



# CHELTENHAM

## BOROUGH COUNCIL

Mr Peter Harris  
c/o Hunter Page Planning Ltd  
FAO Mr Ian Gilbert  
Thornbury House  
18 High Street  
Cheltenham  
Gloucestershire  
GL50 1DZ

APPLICATION NO: 14/00656/FUL  
DATE REGISTERED: 6th May 2014  
DECISION DATE: 12th January 2015

### PERMISSION FOR DEVELOPMENT

#### TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2010

In pursuance of its powers under the above mentioned Act and Order Cheltenham Borough Council, as the Local Planning Authority, hereby **PERMITS** the following development:-

Erection of a flagship BMW, Mini and Motorrad Dealership including vehicle sales and servicing facilities including an access from Grovefield Way ( Revision to scheme approved 14 March 2014 under reference 13/01101/FUL - 1.Raising height of building by 1 metre to allow adjustments in floor levels to provide a mezzanine floor below ground level: 2. Rotation of vehicle ramp to allow access: 3. Increase in Motorrad element from 160 sq m to 190 sq m: 4. Revised highway layout to relocate BMW customer access point to west of approved position)

AT: Land At North Road West And Grovefield Way Cheltenham

in accordance with the conditions specified hereunder:-

- 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 numbers 2784/01E; 03C; 04A and 05; M999.01J; 02J; 03J; 03(M)J; 04J; 05J; 06J; 07J; 08J; 09J and 10J; 131120-GW-TPP-NC-13; WD02; WD74A; WD75A; WD76A; WD77A; WD78A and WD79A and NTS/2392/HD500T2 received 6 August 2014 and 29567/001/01A, 29567/001/02, 29567/001/03 and 29567/001/06C received on 6 January 2015.  
Reason: To ensure the development is carried out in strict accordance with the approved drawings.
- 3 The materials used in the development shall be in accordance with the details submitted in the application form and the samples submitted with the application.  
Reason: To ensure a satisfactory form of development in accordance with Local Plan Policy CP7 relating to design

- 4 The vehicular and pedestrian access shall be laid out in accordance with the submitted approved drawings; in addition the area shown as car parking on the approved plan shall be laid out for use for the parking of motor vehicles only and shall not be used for the storage of any materials. The service areas and circulation space shall also be laid out in accordance with the submitted approved plans and shall be retained for that purpose and not used for general parking.  
Reason: To ensure that the access is laid out in an appropriate manner and to ensure that adequate off street car parking, circulation space and servicing facilities are available in accordance with Local Plan Policies relating to development and highway safety.
- 5 Prior to the first occupation of the development, the car parking area referred to above shall be completed and marked out in accordance with the approved plan(s). The car parking area shall thereafter be retained in accordance with the approved plans and kept available for use as car parking.  
Reason: To ensure adequate car parking within the curtilage of the site in accordance with Local Plan Policy TP1 relating to development and highway safety.
- 6 The travel plan submitted with the application setting out:  
i. objectives and targets for promoting sustainable travel,  
ii. appointment and funding of a travel plan coordinator,  
iii. details of an annual monitoring and review process,  
iv. details of annual reporting to GCC;  
v. means of funding of the travel plan, and;  
vi. an implementation timetable including the responsible body for each action.  
Is hereby approved and shall be implemented in accordance with the details and timetable therein, and shall be continued thereafter, unless otherwise agreed in writing by the Local Planning Authority.  
Reason: To encourage non-car modes
- 7 In the event that any contamination is found at any time when carrying out the approved development, it must be reported immediately in writing to the Local Planning Authority. An investigation and risk assessment must then be undertaken in accordance with the Environment Agency's Model procedures for the Management of Land Contamination and a remediation scheme submitted for approval by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be produced and submitted for approval.  
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.
- 8 The landscaping proposals hereby approved shall be carried out no later than the first planting season following the date when the development is ready for occupation or in accordance with a programme agreed in writing with the Local Planning Authority. All planted materials shall be maintained for 5 years after planting and any trees or plants removed, dying, being severely damaged or becoming seriously diseased within this period shall be replaced with others of similar size and species to those originally required to be planted.  
Reason: To ensure that the planting becomes established and thereby achieves the objectives of Local Plan Policies CP1 and CP7 relating to sustainable development and design.

- 9 No new buildings or structures shall be erected or raised ground levels created within 6 metres of the top of any bank of any watercourse or culverted watercourse inside or along the boundary of the site unless otherwise agreed in writing by the local planning authority.  
Reason: To ensure that there is no impediment that could contribute to flooding or pollution of the watercourse.

