

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure)
(England) Order 2015

PERMISSION

PERMISSION FOR DEVELOPMENT

Application number: 23/00879/FUL

Date application valid: 13th October 2023

Location: Southam Riding School, Southam Road, Prestbury, Cheltenham, Gloucestershire, GL52 3NQ

Proposal: Demolition of existing buildings, removal of the existing menage, and erection of 1 detached dwelling with associated operational works.

In pursuance of their powers under the above mentioned Act, the Borough Council as Local Planning Authority **HEREBY PERMITS** the development described hereunder in accordance with the submitted application and the accompanying plan(s), but subject to the conditions hereunder stated.

Condition(s) and reason(s) attached to permission

1. The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason: Required to be imposed by 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 the following approved documents:

- Drawing Numbers DS0968K - P6 & P12 Gravity (P6 and P12 Treatment Plant Gravity), PL008 D (Proposed Ground Floor Plan), and PL010 D (Proposed Landscape Plan) received by the Local Planning Authority on 29.09.2023.
- Drawing Number PL001 C (Site Location Plan) received by the Local Planning Authority on 12.10.2023.
- Drawing Numbers PL014 (Proposed Site Sections) and PL009 C (Proposed Elevations) received by the Local Planning Authority on 16.10.2023.
- Drawing Numbers PL005 G (Existing and Proposed Block Plans) and PL007 E (Proposed Site Plan) received by the Local Planning Authority on 19.12.2023.
- Drawing Number 20234.201 Rev B (Landscape Proposals) received by the Local Planning Authority on 09.01.2024.

except where these may be modified by any other conditions attached to this permission.

Reason: To ensure that the development is carried out in accordance with the approved plans.

3. No development above damp course level shall take place until samples of the roofing and walling materials proposed to be used have been submitted to and approved by the Local Planning Authority and all materials used shall conform to the sample(s) approved.

Reason: To ensure that materials are in keeping with the surrounding area and to provide for high quality design.

4. Prior to commencement of the development hereby permitted, details of a construction management statement shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period. The statement shall include but not be restricted to:

- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties and highway users during construction);
- Any temporary access to the site;
- Locations for loading/unloading and storage of plant, waste and construction materials off highway;
- Method of preventing mud and dust being carried onto the highway;
- Arrangements for turning vehicles; and
- Arrangements to receive abnormal loads or unusually large vehicles;

Reason: In the interests of highway safety.

5. Prior to commencement of the development hereby permitted, an Ecological Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority. The report will detail suitable enhancement measures to be included within the site and the specifications and locations are to be detailed on a plan.

Reason: To ensure the development contributes to the conservation and enhancement of biodiversity within the site and the wider area.

6. Prior to commencement of the development hereby permitted, measures to protect trees/hedgerows on and adjacent to the site shall be installed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

These measures shall include:

- Temporary fencing for the protection of all retained trees/hedgerows on and adjacent to the site whose Root Protection Areas (RPA) fall within the site to be erected in accordance with BS 5837(2012) or subsequent revisions (Trees in Relation to Design, Demolition and Construction). Any alternative fencing type or position not strictly in accordance with BS 5837 (2012) shall be agreed in writing by the Local Planning Authority prior to the start of development. The RPA is defined in BS5837(2012).

-Construction Exclusion Zone (CEZ): The area around trees and hedgerows enclosed on site by protective fencing shall be deemed the CEZ. Excavations of any kind, alterations in soil levels, storage of any materials, soil, equipment, fuel, machinery or plant, site compounds, cabins or other temporary buildings, vehicle parking and delivery areas, fires and any other activities liable to be harmful to trees and hedgerows are prohibited within the CEZ, unless agreed in writing with the Local Planning Authority.

The approved tree protection measures shall remain in place until the completion of development or unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure adequate protection measures for existing trees/hedgerows to be retained, in the interests of visual amenity and the character and appearance of the area.

7. The development hereby approved shall be carried out in strict accordance with the Mitigation Measures provided in the Preliminary Ecological Appraisal and Preliminary Roost Assessment (arbtech, September 2022).

Reason: To ensure proper provision is made to safeguard protected species and their habitats.

8. No removal of trees/scrub/hedgerows shall be carried out on site between 1st March and 31st August inclusive in any year, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the nature conservation interest of the site is protected.

9. During the construction phase (including demolition and preparatory groundworks), no machinery shall be operated, no process shall be carried out and no deliveries shall be taken at or dispatched from the site outside the following times: Monday-Friday 8.00 am-6.00pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays.

Reason: To protect the noise climate and amenity of local residents.

10. The Development hereby approved shall not be occupied/be brought into use until the access, parking including cycle parking and turning facilities have been provided as shown on drawing number PL007 E (Proposed Site Plan) received by the Local Planning Authority on 19.12.2023.

