

<b>APPLICATION NO:</b> 13/00800/FUL	<b>OFFICER:</b> Miss Michelle Payne
<b>DATE REGISTERED:</b> 5th June 2013	<b>DATE OF EXPIRY:</b> 4th September 2013
<b>WARD:</b> St Pauls	<b>PARISH:</b> None
<b>APPLICANT:</b>	Kier Partnership Homes Ltd & Cheltenham Borough Homes
<b>AGENT:</b>	Healer Associates
<b>LOCATION:</b>	Land at Crabtree Place, Cheltenham
<b>PROPOSAL:</b>	Construction of 56 residential units including 24 affordable units and associated works

## Update to Officer Report

### 1. CONSULTATIONS

- 1.1. The following additional consultation response has been received since the publication of the main agenda:

#### **GCC Highways Planning Liaison**

*16th August 2013*

I refer to the Amended Plan numbered 1201-100 Rev P in respect of the above planning application.

The Highway Authority initially raised concerns over the width of the highway adjacent to plots 36 and 37 shown on drawing 1201-100 Rev K, that area has now been widened to a minimum of 7m which is considered appropriate for a shared surface area serving this level of dwellings. The Transport Statement dated 17/05/2013 deals with all highway safety related issues fairly comprehensively however I still wish to provide a brief summary of the main issues.

#### Access

The development will take access from the existing Crabtree Place access onto Folly Lane, visibility from this access is in accordance with Gloucestershire County Council's deemed to satisfy standards for the speed of the road, no further improvements are required, and the access is considered suitable to cater for the development traffic during the construction period. Pedestrian access in the area is generally considered acceptable, however in Section 9 of the Transport Statement the issue of tactile paving at the junction with Folly Lane and drainage issues at this location are dealt with. As the development will be adding additional pedestrian movements these issues should be resolved, and the works would need to be covered by a Highway Works agreement. The impact on the surrounding pedestrian network is not considered great enough to warrant any further improvements on the wider network.

#### Unresolved Issues

I'm a little concerned about the visibility from the private accesses/parking areas directly onto Folly Lane for dwellings 1, 2, 3 and 55; they should be subject to the same visibility criteria as the main junction serving the development. I do however note that the car parking area for plot 1 is already in that location and in that basic form, therefore I believe it would be unreasonable to require any improvements to visibility to the south, the same could be said for the parking spaces for plot 55. However, in order to ensure highway safety isn't compromised no planting/walls etc above 0.6m above the carriageway level should be erected within 2.4m of the carriageway edge, this will ensure pedestrian visibility and vehicular visibility and can be covered by a suitably worded condition.

### Impact upon surrounding highway network

As the existing dwellings within Crabtree Place have been demolished, I'm unsure whether this now carries a valid fallback position of dwellings on the site. Notwithstanding this, even when looking at this as a completely new development, the level of trips likely to be created, 11 arrivals and 22 departures during the AM peak hour, and 22 arrivals and 13 departures during the PM peak period would be easily absorbed within the spare capacity both at the junction with Folly Lane and the surrounding network, therefore no further junction modelling is required. The National Planning Policy Framework (NPPF) says that although safe and suitable access should be provided, 'development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe', given the likely impact there would be no reason to object to the proposal on the highway safety implications of either the junction with Folly Lane, or the surrounding network.

### Internal Layout/Tracking

I'm unsure whether the areas shown to be block paving are completely shared surface areas, or to be a segregated footway/carrageway, however the proposed widths are considered acceptable, and vehicle tracking has been provided to show that a 3 axel refuse vehicle can navigate the site, the finer details can be resolved by suitably worded conditions and dealt with as part of the Section 38 agreement. The proposed road width also allows for vehicles to park on the highway.

### Car Parking

Section 3 of the Transport Statement says that GCC guidelines suggest that the ratio of cars per household in Cheltenham is 1.137, this is the figure for 2012, however this figure needs to be growthed to 2026 which creates a demand to 1.536 per dwelling. For the 56 dwellings this would create a demand for 86 parking spaces, 83 dedicated car parking spaces have been provided within the site, with an additional 4 visitor spaces. It should be noted that this figure is even lower, 1.464 for 2026 for the Pittville Ward. The majority of private houses have a provision of 2 car parking spaces per dwelling, the affordable units and flats mainly have a single space with visitor spaces available, all parking is generally reasonably well located to each plot. As already mentioned given the width of the estate road additional parking would also be available on the road, therefore the level of car parking is considered appropriate for the level of development.

