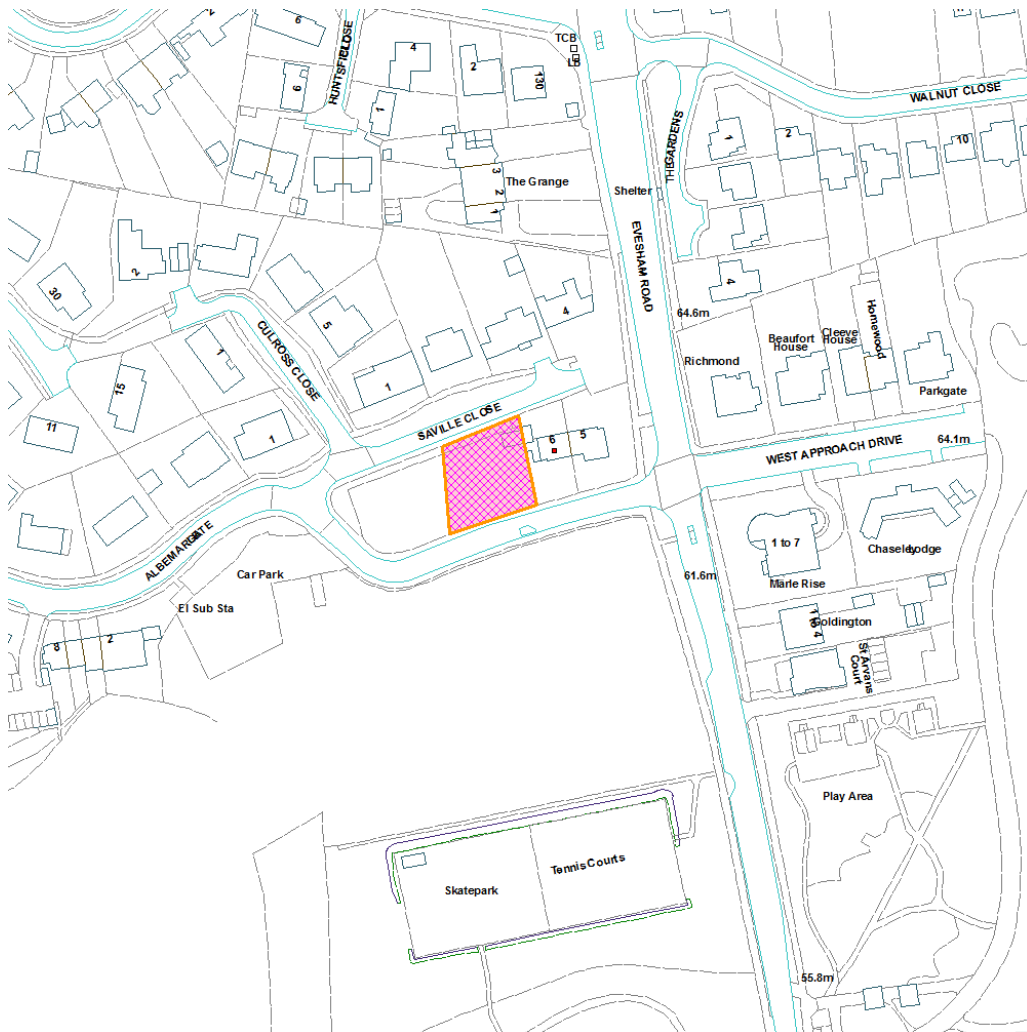


APPLICATION NO: 23/01132/FUL		OFFICER: Michelle Payne
DATE REGISTERED: 4th July 2023		DATE OF EXPIRY: 29th August 2023 (extension of time agreed until 25th September 2023)
DATE VALIDATED: 4th July 2023		DATE OF SITE VISIT:
WARD: Pittville		PARISH:
APPLICANT:	Cheltenham Borough Council	
AGENT:	Evans Jones Ltd	
LOCATION:	6 Saville Close Cheltenham Gloucestershire	
PROPOSAL:	Construction of 2no. dwellings on land adjacent to 6 Saville Close	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is located on the south side of Saville Close, at the northern edge of the Central conservation area, within the Pittville character area. The land to the west is designated as Local Green Space and serves as a community orchard; however, the proposed development would have minimal, if any, impact on this designated green space. To the rear, the site backs on to Albemarle Gate, with the grade II registered Pittville Park beyond; the park is designated as Public Green Space. There are a number of listed buildings in relatively close proximity, but not immediately adjacent, to the site.
- 1.2 The site currently forms part of the curtilage to 6 Saville Close, a semi-detached, two storey dwelling, and is located within the Principal Urban Area.
- 1.3 The application proposes the erection of 2no. five bedroom, detached houses with associated access, parking and landscaping.
- 1.4 The application is before the planning committee as Cheltenham Borough Council are the applicant and landowner.
- 1.5 Members will have the opportunity to visit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area
Principal Urban Area

