

APPLICATION NO: 22/00458/FUL		OFFICER: Mr Daniel O Neill	
DATE REGISTERED: 9th March 2022		DATE OF EXPIRY: 4th May 2022 (EOT: 19 TH August 2022)	
WARD: All Saints		PARISH:	
APPLICANT:	Mrs Rosemary MacDonald		
AGENT:	Mrs Jessica Bonfield		
LOCATION:	30 Hales Road Cheltenham Gloucestershire		
PROPOSAL:	Construction of 1.no dwelling in the land to the rear of 30 Hales Road		

Update to Officer Report

1. OFFICER COMMENTS

- 1.1. In response to concerns raised by officers and Members regarding the removal of existing trees to the site, the applicant has agreed to revise the proposal to retain the weeping birch tree located adjacent to southern boundary. Suggested Condition 3 (landscape scheme) has been amended to reflect the retention of this tree in context with full details of all new hard and soft landscaping to be approved in writing by the Local Planning Authority.
- 1.2. In addition, suggested Condition 2 (approved documents) is also amended to include the submitted sustainability statement (titled Climate Change checklist) and suggested Condition 6 (Permitted Development removed) is also amended to reflect officer concerns regarding future development of the dwelling.
- 1.3. Furthermore, a condition has been added to ensure solar PV panels are installed prior to fist occupation of the dwelling, as shown on the proposed plans, and to be retained thereafter.
- 1.4. The revised and new conditions are as follows;
 - 2 The planning permission hereby granted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice and, the sustainability statement (titled Climate Change Checklist) received 29th July 2022.

Reason: For the avoidance of doubt and in the interests of proper planning.
 - 3 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. Notwithstanding the trees that are shown to be removed on the proposed ground floor and site plan, the scheme shall identify all trees, hedgerows and other planting which are to be retained, including the weeping birch tree; the scheme shall identify all walls and fences 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; 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.

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). Approval is required upfront because the landscaping is an integral part of the development and its acceptability.

- 6 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, loft conversion to a habitable room, garages, sheds, outbuildings, or other built structures of any kind shall be erected without express planning permission.

Reason: Any further extension or alteration requires further consideration to safeguard the amenities of the area, 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).

- 10 The proposed solar PV panels shall installed fully prior to first occupation of the dwelling hereby approved, and shall be retained as such thereafter unless otherwise first agreed in writing by the local planning authority.

Reason: In the interests of the character, appearance and amenities of the area, 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).

- 1.5. Members are also advised that the since the publication of the Committee agenda, 2no.further letters of representation have been received, reiterating objection to the proposal. One letter of representation refers to incorrect right of way access and boundary treatment. Officers are not under the remit to dispute these claims, boundary issues and private rights of access are not material planning considerations and are civil matters between property owners.

- 1.6. Members are also advised that reference to Keynsham Road within the initial Officer Report is an error. Any reference to properties on Keynsham Road should be substituted with Keynsham Street, the highway and residential street located behind Hales Road.