

<b>APPLICATION NO: 13/01251/FUL &amp; CAC</b>		<b>OFFICER: Miss Michelle Payne</b>	
<b>DATE REGISTERED: 30th July 2013</b>		<b>DATE OF EXPIRY: 24th September 2013</b>	
<b>WARD: Lansdown</b>		<b>PARISH: None</b>	
<b>APPLICANT:</b>	William Morrison (Lansdown Walk) Ltd		
<b>AGENT:</b>	Mr David Jones		
<b>LOCATION:</b>	Corner Of Lansdown Place Lane And Lansdown Walk Cheltenham		
<b>PROPOSAL:</b>	Partial demolition of dilapidated and fire damaged buildings at junction of Lansdown Place Lane and Lansdown Walk, and refurbishment and reconfiguration of retained building together with redevelopment of remainder of site to form 5no. self contained dwellings (1no. 3 bed unit and 4no. 4 bed units)		

## Update to Officer Report

### 1. OFFICER COMMENTS

- 1.1. As anticipated, revised drawings have now been received to address concerns resulting from the first and second floor windows previously shown to the east facing elevation, together with the first floor terrace to Unit E which it was felt could result in an unacceptable degree of overlooking of the rear gardens serving the adjacent terrace.
- 1.2. In the revised drawings, the second floor window has been amended to be a high level slot window which would not allow any views out over the surrounding properties. Additional natural light to the bedroom will now be afforded by a roof light.
- 1.3. At first floor, the height of the balustrade to the external terrace has also been increased. The windows in this east elevation at first floor, whilst they remain, have been carefully considered and their positioning from the site boundary together with the height of the party wall to the north of the windows would prevent any significant views out over adjoining amenity spaces.
- 1.4. Therefore, as amended, the scheme accords with the requirements of policy CP4.

### 2. CONCLUSION AND RECOMMENDATION

- 2.1. Given the poor condition of the existing buildings on site, and the lack of any realistic opportunities to redevelop the site for commercial purposes, the loss of this employment land is far outweighed by the benefits of providing new residential accommodation within this highly sustainable location, together with the benefits the proposed scheme would bring to the appearance of the conservation area. Therefore, the principle of redeveloping the site for residential use is considered to be acceptable subject to a suitable replacement building.
- 2.2. Despite the concerns raised by local residents, the Civic Society, the Architects' Panel and English Heritage in respect of the third storey, officers consider that the proposed redevelopment scheme is of a suitable scale, height, massing and footprint for this important corner site with the conservation area, and would maintain a subservient relationship to the grade II\* listed terrace on Lansdown Crescent and sit comfortably within its context.
- 2.3. In addition, following the submission of revised plans, the scheme would not result in any significant or unacceptable harm to neighbouring amenity or highway safety.

2.4. Therefore, in conclusion, the recommendation is to grant both planning permission and conservation area consent subject to the following conditions:

### 3. CONDITIONS

#### 13/01251/FUL

- 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. 2019.1/01 P2, 2019.1/02 P5, 2019.1/06 P4, 2019.1/07 P2 received by the Local Planning Authority on 6th September 2013, Drawing No, 2019.0/03 P1 received 18th September 2013 and Drawing Nos. 2019.1/03 P5, 2019.1/04 P5, 2019.1/05 P4 and 2019.1/08 P3 received 7th October 2013.  
Reason: To ensure the development is carried out in strict accordance with the revised drawings, where they differ from those originally submitted.
- 3 Prior to the commencement of development, the design and details including materials and finishes of the following shall be submitted to and approved in writing by the Local Planning Authority:
  - a. Flat roof detail (including eaves)
  - b. All doors and windows (including head and cill treatment and reveals)
  - c. Parapet detail
  - d. Gates to parking areas (including reveals detail)
  - e. Rainwater goods
  - f. Extract/boiler flues
  - g. Cornice detail
  - h. Recess detail to Lansdown Walk elevationThe design and details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 together with full size cross section profiles. The works shall thereafter be implemented strictly in accordance with the agreed details.  
Reason: To ensure a satisfactory form of development in accordance with Local Plan Policies CP3 and CP7 relating to sustainable environment and design, and national guidance set out within the National Planning Policy Framework and the Historic Environment Planning Practice Guide. These are important details which need to be constructed in the traditional local manner to ensure that the development is compatible with its surroundings.
- 4 Prior to the commencement of development, a sample panel of new smooth facing renderwork of at least one square metre shall be constructed on site to illustrate the proposed type, colour and texture of rendering. The sample panel shall be approved in writing by the Local Planning Authority and thereafter retained on site until the completion of the development to provide consistency.  
Reason: To ensure a satisfactory form of development in accordance with Local Plan Policies CP3 and CP7 relating to sustainable environment and design, National Planning Policy Framework and the Historic Environment Planning Practice Guide.
- 5 Prior to the commencement of development, full details of all means of enclosure within the site (including materials and finishes, as appropriate) and areas of hard surfacing (which should be permeable or drain to a permeable area) shall be submitted to and approved in writing by the Local Planning Authority. The proposed development shall be implemented strictly in accordance with the agreed details and maintained as such thereafter.