Relevant Planning History:

None

3. POLICIES AND GUIDANCE

National Planning Policy Framework 2023 (NPPF)

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
Section 14 Meeting the challenge of climate change, flooding and coastal change
Section 16 Conserving and enhancing the historic environment

Adopted Cheltenham Plan 2020 (CP) Policies

D1 Design
BG1 Cotswold Beechwoods Special Area Of Conservation Recreation Pressure
SL1 Safe and Sustainable Living
GI2 Protection and replacement of trees
GI3 Trees and Development

Adopted Joint Core Strategy 2017 (JCS) Policies

SD3 Sustainable Design and Construction
SD4 Design Requirements
SD8 Historic Environment
SD9 Biodiversity and Geodiversity
SD10 Residential Development
SD14 Health and Environmental Quality
INF1 Transport Network

Supplementary Planning Guidance/Documents

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

Pittville Character Area Appraisal and Management Plan (2008)

Cheltenham Climate Change SPD (2022)

4. CONSULTATION RESPONSES

See Appendix at end of report

5. PUBLICITY AND REPRESENTATIONS

- 5.1 On receipt of the application, letters of notification were sent to six neighbouring properties, a site notice was posted and an advert published in the Gloucestershire Echo.
- 5.2 Additional consultation was later carried out as, due to an administrative error, the plans and elevations of the proposed dwellings had not been published.
- 5.3 Two representations have been received in response to the publicity, in objection. The comments have been circulated to members in full, but the concerns are summarised below:
 - the design, and height of the dwellings would be out-of-keeping
 - the proposal would impact on the street scene
 - the dwellings would be overbearing
 - the dwellings will be visible from Pittville Park
 - the roofs would be covered in PV panels
 - would the owner have the ability to cut down the tree at the bottom of the plot?

6. OFFICER COMMENTS

6.1 Determining issues

6.1.1 The main considerations when determining this application relate to the principle of development; design, layout and heritage impacts; climate change; neighbouring amenity; trees and landscaping; biodiversity; and parking and highway safety.

6.2 Principle

6.2.1 Paragraph 11 of the National Planning Policy Framework (NPPF) sets out a "*presumption in favour of sustainable development*" which for decision-taking means approving development proposals that accord with an up-to-date development plan without delay.

6.2.2 The development plan comprises saved policies of the Cheltenham Borough Local Plan Second Review 2006 (CBLP); adopted policies of the Cheltenham Plan 2020 (CP); and adopted policies of the Tewkesbury, Gloucester and Cheltenham Joint Core Strategy 2017 (JCS). Other material considerations include the NPPF, and Planning Practice Guidance (PPG).

6.2.3 Where housing policies are out-of-date (including situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites), the NPPF is quite clear that development proposals should be approved without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF policies as a whole, or specific NPPF policies provide clear reason for refusal. As it stands, the Council is currently unable to demonstrate such a

five year supply of housing and therefore the 'tilted balance' in favour of granting permission is triggered.

6.2.4 Notwithstanding the above, the application site is sustainably located within the Principal Urban Area, wherein adopted JCS policy SD10 supports new housing development where it is infilling within the Principal Urban Area; JCS paragraph 4.11.5 setting out that *"infill development means the development of an under-developed plot well related to existing built development."*

6.2.5 Moreover, throughout the NPPF emphasis is given to new development optimising the potential of the site; and policy SD10 also requires new residential development proposals to *"seek to achieve the maximum density compatible with good design, the protection of heritage assets, local amenity, the character and quality of the local environment, and the safety and convenience of the local and strategic road network."*

6.2.6 As such, there is no fundamental reason to suggest that the principle of erecting two additional dwellings on this site is unacceptable, subject to the material considerations discussed below. The principle of development is wholly in accordance with relevant local and national planning policy.

