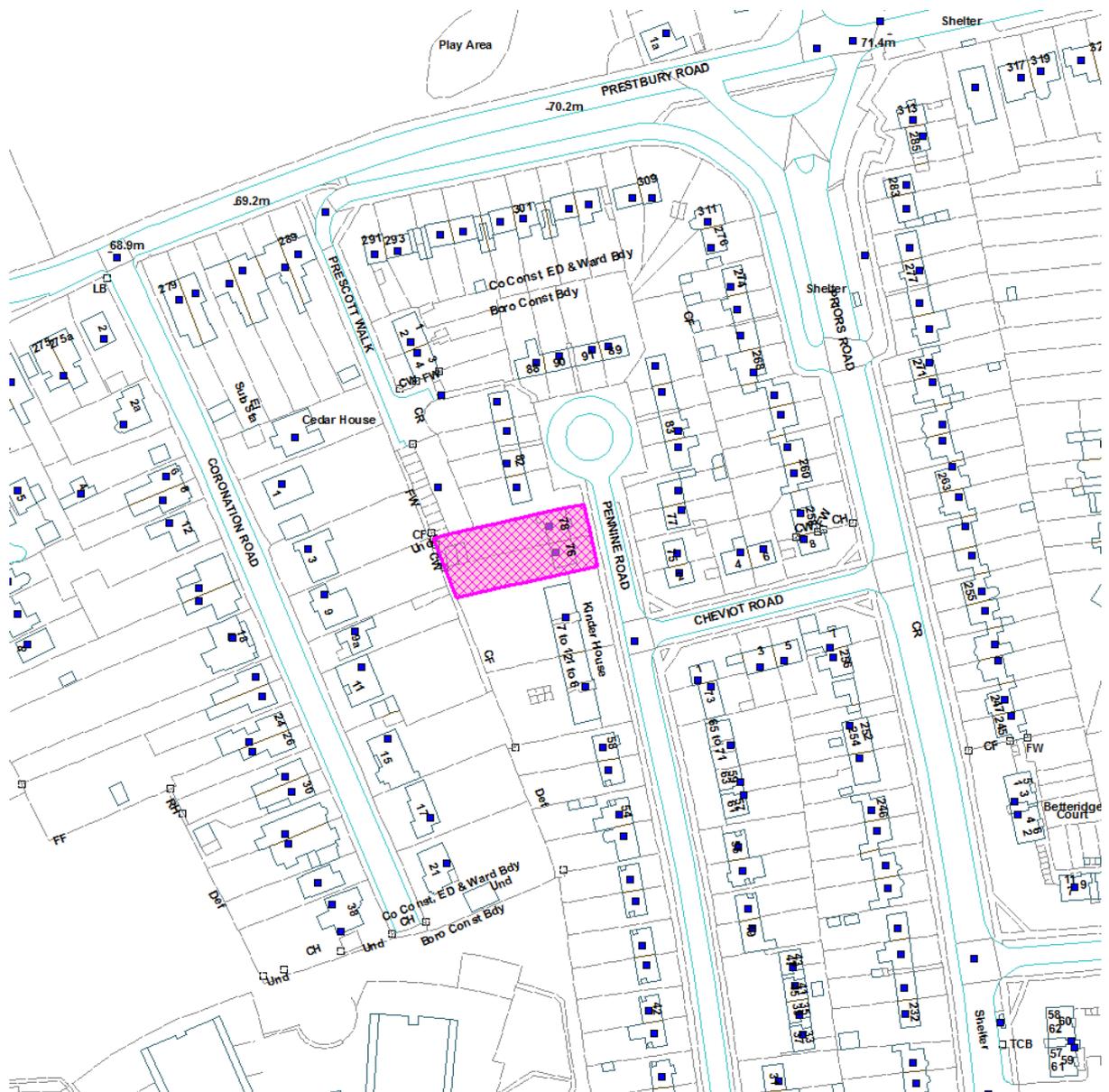


APPLICATION NO: 21/02594/FUL	OFFICER: Mrs Lucy White
DATE REGISTERED: 23rd November 2021	DATE OF EXPIRY: 18th January 2022/Agreed EoT 28 th March 2022
DATE VALIDATED: 23rd November 2021	DATE OF SITE VISIT: 18 th January 2022
WARD: Oakley Ward	PARISH: Prestbury
APPLICANT:	SR Developments
AGENT:	SF Planning Limited
LOCATION:	76 Pennine Road Cheltenham Gloucestershire
PROPOSAL:	Redevelopment of site to provide 9 no. apartments, with associated parking and landscaping at 76 and 78 Pennine Road

