

PLANNING AND LICENSING COMMITTEE

12th June 2019

ADDITIONAL PAGES

ADDITIONAL PAGES - CIRCULATED TO MEMBERS BY POST

**AVAILABLE FOR PUBLIC INSPECTION UNDER THE PROVISIONS OF THE
LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

Additional Representations on Schedule Items

Pages 1 - 10

PLANNING AND LICENSING COMMITTEE
10th April 2019

ADDITIONAL PAGES ON SCHEDULE ITEMS

Item	Ref. No	Content
01	19/00086/OUT	<p>Case Officer Update:</p> <p>Proposed amendment to wording of Condition 17 (noise) from:</p> <p><i>Prior to the erection of any external walls at the development hereby permitted, a scheme to protect the proposed development from noise shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that the indoor ambient noise levels in living rooms and bedrooms meet the standards in BS 8233:2014 for the appropriate time period and that the external noise criteria of B8233:2014 is achieved as far as practically feasible.</i></p> <p><i>No dwelling hereby approved shall be occupied until the measures agreed for that respective dwelling have been completed fully in accordance with the details approved by this condition.</i></p> <p><i>{\b Reason:} In order to ensure that future residents are not subject to an unacceptable level of noise disturbance having regard to the proximity of the application site to a highway depot and and an industrial estate and in accordance with Local Plan Policy EN15.</i></p> <p>To:</p> <p><i>Prior to the erection of any external walls of any dwelling hereby permitted, a scheme to protect the proposed dwellings from noise shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that the indoor ambient noise levels in living rooms and bedrooms meet the standards in BS 8233:2014 for the appropriate time period and that the external noise criteria of B8233:2014 is achieved, unless otherwise first agreed in writing by the Local Planning Authority.</i></p> <p><i>No dwelling hereby approved shall be occupied until the measures agreed for that respective dwelling have been completed fully in accordance with the details approved by this condition.</i></p> <p><i>Reason: In order to ensure that future residents are not subject to an unacceptable level of noise disturbance having regard to the proximity of the application site to a highway depot and and an industrial estate and in accordance with Local Plan Policy EN15.</i></p>

03	18/02520/FUL	<p>Case Officer Update:</p> <p>Please see updated list of conditions:</p> <ol style="list-style-type: none"> 1. The development shall be started by 3 years from the date of this decision notice. <p>Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p> 2. The development hereby approved shall be implemented in accordance with the following drawing number(s): 2596 P(0) 001A, 2596 P(0) 002B, 2596 P(1) 101E, 2596 P(1) 102D, 2596 P(1) 103D, 2596 P(1) 111B, 2596 P(1) 112, 2596 P(1) 201D, 2596 P(1) 202C, 2596 P(1) 301C. <p>Reason: For purposes of clarity and for the avoidance of doubt, in accordance with the National Planning Policy Framework.</p> 3. Prior to any works to the existing wall to the west of the site, details of structural works, repair and methodology for the opening and remediation shall be agreed in writing by the Local Planning Authority and the works shall be carried out fully in accordance with the approved details. <p>Reason: It is important to ensure that the works to the wall are carried out in a manner which is appropriate to the character and appearance of the Conservation Area in accordance with Local Plan Policies EN2 and EN11.</p> 4. All existing stone, where re-usable from the wall shall be used in the restoration and construction of the wall forming the elevations of the dwellings with its weathered surface facing outwards. <p>Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2 and EN11.</p> 5. New stonework shall be of the same stone type, colour and sizes as the existing stonework and it shall be laid using a mortar which is slightly weaker than the stone and which contains well graded sharp sand, stone dust and lime and shall be permanently retained as such thereafter. In addition, the pointing shall have a marginally recessed finish and shall be brushed or bagged and shall match the existing. <p>Reason : To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2 and EN11.</p> 6. No bargeboards or eaves fascias shall be used in the proposed development.
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		<p>Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policies EN2 and EN11.</p> <p>7. New rainwater goods shall be of cast iron construction or a substitute which has been approved in writing by the Local Planning Authority and shall be permanently retained as such thereafter.</p> <p>Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2 and EN11.</p> <p>8. No wires, plumbing or pipework other than those shown on the approved plans shall be fixed on the external elevations of the building.</p> <p>Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2 and EN11.</p> <p>9. All door and window frames shall be recessed a minimum of 75mm into the external walls of the building and shall be permanently retained as such thereafter.</p> <p>Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2 and EN11.</p> <p>10. Prior to the construction of any external wall of the development hereby approved, samples of the proposed walling and roofing materials shall be approved in writing by the Local Planning Authority and only the approved materials shall be used.</p> <p>Reason: To ensure that, in accordance with Cotswold District Local Plan Policies EN2 and EN11, the development will be constructed of materials of a type, colour, texture and quality that will be appropriate to the site and its surroundings.</p> <p>11. No windows and doors including RAL colour, vents and flues, aerials and any external lighting shall be installed/inserted in the development hereby approved until its/their design have been submitted to and approved in writing by the Local Planning Authority.</p> <p>The design and details shall be accompanied by drawings to a minimum scale of 1:5 with full size moulding cross section profiles, elevations and sections. The development shall only be carried out in accordance with the approved details and retained as such at all times.</p> <p>Reason: To ensure the development is completed in a manner sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2 and EN11.</p>
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	<p>12. Prior to the occupation of the development hereby permitted the existing hedge as shown on submitted plans SK05 and SK06 shall be cut back to provide the required visibility splays and pedestrian passing places and shall be maintained thereafter.</p> <p>Reason: To ensure that safe and suitable access to the site can be achieved for all users in accordance with paragraph 108 of the National Planning Policy Framework.</p> <p>13. The buildings hereby permitted shall not be occupied until the vehicular parking and turning and loading/unloading facilities have been provided in accordance with the submitted plan drawing no. 2596P(1)111 rev B, and those facilities shall be maintained available for those purposes thereafter.</p> <p>Reason: - To ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with the paragraphs 108 and 110 of the National Planning Policy Framework.</p> <p>14. The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 40m left (West) and 39m right (East) (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.</p> <p>Reason: - To avoid an unacceptable impact on highway safety by ensuring that adequate visibility is provided and maintained to ensure that a safe, suitable and secure means of access for all people that minimises the scope for conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 108 and 110 of the National Planning Policy Framework.</p> <p>15. Prior to the occupation of the buildings hereby permitted, the proposed car parking spaces shall be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.</p> <p>Reason: - To ensure that the development incorporates facilitates for charging plug-in and other ultra-low emission vehicles in accordance with paragraph 110 of the National Planning Policy Framework.</p> <p>16. Throughout the construction [and demolition] period of the development hereby permitted provision shall be within the site that is sufficient to accommodate the likely demand generated for the following:</p>
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- 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;
- provide for wheel washing facilities

Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods in accordance with paragraph 110 of the National Planning Policy Framework.

17. That, prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365 with the lowest infiltration rate (expressed in m/s) used for design. The details shall include a management plan setting out the maintenance of the drainage asset. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter.

Reason: To ensure the proper provision for surface water drainage and/ or to ensure flooding is not exacerbated in the locality (The Cotswold Strategic Flood Risk Assessment, National Planning Policy Framework and Planning Practice Guidance).

18. If the surface water design is not agreed before works commence, it could result in abortive works being carried out on site or alterations to the approved site layout being required to ensure flooding does not occur.

The development shall be carried out in accordance with the submitted Flood Risk Assessment, prepared by Ambiental, reference 4373, version 1.0, dated 26 February 2019, and the following mitigation measures it details:

- The finished floor level of the dwellings will be set no lower than 180mm above the 1% + 35% climate change level of 82.93m AOD.
- There shall be no raising of existing ground levels on the site.
- Any walls or fencing constructed within or around the site shall be designed to be permeable to flood water.
- There shall be no storage of any materials including soil within the 1% annual probability (1 in 100) flood extent with an appropriate allowance for climate change.

Reason: This condition is sought in accordance with paragraph 163 of the National Planning Policy Framework to reduce the risk of flooding on-site and elsewhere. In particular to:

- To reduce the risk of flooding to the proposed

- development and future occupants.
- To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

19. The development shall not start before a comprehensive landscape scheme has been approved in writing by the Local Planning Authority. The scheme must show the location, size and condition of all existing trees and hedgerows on and adjoining the land and identify those to be retained, together with measures for their protection during construction work. It must show details of all planting areas, tree and plant species, numbers and planting sizes. The proposed means of enclosure and screening should also be included, together with details of any mounding, walls and fences and hard surface materials to be used throughout the proposed development.

Reason: To ensure the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Cotswold District Local Plan Policy EN2.