6.3 Design, layout and heritage impacts

6.3.1 Paragraph 130 of the NPPF requires decisions on planning applications to ensure that new developments *"will function well and add to the overall quality of the area...; are visually attractive...; are sympathetic to local character...including the surrounding built environment...whilst not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place...; optimise the potential of the site...; and create places that are safe, inclusive and accessible...with a high standard of amenity for existing and future users"*.

6.3.2 The above requirement is generally consistent with the design requirements set out in adopted CP policy D1 and JCS policy SD4.

6.3.3 Further guidance can be found in the Council's adopted SPD relating to development on garden land and infill sites, which sets out that various elements combine to create the character of an area and include grain, type of building, location of buildings within the block or street, plot widths and building lines. The document states at paragraph 3.5 that *"Responding to character is not simply about copying or replicating what already exists in an area...Change in itself is not considered a bad thing automatically..."*

6.3.4 In addition to the above, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area in which the site is located. JCS policy SD8 also requires development to make a positive contribution to local character and distinctiveness, having regard to valued and distinctive elements of the historic environment.

6.3.5 Great weight must also be given to the conservation of the adjacent registered park and garden, Pittville Park, in accordance with paragraph 199 of the NPPF.

Design and layout

6.3.6 The site can be comfortably subdivided to accommodate the proposed dwellings and the resultant plot sizes would not be noticeably at odds with the surrounding urban grain; the size of the plot as existing is an anomaly within the area.

6.3.7 The dwellings would be suitably positioned within the site so as to maintain the established building line, and each property would benefit from two car parking spaces on

the frontage, and good sized rear gardens. The existing dwelling, no.6, would also retain a good sized rear garden.

6.3.8 The dwellings would be two storeys in height, with additional accommodation provided within the pitched roof. Externally, the dwellings would have an off-white render finish with red brick up to DPC level, plain clay tiled roofs, painted timber windows, and reconstituted stone lintels, mullions and cills. Officers are satisfied that such a palette of materials is appropriate in this location, and that the resultant buildings would be visually attractive within the street scene and sit comfortably within their context.

6.3.7 The concerns raised by the objectors in relation to the design and height of the dwellings have been duly noted, and officers acknowledge that the dwellings on the opposite side of Saville Close and within the wider estate have shallower pitched roofs, and are largely gable fronted; however, many of these properties have been significantly altered and extended over the years. Moreover, the pair of properties on the southern side of the close, immediately adjacent to the site, are of a different design, not least because they are semi-detached, but they also have steeper, albeit hipped, roofs; these properties pre-date the later estate housing. For this reason, officers do not consider it necessary for the design to reflect the shallower roof form of the properties within the wider estate which are typical of the late 60s/early 70s, nor the later terraced housing to the south of Albemarle Gate as suggested by the Civic Society. None of this existing housing is of any particular architectural merit.

Heritage impacts

6.3.8 With regard to the impact on the conservation area, officers are satisfied that the overall character and appearance would at least be preserved, if not enhanced, by the proposed development; and that no harm would occur. In addition, it is acknowledged that the proposed dwellings would be visible from Pittville Park but this in itself is not automatically harmful; the dwellings would be seen in the context of the surrounding housing. The dwellings would not be prominent in views (from within the park) towards, or from, the Grade I Listed Pump Rooms; and the setting of other nearby listed buildings would not be unduly affected. The Pittville Character Appraisal does not identify any key views looking north towards the site.

6.3.9 Even if the impact was considered to be harmful, paragraph 202 of the NPPF is pertinent, which advises that *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use”*.

6.3.10 In this regard, officers would suggest that even if any harm could be identified, it would be far outweighed by the provision of two additional dwellings within the borough, and that the use of this large, under-developed plot for housing development is most appropriate.

6.4 Climate change

6.4.1 In addition to the abovementioned design policies, adopted JCS policy SD3 requires new development to be designed and constructed to maximise the principles of sustainability; development proposals are required to *“demonstrate how they contribute to the aims of sustainability”* and *“be adaptable to climate change in respect of the design, layout, siting, orientation...”*

6.4.2 JCS paragraph 14.4.11 goes on to advise that:

Before considering the use of renewable energy technologies the design of a development should first identify measures to reduce overall energy demand. This

can include choice of building fabric and construction techniques, optimising solar gain, natural lighting and ventilation to reduce the need for space heating and/or cooling and lighting. Secondly, the design should include measures to use energy more efficiently such as increasing levels of insulation in walls, floors and roofs and improved air-tightness.

6.4.3 The adopted Cheltenham Climate Change SPD also provides guidance on how applicants can successfully integrate a best-practice approach towards climate change and biodiversity in all new development proposals.