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site comprises of a pair of semi-detached, two storey dwellings (76 and 78 Pennine Way), located on the west side of Pennine Way within Prestbury. Both properties have off road parking facilities which include an integral garage to No 76, and two detached garages for the use of No 78 at the rear of the site; accessed via Prescott Walk and a section of unadopted road which also serves the row of lock up garages for neighbouring properties located to the north west of the site.
- 1.2 Surrounding development is a mix of three storey block of flats to the south and rows of two storey terraced and semi-detached housing to the north and opposite the site.
- 1.3 The applicant proposes the demolition of all existing buildings and the erection of a three storey building to provide 9 no. apartments, with associated parking and landscaping.
- 1.4 The scheme has been revised during the course of the application; the building set back from the road frontage to sit in line with the adjacent apartment block. This revision has necessitated the loss of 2no. proposed car parking spaces at the rear and the addition of a 'cut-out' on the rear/side elevation to enable to the proposals to pass the relevant light test.
- 1.5 The application if before the Planning Committee at the request of Councillor Max Wilkinson. The reason given for the referral is ecology and parking concerns.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Principal Urban Area

Relevant Planning History:

86/01646/PF 5th December 1986 PER

Extension to dwelling to provide a cloakroom and private car garage. Construction of a new vehicular and pedestrian access

3. POLICIES AND GUIDANCE

National Planning Policy Framework

Section 2 Achieving sustainable development
Section 4 Decision-making
Section 5 Delivering a sufficient supply of homes
Section 9 Promoting sustainable transport
Section 11 Making effective use of land
Section 12 Achieving well-designed places

Adopted Cheltenham Plan Policies

D1 Design
SL1 Safe and Sustainable Living

Adopted Joint Core Strategy Policies

SD3 Sustainable Design and Construction
SD4 Design Requirements
SD9 Biodiversity and Geodiversity
SD10 Residential Development
SD11 Housing Mix and Standards
SD14 Health and Environmental Quality
INF1 Transport Network
INF2 Flood Risk Management

Supplementary Planning Guidance/Documents

Development on garden land and infill sites in Cheltenham (2009)

4. CONSULTATIONS

Publica Drainage and Flooding

21st December 2021 - Comment available to view in documents tab.

26th November 2021 - Comment available to view in documents tab.

Building Control

26th November 2021 - The application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

Architects Panel

6th January 2022 –

Design Concept

The panel had no objection to the principle of this residential development and generally thought this scheme would be an enhancement to the area.

Design Detail The contemporary flat roof design is typical of modern developments in this area of Cheltenham. The overall site layout and the massing and scale of the development has been carefully considered. The panel liked the stepping down composition of the building elements and the choice and mix of different building materials.

Recommendation - Supported.

Gloucestershire Centre For Environmental Records

1st December 2021 - Biodiversity report available to view in documents tab.

GCC Highways Planning Liaison Officer

5th January 2022 - Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure)(England) Order, 2015 has no objection subject to conditions.

The justification for this decision is provided below.

The Highway Authority has no objection to the proposal subject to a condition for electric vehicle charging points in order to promote sustainable modes of transport.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

Conditions

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 points 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.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	18
Total comments received	7
Number of objections	7
Number of supporting	0
General comment	0

5.1 Letters of notification were sent to 17 neighbouring properties. A total of 7 representations were received, all 1 objection. The concerns raised (in no order of importance and in summary), are as follows:

- Parking congestion and difficulty accessing existing dwellings/driveways in Prescott Walk
- Increase in traffic and noise/disturbance and pollution
- Access to garage block impeded
- Design and scale out of keeping with character of surrounding development
- Number/density of dwellings proposed too large for site
- Overlooking into neighbouring properties and loss of privacy
- Seagull nuisance
- Ecology/protected species
- Potential increase in flood risk
- Security of neighbouring properties

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The key issues are (i) the principle of the redevelopment of the site for residential purposes; (ii) the suitability of the plot to accommodate a three storey block of 9 apartments; (iii) the design scale and layout of development and impact on the character and appearance of the area; (iv) neighbour amenity (v) ecology/habitats and; (vi) highway safety.

6.3 Principle and Policy Context

6.4 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be taken in accordance with the relevant adopted Development Plan unless material considerations dictate otherwise. The proposal must therefore be considered against the relevant policies contained within the Cheltenham Plan (2020) and the Joint Core Strategy (2017); the most relevant policies being D1 and SL1 of the Cheltenham Plan and policies, SD4, SD9, SD10, SD14 and INF1 of the JCS.