Reason: To ensure a satisfactory form of development in accordance with Local Plan Policies CP3 and CP7 relating to sustainable environment and design, National Planning Policy Framework and the Historic Environment Planning Practice Guide.

- 6 No wires, pipe work, satellite dishes or other aerials, alarms or other paraphernalia shall be affixed to the external elevations of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect and maintain the character and appearance of the area in which this development is located in accordance with Local Plan Policies CP3 and CP7 relating to sustainable environment and design, and national guidance set out within the National Planning Policy Framework and the Historic Environment Planning Practice Guide. Careful consideration has been given to the detailed design of this development and its relationship with neighbouring properties.

- 7 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), the external elevations of the dwellings hereby permitted shall not be altered or extended nor structures erected within the curtilage without planning permission.

Reason: To protect and maintain the character and appearance of the area in which this development is located in accordance with Local Plan Policies CP3 relating to sustainable environment, CP4 relating to safe and sustainable living, and CP7 relating to design; and national guidance set out within the National Planning Policy Framework and the Historic Environment Planning Practice Guide. Careful consideration has been given to the detailed design of this development and its relationship with neighbouring properties.

- 8 The development hereby approved (including any works of demolition) shall not commence on site until the following condition has been complied with and satisfactorily agreed, in writing, by the Local Planning Authority. Should unexpected contamination be found after development has begun, development must be halted on that part of the site affected by the unexpected contamination until section iv) has been complied with in relation to that contamination.

i) Site characterisation

A site investigation and risk assessment should be carried out to assess the potential nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report must include;

a) a survey of the extent, scale and nature of contamination

b) an assessment of the potential risks to:

- human health

- property (including buildings, crops, livestock, pets, woodland and service lines and pipes)

- adjoining land

- ecological systems

- groundwaters and surface water

- archaeological sites and ancient monuments

c) an appraisal of remedial options to mitigate against any potentially significant risks identified from the risk assessment.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11'

ii) Submission of a remediation scheme

Where remediation is required, a detailed remediation scheme to bring the site to a condition suitable for the intended use should be produced and will be subject to the approval, in writing, by the Local Planning Authority prior to implementation. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2a of the Environmental Protection Act (1990) in relation to the intended use of the land after remediation.

iii) Implementation of approved remediation scheme

Any approved remediation scheme must be carried out in accordance with its terms prior to the commencement of the development, other than that required to carry out remediation. Following completion of measures identified in any approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval, in writing, by the Local Planning Authority.

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination until section iv) has been complied with in relation to that contamination.

iv) Reporting of unexpected contamination

In the event that contamination is found at any time when carrying out the approved development, that was not previously identified, it must be reported immediately in writing to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with section i) and a remediation scheme submitted in accordance with section ii). Following completion of measures identified in the approved remediation scheme, a verification report must be produced in accordance with section iii).

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Local Plan Policy NE4 relating to development on contaminated land.

- 9 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.

- 10 Prior to the first occupation of the development, the car parking facilities shall be completed in accordance with the approved plans, and shall thereafter be so retained and kept available for use as car parking.

Reason: To ensure adequate car parking is available within the curtilage of the site in accordance with Local Plan Policy TP1 relating to development and highway safety.

- 11 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.

- 12 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.

- 13 Prior to the commencement of development, a scheme for the control of noise and dust from the site during the demolition and construction phase of the development shall be submitted and approved in writing by the Local Planning Authority. The scheme shall include an indication of the proposed hours of work, equipment and procedures to control dust emissions, and any other steps to be taken to control similar nuisances. The works shall thereafter be implemented strictly in accordance with the agreed details.  
Reason: To safeguard the amenity of adjoining properties and to protect the locality in accordance with Local Plan Policy CP4 relating to safe and sustainable living.
- 14 Prior to the commencement of development, the surface water drainage system shall be designed in accordance with the principles of Sustainable Drainage Systems (SUDS). This shall include a maintenance strategy and full details (including calculations) shall be submitted to and approved by the Local Planning Authority. Prior to the first occupation of any part of the development, the surface water drainage system shall be completed in all respects in accordance with the details approved and shall be retained as such thereafter.  
Reason: To ensure the surface water drainage system does not contribute to flooding or pollution of the watercourse in accordance with Local Plan Policy UI3 relating to sustainable drainage systems.

#### 13/01251/CAC

- 1 The works hereby granted consent shall be begun before the expiration of five years from the date of this consent.  
Reason: To accord with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The demolition hereby granted consent shall be carried out in accordance with Drawing No. 2019.0/03 P1 received by the Local Planning Authority on 18th September 2013.  
Reason: To ensure the demolition is carried out in strict accordance with the approved drawing.
- 3 No demolition works shall commence until a contract has been signed to carry out works in accordance with a redevelopment scheme for which planning permission has been granted.  
Reason: To ensure that premature demolition does not result in unsightly gap in the street scene in accordance with Local Plan Policy BE4 relating to the timing of demolition in conservation areas, and national guidance set out within the National Planning Policy Framework and the Historic Environment Planning Practice Guide.