6.4.4 In response to the SPD, the applicant has submitted a Sustainability Statement in support of the application that sets out the measures proposed as part of this development. The measures include, but are not limited to:

- The provision of fittings and appliances that use water more efficiently in order to reduce water consumption.
- The installation of an AAA+ rated Air Source Heat Pumps system to provide hot water and central heating to the dwellings, with zoned central heating.
- The use of modern insulation in the walls, floor and roof, which will meet all U-value requirements.
- The incorporation of solar PV technology to the south facing roof slopes to eliminate and/or reduce the requirement for mains electricity.
- The provision of electric vehicle charging points.
- The use of permeable substrate in the construction of the driveway to allow water to drain naturally.
- The attenuation of surface water run-off from the dwellings on site so as to reduce the risk of flooding both on and off site.

6.4.5 Such measures are welcomed and will go some way in helping Cheltenham meet its commitment to become a net zero carbon council and borough by 2030.

6.4.6 The comments made by the objector in relation to the roof mounted solar PV panels, which they consider would be unsympathetic to the surrounding area, have been duly noted, but solar PV panels are not uncommon nowadays; indeed, the existing property, no.6, has solar panels on its rear facing roof slope.

6.5 Neighbouring amenity

6.5.1 Adopted CP policy SL1 advises 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, as previously noted, NPPF paragraph 130 highlights the need to secure a high standard of amenity for existing and future users.

6.5.2 In assessing the amenity impacts of a development, CP paragraph 14.4 advises that *“the Council will have regard to matters including loss of daylight; loss of outlook; loss of privacy; and potential disturbance from noise...and traffic / travel patterns”*.

6.5.3 In this case, officers are wholly satisfied that the development would not result in any significant amenity impacts; and do not agree with the suggestion by the objector that the dwellings would appear overbearing given the distances involved. It is acknowledged that the buildings would undoubtedly impact on views towards the park from the properties opposite the site, but members will be aware that the loss of a private view is not a material planning consideration.

6.5.4 Moreover, given the scale of development proposed, no significant increase in traffic, noise or disturbance should occur as a result.

6.6 Trees and landscaping

6.6.1 Adopted CP policies GI2 and GI3 seek to resist the unnecessary felling of trees on private land in connection with development; and where protected trees are proposed to be felled, replacement tree planting will be required, where practicable. In addition, measures to ensure the protection of retained trees may be required.

6.6.2 There are trees within the site, which are protected due to their location within the conservation area, and therefore the Tree Officer has been consulted. Having reviewed the application, the Tree Officer raises no objection in principle, noting that the mature existing trees in the south-western corner of the site are shown to be retained. However, a condition is required to ensure that suitable tree protection is installed for the duration of the construction process. An additional landscaping condition is required in relation to new planting.

6.6.3 The applicant's agent has noted the Tree Officer's comments suggesting that mixed native hedging would be preferable to the proposed boundary fencing, but considers a fence necessary to provide suitable security between the adjacent community orchard and the site; also noting that the boundary between the site and the orchard is already formed with timber fencing.

6.6.4 Moving forwards, the trees on the site would continue to be protected by virtue of being located within the conservation area.

6.7 Biodiversity

Cotswold Beechwoods Special Area of Conservation (SAC)

6.7.1 The application site lies within a zone of influence as set out in the Cotswold Beechwoods SAC Recreation Mitigation Strategy (May 2022) for recreational pressure for the Cotswold Beechwoods SAC, which is afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended).

6.7.2 Adopted CP policy BG1 states that development will not be permitted where it would be likely to lead directly or indirectly to an adverse effect upon the integrity of the European Site Network and the effects cannot be mitigated. All development within the borough that leads to a net increase in dwellings will be required to mitigate any adverse effects. Without appropriate mitigation, the proposed development is likely to have a significant effect on the Cotswold Beechwoods SAC (either alone or in combination with other development) through increased recreational pressure.

6.7.3 The Council has undertaken an Appropriate Assessment and considers the measures set out in the abovementioned mitigation strategy to be necessary to provide adequate mitigation to address the impacts of the proposal. The applicant can choose to make a contribution towards the measures in the strategy, or to provide their own bespoke strategies to mitigate the impacts the proposed development will cause.

6.7.4 In this case, the applicant has opted to make the contribution of £673 per dwelling; and, as the Council is the applicant, an internal transfer has been made.