- 6.5** The application site lies within the Principal Urban Area (PUA) of Cheltenham and benefits from being in close proximity to local shops, services and community facilities and regular bus services to the town centre. As such, the site is considered a sustainable location for housing development pursuant to Policy SD10 of the Joint Core Strategy (JCS) which supports the principle of residential development on previously developed land outside of allocated sites and within the PUA.
- 6.6** Paragraph 11 of the NPPF states '*Plans and decisions should apply a presumption in favour of sustainable development....and for decision making this means approving development proposals that accord with an up-to-date development plan*'. Where policies which are most important for determining the application are out-of-date, the NPPF at paragraph 11(d) advises that planning permission should be granted '*(i) unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole*'. This is referred to as the 'tilted balance' and the government's approach to ensuring delivery of housing nationally.
- 6.7** Footnote 7 of paragraph 11 of the NPPF explains further that for applications involving the provision of housing, relevant policies must be considered out of date in situations where the local planning authority cannot demonstrate a five year supply of deliverable housing.
- 6.8** Cheltenham Borough Council is currently unable to demonstrate a five-year supply of housing land and at the time of writing, the latest figure sits at 2.9 years.
- 6.9** The provision of 9 additional dwellings to alleviate the shortfall (although a small contribution) carries weight and is a material consideration in the determination of this planning application.
- 6.10** In summary, the site is considered to be a sustainable location for residential development in the context of the NPPF and Policy SD10. However, the proposed development must be considered carefully, having regard to the material considerations set out in paragraph 6.2.
- 6.11 Design and layout**
- 6.12** Policy D1 of the Cheltenham Plan requires all new development to adequately reflect the principles of urban and architectural design and to complement and respect neighbouring development and the character of the locality. The policy is consistent with adopted JCS policy SD4 and advice set out within Section 12 of the NPPF.
- 6.13** In addition, the Council's Supplementary Planning Document 'Development on Garden Land and Infill Sites (June 2009)' offers useful and relevant guidance in respect of new residential development on garden land – '*Proposals for development on garden land and other infill sites should be based upon a thorough understanding of the character of the neighbourhood and in particular the street and block within which the site is located*' with a '*requirement to complement and respect neighbouring development*' as encompassed by Policy D1 of the Cheltenham Plan and Policy SD4 of the JCS.
- 6.14** The proposals include the demolition of all existing buildings on site and the erection of a three/two storey building to provide 9no. one and two bedroom flats. The building would occupy a similar footprint to that of the existing semi-detached dwellings but is deeper in plan form and set back further from the pavement edge to align with the adjacent three storey block of flats. A total of 12 off road parking spaces for the flats would be provided at the front and rear of the building with the remainder of the curtilage hard and soft landscaped with refuse and cycle stores and clothes drying facilities also located at the rear. The 7no. rear parking spaces and turning area would be accessed via Prescott

Walk. A further 5no. off-road spaces will be provided to the front of the building, along with additional soft landscaping and a refuse bin collection point.

- 6.15** The proposed building would be contemporary in style and form, with the flats accommodated over three floors but with a step down to two storey height adjacent to No 80 Pennine Way. Facing materials would consist of a mix of render, red brick and cladding. There has been a considered approach to fenestration to minimise any impact on neighbour amenities. Consequently, there are no windows proposed in either side elevation and Juliette balconies feature, rather than traditional balconies/terraces.
- 6.16** Officers acknowledge that the contemporary style, appearance and choice of facing materials would be a contrast to the more traditional form and appearance of surrounding development. However, there is a mix of building heights, house types and materials in Pennine Road and a number of nearby semi-detached properties are faced in metal cladding and render. The proposed building would be set in line with the adjacent apartment block and should therefore read as a continuation of the mass and scale of this building but stepping down in height to the north. As such, the proposed building should not appear overly prominent within the street scene. Similarly, its form and design should not appear at odds with surrounding development and, in officer opinion, should add a fresh contemporary feel to the locality.
- 6.17** In light of all the above considerations, the design, mass, scale and layout of the proposals are considered acceptable and, with the use of appropriate facing materials, should achieve a good standard of architectural design and not detract from the overall character of the street scene. As such, the proposals adhere with the objectives of Policy D1 of the Cheltenham Plan and Policy SD4 of the JCS.