INFORMATIVES :-

NOTE TO APPLICANT:

The Surface Water Drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with;

- Flood and Water Management Act 2010 (Part 1 - Clause 27 (1))
- Code for sustainable homes - A step-change in sustainable home building practice
- The local flood risk management strategy published by Gloucestershire County Council, as per the Flood and Water Management Act 2010 (Part 1 - Clause 9 (1))
- CIRIA C753 SuDS Manual 2015

Parish Council submission :

Questions raised by Parish Council:

1. For avoidance of doubt, do you agree that the words "permissible in principle" in policy DS2 do not imply "permission in principle" in the statutory sense, and that this is subject to other planning policies and material considerations?
2. Have you requested and obtained feedback from EA on our comments dated 20 March relating to our WRA Hydrology Report (to which a link was provided)?
3. Taking this into account together with the CDC Drainage Engineer's comments, how have you reached the conclusion you

		<p>have re the feasibility of infiltration SUDS, or indeed SUDS in general, which the Drainage Engineer seems to have questioned?</p> <ol style="list-style-type: none"> 4. Since the Highway authority does not seem to be accepting responsibility for the shared area fronting onto the A417, how can the suggested planning condition re trimming back the hedge to the north of the entrance to East End Garden House be enforceable (on a 3rd party)? 5. Has a swept path analysis of the access along the lane and round the corner by Cotswold Cottage for likely large delivery or construction related vehicles been requested from the applicant or provided? 6. Are you satisfied that all the issues and recommendations in the Highway authority's letter of 14 August 2018 have been adequately addressed? 7. How has the impact on the Conservation Area of the partial demolition of the wall (which is arguably a key feature of this part of it) been taken into account in assessing the impact on designated heritage assets? 8. How is the assessment that the proposal will have 'no visual impact' and therefore not have a harmful impact on the setting of East End House and its setting justified, in view of the previous CDC Conservation assessment on planning application 17/05185/FUL, with regard to the durability of screening provided by trees (in line with the Historic England guidance)? (We note also a current tree works application (19/02024/TCONR) which states that honey fungus is present in the garden at Wick House, which may have a bearing on this) 9. Even if this harm is 'less than substantial', what is the 'clear and convincing justification of public benefit' from the development that can be demonstrated to outweigh that harm in the required balancing exercise? 10. What drawing numbers are you proposing to refer to in the 2nd proposed planning condition? 11. What are the [blank] and **** being referred to in the 3rd planning condition? 12. What specifically are you referring to by 'The vehicular access hereby permitted' and what do you mean by 'brought into use' in the 13th planning condition at the top of p83? Particularly, does this include access for demolition/construction purposes? 13. Is the 15th proposed condition feasible? How is the amenity and access of neighbouring residents to be protected during the
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		<p>construction period?</p> <p>14. Does the 16th condition adequately address our and the CDC Drainage Engineer's comments and, even if it does, shouldn't it be 'negatively' worded as recommended in the Model Conditions?</p> <p>15. How does the 3rd element of the last proposed condition address the issue when the wall already around the southern (lower) end of the site appears to be solid and impermeable?</p> <p>16. What proposals, if any, have been made by the applicant (in response to neighbours' questions/comments or otherwise) in respect of the access road on the current grass strip and the boundary treatment on the western side of this, to avoid increasing flood risk to and protect the privacy and amenity of neighbouring residents in the longer term?</p> <p>Parish Council submission :</p> <p>Please see attached Final Statement received 7th June 2019</p>
05	19/00996/FUL	Further third party objection received – please see attached email dated 3rd June 2019

From: David Shepherd-Cross [REDACTED]
Sent: 03 June 2019 08:13
To: Democratic Services (CDC)
Subject: Planning Application 19/00996/FUL

Dear Sir,

My objections raised earlier still stand. I am not sure whether the committee has visited the site but I want to point out that the lost sun light is not a problem at this time of year as the trees are in full leaf and most of the structure will be hidden. The problem will arise when the sun is lower and light is at a premium and the trees have lost their leaf.

If you look at the submitted plan the south facing elevation is in line with the telegraph pole. It became apparent at the Parish Council site visit that the applicant has positioned a man hole to the north of this line [see photograph]. Unless the man hole is moved this is likely to mean that the structure is likely to be some 2 meters to the north of the drawn line. If the structure was to be moved a further 2m north we would remove our objection as:

1. It would not be square to the back of our property.
2. The garage would be better hidden at all times of the year by the main fabric of the hazel and silver birch trees.
3. Our property would not be in shadow of the garage at any time of the year.

I hope the Committee can consider these points.

Yours sincerely

David Shepherd-Cross
Colman House
Temple Guiting
Cheltenham
GL54 5RT