Protected species

6.7.5 Whilst records show that a limited number of important species or habitats have been sighted near the application site in the past, including bats (most recent sighting in 2019), given the scale and nature of the proposal, it is not considered that the development will have any harmful impact on these species.

6.8 Parking and highway safety

6.8.1 Adopted JCS policy INF1 requires all development proposals to ensure a safe and efficient access to the highway is provided for all users; permission will only be refused on highway grounds where the impact of the development upon the local highway network would be severe. The policy is wholly consistent with Section 9 of the NPPF.

6.8.2 From a highway safety perspective, the application has been reviewed by the County Highways Development Management Team (HDM) who raise no objection subject to conditions; concluding 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.”* The suggested conditions which relate to the provision of visibility splays, access and parking, have been attached.

6.8.3 As previously noted, each dwelling would have two on-site car parking spaces, with additional parking for visitors available on-street.

6.9 Other considerations

Flooding and drainage

6.9.1 The site is located within Flood Zone 1 and at a low risk of flooding; as such, new residential development in this location is considered to be wholly appropriate. With regard to drainage, the application is accompanied by a Drainage Strategy Technical Note, which has been reviewed by the Flood Risk and Drainage Engineer who is satisfied that the drainage strategy *“shows an appropriate method of surface water disposal is available and is of sufficient detail for this stage of the application”*. That said, they have requested that further details of the sustainable drainage scheme are secured by condition.

Public Sector Equalities Duty (PSED)

6.9.2 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.

6.9.3 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.

6.9.4 In the context of the above PSED duties, this proposal is considered to be acceptable.

7. CONCLUSION AND RECOMMENDATION

7.1 Decisions on planning applications must be made in accordance with the development plan.

7.2 The application site is sustainably located within the Principal Urban Area, wherein adopted JCS policy SD10 supports new housing development. Moreover, throughout the NPPF emphasis is given to new development optimising the potential of the site. Policy SD10 also requires new residential development proposals to *“seek to achieve the maximum density compatible with good design, the protection of heritage assets, local amenity, the*

character and quality of the local environment, and the safety and convenience of the local and strategic road network.”

- 7.3 Notwithstanding the above, where housing policies are out-of-date (as is the case in Cheltenham as the Council is currently unable to demonstrate a five year supply of deliverable housing sites) development proposals must be approved without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF policies as a whole, or specific NPPF policies provide clear reason for refusal.
- 7.4 As set out in the above report, officers are satisfied that the design of the dwellings is acceptable in this location. Furthermore, there are no significant amenity concerns arising from the development; and no highway objection has been raised by the Local Highway Authority.
- 7.5 The dwellings have been designed to incorporate renewable energy technologies and will go some way in helping Cheltenham meet its commitment to become a net zero carbon council and borough by 2030.
- 7.6 Moreover, the proposed additional dwelling would make a small but nevertheless valuable contribution to the borough’s housing stock.
- 7.7 Additionally, officers are satisfied that no harm would be caused to designated heritage assets; and that the overall character and appearance of the conservation area would at least be preserved, if not enhanced, by the proposed development. Whilst the proposed dwellings would be visible from Pittville Park, this in itself is not automatically harmful; the dwellings would be seen in the context of the surrounding housing.
- 7.8 As such, the proposed development would not result in any adverse impacts that would outweigh the benefits of the scheme. The recommendation therefore is to grant planning permission subject to the following conditions:
- 7.9 In accordance with the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, agreement has been sought in respect of the pre-commencement conditions (conditions 3 and 4).

8. SUGGESTED 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 (including demolition and site clearance), a Tree Protection Plan (TPP) to BS5837:2012 (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 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.

- 4 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.

- 5 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 policies SD4 and SD8 of the Joint Core Strategy (2017).

- 6 Notwithstanding the approved plans, the following elements of the scheme shall not be installed, implemented or carried out unless in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority:
a) Roof lights and balcony balustrade; and
b) Juliet balconies.

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 policies SD4 and SD8 of the Joint Core Strategy (2017).

- 7 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]; 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, GI2 and GI3 of the Cheltenham Plan (2020), and adopted policies SD4 and INF3 of the Joint Core Strategy (2017).

- 8 Prior to first occupation of the development, visibility splays shall be provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly) as shown on Appendix 3 of the 'pep' Transport Note (June 2023) except in both directions from each driveway space. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above carriageway level.

Reason: To ensure a safe and suitable access to the development is provided and maintained in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 9 Prior to first occupation of the development, the proposed access and parking facilities shall be provided in accordance with the approved plans and thereafter retained as such at all times.