Reason: To ensure conformity with submitted details parking and turning facilities to minimise impact on the safety of highway users according to INF1 of the Local Plan Core Strategy, PD 0.1 and 0.4 of the Local Transport Plan and paragraphs 110 and 112 of the National Planning Policy Framework.

11. No building hereby permitted shall be occupied until the sustainable drainage/surface water drainage scheme and foul water drainage scheme for the site has been completed in accordance with the details shown on the approved plans/documents. The drainage schemes shall be managed and maintained thereafter in accordance with the approved drainage statement submitted with the application.

Reason: To ensure development would not result in unacceptable risk of pollution or harm to the environment

12. No dwelling shall be occupied boundary fences/walls have been installed in accordance with details that have first been approved in writing by the Local Planning Authority. The details shall include a plan indicating the positions, design, materials and type of boundary treatment to be erected.

Reason: To ensure adequate provision for privacy and in the interests of visual amenity.

13. The development hereby permitted shall not occupied until hard landscape works have first been installed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These details shall include details of all hard-surfacing materials proposed and proposed finished levels or contours.

Reason: In the interests of visual amenity.

14. Prior to installation, details of the glazed link shall be provided to and approved in writing by the Local Planning Authority. The glazed link shall then be installed in accordance with the approved details.

Reason: In the interests of visual amenity and to provide for high quality design.

Informative:

In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.

Date of decision: 23.02.2024

A handwritten signature in black ink, appearing to be 'Nick G...'. The signature is written in a cursive style with a large initial 'N' and a long horizontal stroke at the end.

Associate Director Planning
duly authorised in that behalf

PLEASE SEE NOTES OVERLEAF

NOTES

APPEALS TO THE DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT (DCLG)

If the applicant is aggrieved by the decision of the Local Planning Authority to grant permission for the proposed development subject to conditions then you can appeal to the Secretary of State, under Section 78 of the Town and Country Planning Act, 1990.

If you want to appeal, then you must do so within **six months** of the date of this notice using a form which you can get from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or from the appeals area on

www.gov.uk/topic/planning-development/planning-permission-appeals Some personal information will be displayed on this website please contact the Planning Inspectorate on 0303 444 00 00 if you have any concerns

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of the Development Order and to any directions given under a Development Order.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Tewkesbury Borough Council is a charging authority for the Community Infrastructure Levy (CIL). It is important that you ensure that the requirements of the CIL Regulations are met (including notification requirements and those that need to be met prior to commencement of development and/or following completion of development) to ensure that you avoid any unnecessary surcharges and that any relevant relief, exemption or instalment policy is applied. Further information regarding CIL can be found on our website at <https://www.tewkesbury.gov.uk/planning> or you can contact us at cil@tewkesbury.gov.uk.

PURCHASE NOTICES

If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State and the owner of the claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Borough Council, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act, 1990.

PARTY WALL ACT & RIGHT TO ENTER

Your attention is drawn to the Party Wall Act 1996. Further information is available on [Party Wall Act](#)

This permission does not imply any rights of entry to any adjoining property nor does it imply that the development may extend into or project over or under any adjoining boundary.

ENFORCEMENT ACTION

Attention is drawn to the fact that any failure to adhere to the details of approved plans or to comply with conditions attached to consents constitutes a contravention of the provisions of the Town and Country Planning Act, 1990 in respect of which enforcement action may be taken.

CUSTOMER SATISFACTION QUESTIONNAIRE

The Development Management team want to continually improve the service we provide by reviewing what we do and your feedback about the service you have received is really important to us. We would appreciate if you could take part in our short online questionnaire, it should take around 5 minutes to complete. Please click on the following link to access the questionnaire:

<https://www.tewkesbury.gov.uk/forms/planning-application-service-questionnaire>

DISCHARGE OF PLANNING CONDITIONS

There are often conditions attached to planning permissions that need further details, for example, samples of materials. This additional information must be submitted to us for formal agreement - known as 'discharge of conditions'. Further details can be found on our website: <https://www.tewkesbury.gov.uk/discharge-of-planning-conditions>.

OTHER INFORMATION

This permission relates to planning control only. Any other statutory consent necessary must be obtained from the appropriate authority. Building Regulations consent for the development may be necessary and you should approach the Building Control section on BuildingControl@cheltenham.gov.uk.

If the work authorised by this permission involves the alteration to an access or the crossing of the highway verge or kerb, you are requested to consult the County Highways Divisional Manager before commencing such work. The address of the Gloucestershire Highways, Imperial Gate Business Park, Corinium Avenue, Barnwood, Gloucester, GL4 3BW

If the work authorised by this permission requires the supply of utility or other public services, you are requested to contact the appropriate statutory or other undertaker as soon as possible following the receipt of this decision. Failure to do so may result in a delay in the provision of these services.