6.18 Impact on neighbouring property

- 6.19** Policy SL1 of the Cheltenham Plan states that development will only be permitted where it will not cause unacceptable harm to the amenity of adjoining land owners or the locality. These requirements are reiterated in adopted JCS policy SD14. In addition, NPPF paragraph 130 highlights the need to secure a high standard of amenity for existing and future users.
- 6.20** Similarly, the Council's 'Development on garden land and infill sites Supplementary Planning Guidance' (SPD) states that in considering the impact of garden land or other infill proposals on the amenities of existing and new residents, the issues that will be considered include; light restriction, loss of privacy/ overlooking and overbearing impact due to the bulk/ proximity of buildings.
- 6.21** The properties considered to be most affected by the proposed development are No 80 Pennine Way and the nearest flats across all three floors in the apartment block to the south. Officers consider the key potential amenity impacts to be overlooking, loss of privacy and daylight, noise and disturbance and a change in visual outlook.
- 6.22** No. 80 Pennine Way has a single storey extension to the side but there are no windows in the gable end of the original dwelling. The approved plans for the side extension of No 80 (ref. 15/00852/FUL) indicate that the front window serves a non-habitable room. The side window in the neighbouring property is high level and is a secondary light source; the bedroom served by a west facing window which would be unaffected by the proposals. Similarly, there are no windows in the side elevation of the apartment block to the south. However, given the depth and height of the proposed building, the relevant light tests have been carried out; the revised elevation drawings demonstrating that with the proposed rear/side 'cut-out', the proposals satisfy the light tests.
- 6.23** The rear parking spaces are concentrated towards the north west part of the rear curtilage (adjacent to the existing garage block) and thereby minimise the potential for any harm

caused by noise and disturbance generated by the parking area. Whilst there will be a noticeable increase in vehicular activity and activity in general at the rear of the site, any harm caused to neighbour amenities is not considered to be significant and not sufficient to warrant refusal of the application.

6.24 In light of the above considerations, the proposals adhere to the objectives of policies SL1 of the Cheltenham Plan, policy SD14 of the JCS and paragraph 130 of the NPPF.

6.25 Access and highway issues

6.26 Paragraph 109 of the NPPF states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

6.27 Policy INF1 of the JCS reiterates the stance of the NPPF and states that proposals should ensure that safe and efficient access to the highway network is provided for all transport modes.

6.28 The proposed development (as revised) provides a total of 12 off road parking spaces for the 9 flats; 7 to the rear (accessed via Prescott Walk) and 5 at the front of the building (accessed directly from Pennine Way). A secure and covered cycle store is also provided at the rear.

6.29 The Highway Authority (HA) has considered the proposals very carefully and concludes that the proposals would not result in a detrimental impact on the operation and safety of the adjacent highway network. As such the HA has no objection to the proposals subject to a condition for electric vehicle charging points in order to promote sustainable modes of transport.

6.30 Furthermore, although there are no adopted parking standards within the current Development Plan, the Manual for Gloucestershire Streets (MfGS) (July 2020) requires a minimum of 1 vehicle parking space per 1 or 2 bedroom unit and a minimum of 1 cycle parking space per 1 bedroom units and 2 spaces for any larger unit. The proposed parking arrangements adhere therefore to MfGS guidance which indicates that the proposals should not result in significant adverse impacts on highway safety.

6.31 Other considerations

6.32 Ecology

6.33 The potential for protected species to be present on nearby land was brought to the attention of officers during the course of the application. In response, the applicant carried out an updated ecological appraisal of the land in question to establish the presence or otherwise of any protected species. The survey also sought to identify features of ecological interest and the presence of other protected species and/or habitats and to identify any other possible ecological constraints to any development of the site.

6.34 The survey concludes that the habitats on site (mainly amenity grassland) are common and of low ecological value and easy to replace. The existing buildings have negligible potential for roosting bats and no evidence of bats was found at the time of the survey.

6.35 An active badger sett was discovered within the vicinity of the site. Prior to the commencement of any development on site, an up-to-date Badger survey would be required to ensure that the status of the existing sett is unchanged from the date of the original survey and that no new activity, holes/setts on or adjacent to the site are evident. Various other recommendations for protection and mitigation are set out in the report, including an ecologist overseeing the installation of new boundary fences and a badger cut out provided at the base of the new fence panels.