#### 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, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.

- 2 The Planning Permission hereby granted is subject to an Agreement under S106 of the Town and Country Planning Act 1990 dated 16 December 2014 between the Applicant and the Highway Authority relating to financial contributions to be used towards improvements to the South West Cheltenham Corridor.

*This decision notice should be read in accordance with the Planning Officer's Report which details the material considerations relevant to the proposal and the reasons for the decision made. You can read a copy of this report online at [www.cheltenham.gov.uk/publicaccess](http://www.cheltenham.gov.uk/publicaccess) or in the Municipal Offices Promenade Cheltenham GL50 9SA (please contact Built Environment Reception to arrange this. Tel: 01242 264328)*

*A person who intends to carry out the development to which this planning permission relates is requested to give a minimum of 7 days notice to the planning authority as to the date on which it is proposed to initiate the development, and, in any event, before commencing the development. You are advised to contact the Compliance Officer at Built Environment 01242 264122.*

***Before starting work on site it is your responsibility to ascertain the position of any services such as sewers and drains, gas pipes, electricity lines, or water mains which may be affected by the works.***

#### **Important Information following your Planning Permission or Planning Permission Enquiry**

Please note: most building works will require inspection by Building Control. For further information on Building Regulations and whether you will be required to make an application, please refer to our web site [www.cheltenham.gov.uk/buildingcontrol](http://www.cheltenham.gov.uk/buildingcontrol) or telephone 01242 264321.

Mike Redman: Director – Built Environment

## **Appeals to the Secretary of State**

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it 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 against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).
- 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 any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.



# CHEL TENHAM

## BOROUGH COUNCIL

### COMMENCEMENT OF PLANNING PERMISSION NOTICE

#### IMPORTANT INFORMATION - KEEP THIS WITH YOUR DECISION NOTICE

**Reminder:** You will still need to separately inform building control when you intend to start works, details can be found on our website at [www.cheltenham.gov.uk/buildingcontrol](http://www.cheltenham.gov.uk/buildingcontrol).

Please read carefully the planning permission decision notice and ensure that you understand and comply with the requirements of any conditions. **Planning permission is granted subject to compliance with the conditions on your decision notice and the development is carried out in accordance with the approved drawing(s) and documents.**

It is your responsibility to comply. Failure to comply with the requirements of a condition or the commencing of works without discharging prior to commencement conditions could mean that the work you carry out is unauthorised and you will be at risk of enforcement action. We carry out a programme of site monitoring to check compliance and this notice is to proactively manage the development and to avoid any difficulty in the future. Further information, forms and fees can be found at [www.cheltenham.gov.uk/planning](http://www.cheltenham.gov.uk/planning) and following the links for planning compliance and enforcement.

If you do not understand any of these requirements or require clarification please contact the planning department quoting the reference number 14/00656/FUL at the address below, by email [builtenvironment@cheltenham.gov.uk](mailto:builtenvironment@cheltenham.gov.uk) or through our website [www.cheltenham.gov.uk/planning](http://www.cheltenham.gov.uk/planning).

Please ensure that you give yourself time to meet the requirements of any conditions, a discharge of conditions application could take up to 8 weeks. Please also be aware there is a charge to discharge conditions per request/submission.

Please complete the following and return it to the compliance officer at the address below or by email to [planningcompliance@cheltenham.gov.uk](mailto:planningcompliance@cheltenham.gov.uk). Application forms and further information can be found on our website at [www.cheltenham.gov.uk/planning](http://www.cheltenham.gov.uk/planning) following the links for planning compliance and enforcement.

#### Development Details

**Planning application ref:** 14/00656/FUL

**Proposal:** Erection of a flagship BMW, Mini and Motorrad Dealership including vehicle sales and servicing facilities including an access from Grovefield Way ( Revision to scheme approved 14 March 2014 under reference 13/01101/FUL - 1.Raising height of building by 1 metre to allow adjustments in floor levels to provide a mezzanine floor below ground level: 2. Rotation of vehicle ramp to allow access: 3. Increase in Motorrad element from 160 sq m to 190 sq m: 4. Revised highway layout to relocate BMW customer access point to west of approved position)

**Site Location:** Land At North Road West And Grovefield Way Cheltenham

**Date when work is intended to start:** \_\_\_\_\_

#### Your contact details (or attach letterhead/business card):

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_ **Mobile:** \_\_\_\_\_

**Email:** \_\_\_\_\_