### SPG/Accessibility

The site is situated within an accessible location and, given the small increase in number of dwellings and the impact caused, there is no requirement for an SPG or public transport contribution.

Thus, it is for these reasons I recommend that no highway objection be raised subject to conditions being attached to any permission granted.

## **2. OFFICER COMMENTS**

- 2.1. As anticipated, no Highway objection has been raised subject to conditions 8, 9, 10, 11, 12, 13 and 14 set out below.
- 2.2. In addition, a revised site layout has been received which largely addresses the elements within the scheme referred to in paragraph 6.3.8 of the main report, which, whilst minor, officer's felt could be further improved.
- 2.3. The recommendation remains to grant planning permission subject to the following conditions:

### 3. SUGGESTED CONDITIONS / INFORMATIVES

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.  
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 development hereby permitted shall be carried out in accordance with Drawing Nos.1201-100 REV S, 1201-106-01 REV D, 1201-106-02 REV D, 1201-APT-P13-21 REV D, 1201-APT-P22-26-1-2 REV F, 1201-APT-P22-26-2-2 REV F, 1201-PL-EX-01, 1201-PL-EX-02 REV A, 1201-GAR-3B-01, 1201-HT-PL-204-01A REV A, 1201-HT-PL-207-01A REV A, 1201-HT-PL-301-01 REV A, 1201-HT-PL-301-02, 1201-HT-PL-304-01, 1201-HT-PL-306-01, 1201-HT-PL-308-01, 1201-HT-PL-406-01, 1201-HT-PL-406-P04-56-01 and GL0056 01B.  
Reason: To ensure the development is carried out in accordance with the approved drawings, where they differ from those originally submitted.
- 3 Prior to the commencement of development, an annotated elevation with a detailed specification of all external materials and finishes (including all windows and external doors) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented strictly in accordance with the details so approved and maintained as such thereafter.  
Reason: To ensure a satisfactory form of development in accordance with Local Plan Policy CP7 relating to design.
- 4 Prior to the commencement of development, plans showing the existing and proposed ground levels and slab levels of the proposed and adjacent 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 of the proposed building with the adjoining properties and land in accordance with Local Plan Policies CP4 and CP7 relating to safe and sustainable living, and design.
- 5 Prior to the commencement of development, a scheme for the provision of refuse and recycling storage facilities to serve the proposed dwelling(s) (including appropriate containers in accordance with adopted Supplementary Planning Document - Waste Minimisation in Development Projects) shall be submitted to and approved in writing by the Local Planning Authority. The dwelling(s) shall not be occupied until the approved scheme has been implemented.  
Reason: To achieve sustainable waste management and to facilitate recycling in accordance with Gloucestershire Waste Local Plan Policy W36 relating to waste minimisation.
- 6 Prior to the commencement of development, a scheme for the provision of the affordable housing as part of the development shall be submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the NPPF or any future guidance that replaces it. The scheme shall include:
  - the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 40% of housing units;
  - the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
  - the arrangements for the management of the affordable housing;

- the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

The development shall be implemented strictly in accordance with the scheme so approved and maintained thereafter as such.

Reason: The development proposes more than 15 dwellings and therefore a minimum of 40% of the dwellings are required to be made affordable in accordance with Local Plan Policy HS4 relating to affordable housing.

- 7 Prior to the commencement of development, a scheme for the provision or improvement of recreational facilities to serve the proposed dwelling(s) shall be submitted to and approved in writing by the Local Planning Authority. The dwelling(s) shall not be occupied until the approved scheme has been implemented.

Reason: To avoid any increase in the Borough's imbalance between population and the provision of outdoor play space and related facilities in accordance with Local Plan Policy RC6 relating to play space in residential development.

- 8 Prior to the commencement of development, details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time that either a dedication agreement has been entered into or a private management and maintenance company has been established.

