXPIRY: 3rd November 2021 (extension of time agreed until 20th December 2021) | |
| DATE VALIDATED: 8th September 2021 | | DATE OF SITE VISIT: | |
| WARD: Lansdown | | PARISH: | |
| APPLICANT: | Cheltenham Borough Council | | |
| AGENT: | Ares Landscape Architects | | |
| LOCATION: | St Marys Church Well Walk Cheltenham | | |
| PROPOSAL: | Various external works within the grounds of Cheltenham Minster (St Mary's) to include improvements to the paving and connection pathways; improvements to the lighting; restoration of historic artefacts; improved vehicular access; provision of formal seating areas; and enhancements to biodiversity | | |

Report update

With reference to paragraph 7.2 of the main report, the recommendation is to grant planning permission subject to a number of conditions. The suggested conditions are listed below. In accordance with the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, agreement has been sought from the applicant in respect of the pre-commencement 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 Prior to the commencement of development, the applicant, or their agents or successors in title, shall secure the implementation of a programme of archaeological work in accordance with a written scheme of investigation which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: It is important to agree a programme of archaeological work in advance of the commencement of development, so as to make provision for the investigation and recording of any archaeological remains that may be destroyed by ground works required for the scheme. The archaeological programme will advance understanding of any heritage assets which will be lost, having regard to policy HE2 of the Cheltenham Plan (2020) and paragraph 205 of the National Planning Policy Framework (2021).

- 4 Prior to the commencement of development, a scheme for ecological enhancements and mitigation measures as per the recommendations set out within the Preliminary Ecological Appraisal dated April 2021 (ref: Project Code EP2021016Av1) shall be submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall thereafter be implemented in strict accordance with approved details.

Reason: To conserve and enhance the biodiversity value of the site, having regard to policy SD9 of the Joint Core Strategy (2017), and paragraphs 174 and 180 of the National Planning Policy Framework (2021).

- 5 Throughout the construction process, tree protection measures shall be implemented in strict accordance with the approved Tree Protection and Works Plan (Drawing No. 694-ALA-00-XX-DR-L-0023-D2-P01) and the measures set out within the method statement.

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).

- 6 Notwithstanding the approved plans, the following elements of the scheme shall not be installed, implemented or carried out unless in accordance with design details which shall have been submitted to and approved in writing by the Local Planning Authority:

- a) all new lighting;
- b) bollards; and
- c) any associated equipment.

Reason: To preserve or enhance the character or appearance of the Conservation Area, having regard to adopted policy D1 of the Cheltenham Plan (2020), adopted policies SD4 and SD8 of the Joint Core Strategy (2017), Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Historic Environment Good Practice Advice Note 2.

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 improve the design quality of the scheme and to address heritage related concerns.

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

-
- 2 The applicant/site manager is requested to arrange a meeting with the Council's Trees Officer before commencing any works within tree Root Protection Areas.