- 6.36** The potential for other protected or mammal species to be present on site is low and the site provides poor terrestrial amphibian habitat. Similarly, no exclusion of Great Crested Newts survey is advised. However, an informative is added, advising the applicant that a district licence should be applied for to mitigate potential impacts and allow works to proceed.
- 6.37** A condition requiring compliance with all recommendations of the ecological survey is suggested below.
- 6.38** GCER records also show that other important species or habitats have been sighted near to the application site in the past. However, these matters have been considered as part of the above ecological survey and it is not considered that the scale of the proposed development will have a harmful impact on these species.
- 6.39** Public Sector Equalities Duty (PSED)
- 6.40** As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are three main aims: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people; and encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.
- 6.41** Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.
- 6.42** In the context of the above PSED duties, this proposal is considered to be acceptable.

7. CONCLUSION AND RECOMMENDATION

- 7.1** The development plan currently in force is out of date due to a shortfall in the five-year supply of housing land. The proposal has therefore been assessed against the guidance contained within the NPPF. Paragraph 11 of the NPPF applies a presumption in favour of sustainable development unless:-
- i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole.
- 7.2** The application site is in a sustainable location and would provide for 9 additional residential units. This application has therefore been considered carefully within the context of Policies SD10, SD4, SD14 and INF1 of the JCS, relevant Local Plan policy and guidance set out in the Council's SPD.
- 7.3** In carrying out an objective assessment of the proposals (in line with NPPF paragraph 11d), officers have had to balance any potential adverse impacts of the proposals on the character of the site and surrounding development, the amenities of occupiers of neighbouring dwellings and highway safety implications, against a small but positive contribution the proposal could make towards the Council's housing land supply shortfall and any economic or social benefits that the scheme might bring.
- 7.4** The design, mass, scale and layout of the proposed development are considered acceptable and although adding a contrast in architectural style to the street scene, the

proposals should not detract from the overall character and appearance of the locality. Similarly, there are no significant neighbour amenity or highway safety implications arising from the proposed development. As such, there are no adverse impacts of granting permission that significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

- 7.5 The recommendation is therefore to grant planning permission subject to the following conditions; the pre-commencement conditions having been agreed with the applicant.

8. 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 Prior to the commencement of development, including any works of demolition or site clearance, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

The approved method statement shall be adhered to throughout the development process and shall, where necessary:

- i) specify the type and number of vehicles expected during the construction of the development;
- ii) allocate space for the parking of vehicles for site operatives and visitors;
- iii) allocate space for the loading and unloading of plant and materials;
- iv) allocate space for the storage of plant and materials used in constructing the development;
- v) specify the intended hours of construction;
- vi) specify measures to control the emission of noise, dust and dirt during construction;
- vii) provide for wheel washing facilities; and
- viii) specify the access points to be used and maintained during the construction phase.

Reason: To minimise disruption on the public highway and to adjacent land users, and accommodate the efficient delivery of goods and supplies during the course of the construction works, 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.

- 4 Prior to the commencement of development, a demolition and/or construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The demolition and/or construction plan shall include measures to control noise, dust, vibration and other nuisance during the demolition and/or construction phase. No demolition or construction shall be carried out unless in accordance with the approved details.

Reason: To safeguard the amenity of adjacent properties and the general locality, having regard to adopted policy SL1 of the Cheltenham Plan (2020) and adopted policy SD14 of the Joint Core Strategy (2017). Approval is required upfront because without

proper mitigation the use could have an unacceptable environmental impact on the area.

- 5 Prior to first occupation of the development, parking and turning facilities shall be provided in accordance with the approved plans. Such areas shall not be used for any purpose other than the parking and turning of vehicles and shall remain free of obstruction for such use at all times.

Reason: To ensure the adequate provision of car parking within the site in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 6 Notwithstanding the submitted drawings and 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 gates or other means of enclosure shall be erected across the approved access unless in accordance with details which shall have first been submitted and agreed in writing by the Local Planning Authority.

Reason: To ensure that the access and adjoining land are not obstructed in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 7 Prior to first occupation of the development, secure covered cycle storage shall be provided in accordance with the approved plans. The cycle storage shall thereafter be retained available for such use in accordance with the approved plans at all times.

Reason: To ensure the adequate provision and availability of cycle parking, so as to ensure that opportunities for sustainable transport modes have been taken up, having regard adopted policy INF1 of the Joint Core Strategy (2017).

- 8 Within the parking areas associated with the proposed flats, provision shall be made for the charging of electric vehicles. The details of the number, appearance, location and type of electric charging point shall have been submitted to and approved in writing by the Local Planning Authority prior to any above ground development. The electric vehicle charging points shall be installed prior to the first occupation of the dwellings and 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: In the interests of sustainable development and the reduction of carbon emissions having regard to Section 9 of the NPPF.