Reason: In the interest of highway safety, to ensure a satisfactory appearance to the highways infrastructure serving the approved development, and to safeguard the visual amenities of the locality and users of the highway in accordance with Local Plan Policy TP1 relating to development and highway safety.

- 9 Prior to the commencement of development, including any works of demolition, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period and shall provide for:

- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development; and
- wheel washing facilities.

Reason: To minimize disruption, congestion and hazards on the public highway in accordance with Local Plan Policy TP1 relating to development and highway safety.

- 10 Prior to the commencement of development, details of the provision of fire hydrants served by mains water supply, including a location plan and timetable for their provision, shall be submitted to and approved in writing by the Local Planning Authority. The fire hydrants shall thereafter be provided in accordance with the approved details.

Reason: To ensure that fire hydrants are provided in suitable locations within the development in the interests of community safety.

- 11 Prior to first occupation of the development, the access roads, including surface water drainage/disposal, vehicular turning heads, street lighting, and footways where proposed providing access from the nearest public road to that dwelling shall be completed to at least binder course level in accordance with the submitted plans, and the access roads shall thereafter be retained and maintained in that form until and unless adopted as highway maintainable at public expense.

Reason: In the interest of highway safety, to ensure a satisfactory appearance to the highways infrastructure serving the approved development, and to safeguard the visual amenities of the locality and users of the highway in accordance with Local Plan Policy TP1 relating to development and highway safety.

- 12 Prior to first occupation of the development, an uncontrolled pedestrian crossing in the form of tactile paving shall be provided at the junction of Crabtree Place and Folly Lane in accordance with details that shall be submitted to and approved in writing by the Location Planning Authority prior to installation.

Reason: In the interests of pedestrian and highway safety in accordance with Local Plan Policy TP1 relating to development and highway safety.

- 13 The car parking (including garages and car ports where proposed) and manoeuvring facilities serving each dwelling shall be completed in all respects in accordance with Drawing no. 1201-100 Rev R, prior to the occupation of that dwelling, and shall be similarly maintained thereafter for that purpose.

Reason: To ensure an acceptable level of car parking and appropriate manoeuvring facilities are provided and maintained in accordance with Local Plan Policy TP1 relating to development and highway safety.

- 14 No new boundary walls, fences, planting or other enclosure over 0.6 metres in height shall be installed on the frontages of plots 1, 2, 3 and 55 within 2.4 metres of the carriageway.

Reason: To ensure that adequate pedestrian and vehicular visibility is provided and maintained in accordance with Local Plan Policy TP1 relating to development and highway safety.

- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and/or re-enacting that order with or without modification), no extensions, garages, walls, fences or other structures of any kind (other than those forming part of the development hereby permitted) shall be erected without planning permission.

Reason: Any further extension or alteration requires detailed consideration to safeguard the amenities of the locality in accordance with Local Plan Policies CP4 and CP7 relating to safe and sustainable living and design.

## **INFORMATIVES**

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 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 scheme and following these negotiations, the application now constitutes sustainable development and has therefore been approved in a timely manner.

- 2 The applicant is advised that in order to discharge condition 8 the Local Planning Authority will require a copy of a completed dedication agreement between the applicant and the Local Highway Authority or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.
- 3 The Local Highway Authority will require the developer to enter into legally binding agreements to secure the proper implementation of the proposed highway works, including an appropriate bond.

For the avoidance of doubt, the legal agreements will be required for the following reasons:

Section 38 Estate Road

Highway works agreement for carrying out junction improvement works (tactile paving).

- 4 The proposed development MAY require the provision of a footway crossing and the Applicant/Developer is required to obtain the permission of the County Council before commencing ANY works on the highway.
- 5 New imported topsoil (to BS 3882 2007) should be incorporated into tree pits so as to encourage trees early successful establishment of newly planted.
- 6 It is recommended that all new trees should be container grown trees, not bare rooted or root-balled as specified, as such Extra Heavy Standard trees will not easily thrive if planted bare rooted; container grown trees should establish quickly.
- 7 It is important that an aftercare and maintenance regime be implemented for the newly planted trees.
- 8 No drains or other underground utilities should pass with 1.5 metres of any newly planted trees; this will enable easy maintenance of these utilities without damage to the trees into the future.
- 9 The construction foundation design details should take account of the anecdotal evidence of clay soil in this area.