Reason: To ensure a safe and suitable access to the development is provided and maintained in the interests of highway safety, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 10 Prior to first occupation of the development, secure covered cycle storage for a minimum of 2no. bicycles per dwelling shall be provided on site in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The cycle storage facilities shall thereafter be retained available for such use in accordance with the approved details at all times.

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

- 11 Prior to first occupation of the development, refuse and recycling storage facilities shall be provided on site in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The bin storage facilities shall thereafter be retained available for such use in accordance with the approved details at all times.

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

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.

- 2 The applicant/developer is advised that the construction of a new access will require a verge and footway crossing from the carriageway under Section 184 of the Highways Act 1980, and permission is required from Gloucestershire Highways on 08000 514 514 or highways@gloucestershire.gov.uk before commencing any works on the highway. Full details can be found at www.gloucestershire.gov.uk.

APPENDIX - CONSULTATION RESPONSES

Gloucestershire Centre for Environmental Records

7th July 2023

Report available to view in documents tab.

Building Control

10th July 2023

This application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

GCC Highways Development Management

12th July 2023

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.

Layout parking and access is accepted. It is noted visibility has not been based on recorded speeds but in this cul-de-sac location the visibility has been assessed and accepted. Location provides suitable access to bus services and amenities to reduce private vehicle demand.

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

Provision of Vehicular Visibility Splays

The development hereby approved shall not be [occupied/brought into use] until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly) as shown on Appendix 3 of the June 2023 pep Transport Note except in both directions from each driveway space. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above carriageway level.

Reason: In the interests of highway safety according to INF1 of the Core Strategy, PD 0.4 of the Local transport Plan and paragraph 110 and 112 of the National Planning Policy Framework.

Conformity with Submitted Details

The Development hereby approved shall not be occupied/be brought into use until the access, parking and turning facilities that that individual building to the nearest public highway has been provided as shown on submitted drawings.

Reason: To ensure conformity with submitted details according to INF1 of the Core Strategy, PD 0.4 of the Local transport Plan and paragraph 110 and 112 of the National Planning Policy Framework.

Bicycle Parking

The Development hereby approved shall not be occupied/be brought into use until sheltered, secure and accessible bicycle parking for 2 bicycles per dwelling has been provided and the storage area shall be maintained for this purpose thereafter.

REASON: To promote sustainable travel and healthy communities according to INF1 of the Core Strategy, PD 0.4 of the Local transport Plan and paragraph 110 and 112 of the National Planning Policy Framework.

Informatives

Vehicular Access

The Local Highway Authority has no objection to the above subject to the applicant obtaining a section 184 licence. The construction of a new access will require a verge and 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 before commencing any works on the highway. Full Details can be found at www.gloucestershire.gov.uk.

Tree Officer

14th July 2023

The proposal seeks to retain mature existing trees. Their protection for the duration of the construction phase should therefore be demonstrated in revised / additional drawings referencing BS5837 (2012).

Planting proposals should be clarified in revised / additional drawings, detailing species, location and size of trees to be planted. It would be preferable for boundary treatments to be mixed native hedging (rather than fencing).

Reason: to protect the amenity value of trees in the borough as per Policies GI2 and GI3 of the Cheltenham Plan.

Publica Drainage and Flooding

17th July 2023

There are no objections from a flood risk and drainage perspective. The drainage strategy technical note provided shows an appropriate method of surface water disposal is available and is of sufficient detail for this stage of the application. A sustainable drainage condition is requested so that any changes to the site that impact drainage, and any further details of the drainage scheme, are reviewed and approved by the local planning authority prior to the commencement of development.

Cheltenham Civic Society

26th July 2023

OBJECT

We are pleased that Cheltenham Borough Council is maximising potential revenue and increasing housing stock by seeking to develop this site, and we support the principle of development. We question whether the neighbouring orchard plot, also owned by the council, might also be considered has been excluded from development.

While we could support this as an outline planning application it wholly inadequate as a full planning application, especially as it is in a conservation area, and overlooks a Historic England grade II registered park. Where are the floor plans? The elevations? The details of materials?

Alternative configurations could be considered, e.g. a small terrace of 2 storey houses like those on Albemarle Gate.

Building Control

1st August 2023

This application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.

Architects Panel

9th August 2023

Design Concept

The panel decided not to review this application until sufficient plans and elevations were submitted.