- 9 Prior to the implementation of any landscaping, full details of a hard and/or soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify all walls, fences, trees, hedgerows and other planting which are to be retained, and provide details of all new walls, fences, or other boundary treatments; finished ground levels; new hard surfacing of open parts of the site which shall be permeable or drained to a permeable area; a planting specification to include [species, size, position and method of planting of all new trees and shrubs]; details and evidence of biodiversity net gain; and a programme of implementation.

All hard and/or soft landscaping works shall be carried out in accordance with the approved details prior to first occupation of any part 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 which shall be first agreed 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 adopted policies D1, G12 and G13 of the Cheltenham Plan (2020), and adopted policies SD4 and INF3 of the Joint Core Strategy (2017).

- 10 Prior to the implementation of any hard surfaces within the site, including driveways, parking and turning areas, footways and patios, details shall be submitted to and approved in writing by the Local Planning Authority. All new hard surfacing areas shall be permeable or drain to a permeable area and shall be carried out in accordance with the approved details prior to first occupation of any part of the development.

Reason: In the interests of the character and appearance of the area, having regard to adopted policy D1 of the Cheltenham Plan (2020) and adopted policy SD4 of the Joint Core Strategy (2017).

- 11 No external facing or roofing materials shall be applied unless in accordance with:
a) a written specification of the materials; and/or
b) physical sample(s) of the materials.
The details of which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to adopted policy D1 of the Cheltenham Plan (2020) and adopted policy SD4 of the Joint Core Strategy (2017).

- 12 The design and profile of all new windows (including cills, heads and reveals, materials, finish and colour) shall be carried out in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority prior to their installation. The details shall be accompanied by elevations and section drawings to a minimum scale of 1:5. The windows shall thereafter be retained in accordance with the approved details at all times.

Reason: In the interests of the character and appearance of the area, having regard to adopted policy D1 of the Cheltenham Plan (2020) and adopted policy SD4 of the Joint Core Strategy (2017).

- 13 Prior to the commencement of development, plans showing the existing and proposed ground levels and slab levels of the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented strictly in accordance with the agreed details.

Reason: To ensure a satisfactory relationship between the proposed development and adjacent buildings and land, having regard to adopted policies D1 and SL1 of the Cheltenham Plan (2020) and adopted policies SD4 and SD14 of the Joint Core Strategy (2017). Approval is required upfront to allow the impact of the development to be accurately assessed.

- 14 The flat roof area of the development hereby permitted shall not be used as a balcony, roof garden or other external amenity area at any time. Access to the flat roof shall be for maintenance purposes only.

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).

- 15 Prior to first occupation of the development, refuse and recycling storage facilities shall be provided in accordance with the approved plans and shall be retained as such thereafter.

Reason: In the interests of sustainable waste management and recycling, having regard to Policy W36 of the Gloucestershire Waste Local Plan.

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

1. Refuse/recycling store
2. Juliette balcony railings
3. Front entrance canopy

Reason: In the interests of the character, appearance and amenities of the area, having regard to adopted policy D1 of the Cheltenham Plan (2020), and adopted policy SD4 of the Joint Core Strategy (2017).

- 17 Notwithstanding submitted details, prior to the commencement of development, a surface water drainage scheme, which shall incorporate Sustainable Urban Drainage System (SUDS) principles, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a programme for implementation of the works; and proposals for maintenance and management. The development shall not be carried out unless in accordance with the approved surface water drainage scheme.

Reason: To ensure sustainable drainage of the development, having regard to adopted policy INF2 of the Joint Core Strategy (2017). Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

- 18 The development shall be carried out in strict accordance with the recommendations and requirements for ecological mitigation and enhancement set out in Section 4 of the (All Ecology) Ecological Appraisal dated December 2021 (ref 21229 v 1.0). These measures should be presented in a Mitigation and Enhancement report with detailed method statements and a timetable of implementation. The report should include details of new enhancement features (e.g. hedgehog and badger gaps in fences, bird boxes, external lighting etc.). The report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development on site (including demolition and site clearance works). The development shall thereafter be carried out in accordance with the details approved.

Reason: To safeguard important ecological species, having regard to adopted policy SD9 of the Joint Core Strategy (2017).

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 the layout of the scheme in the interests of the character and appearance and amenities of the area.

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

- 2 The applicant is advised to apply for a district licence from the NatureSpace Partnership to mitigate for potential impacts to Great Crested Newts and allow works to proceed.