

APPLICATION NO: 16/01088/FUL	OFFICER: Mrs Lucy White
DATE REGISTERED: 21st June 2016	DATE OF EXPIRY: 16th August 2016
WARD: Battledown	PARISH: Charlton Kings
APPLICANT:	DavMay30Ltd
AGENT:	Evans Jones Ltd
LOCATION:	Ryeworth Inn, 60 Ryeworth Road, Charlton Kings
PROPOSAL:	Redevelopment of former public house comprising conversion of existing building (part) to form single dwelling, and erection of two new dwellings.

RECOMMENDATION: Permit



1. DESCRIPTION ANN BACKGROUND OF PROPOSAL

- 1.1 Members will recall that in May 2016 the Planning Committee determined to refuse planning permission for the redevelopment of the Ryeworth Inn. The previous application (16/00166/FUL) was refused for the following reasons:-

The Ryeworth Inn is listed as an Asset of Community Value and as such its potential role in facilitating opportunities for social interaction and recreation within the community and enhancing a sustainable local community is recognised. The proposed conversion of the public house and redevelopment of the site for residential purposes would therefore result in the loss of a valued community facility reducing the community's ability to meet its day-to-day needs. Further, there is a lack of alternative facilities elsewhere within the locality which could adequately meet the day-to-day needs of the community; any alternative facilities are not located within an acceptable walking distance of the application site. The proposed development fails therefore, to comply with the aims and objectives of Policy RC1 of the Cheltenham Borough Local Plan (adopted 2006) and guidance set out in paragraphs 69 and 70 of the NPPF.

- 1.2 The applicant has subsequently submitted an identical planning application for alterations and conversion of the existing public house to form a single dwelling and the erection of two new dwellings on land currently used as the pub car park.
- 1.3 This report will focus on any change in circumstances since May and material considerations relevant to the current application. In summary, there are no changes to the proposals in terms of built form, design, layout scale or materials. However, on 7th June 2016 the Ryeworth Inn was removed from the Council's register of Assets of Community Value; the owner having completed the disposal/sale of the Ryeworth Inn. This has implications in terms of permitted development and demolition both which are outlined in more detail later in the report. The applicant has also provided additional information in support of the application and discusses a recent appeal decision which raises issues in similarity with this proposal.
- 1.4 For ease of reference, the Officer report relating to the previous refused application is attached as an appendix, including all third party representations. It provides the background and detail of officers' consideration of the proposed development and should be read in conjunction with this report.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Relevant Planning History:

15/00716/PREAPP 6th May 2015 CLO

Demolition of existing public house and associated structures. Erection of 5 no. semi-detached 3 bed townhouses with parking

99/50067/FUL 14th September 1999 PER

Block up doorway adjacent to door D01 and construct new bottle store and bin enclosure

14/01215/TPO 4th August 2014 PER

Oak tree adjacent to car park - reduce primary scaffold branch by no more than 3m back into crown, crown lift to include the removal of all secondary branches to a height of 4m, and branches overhanging Hambrook Street to 5m, remove all deadwood and 10% epicormic growth as way of a crown thin

16/00166/FUL 2nd June 2016 REF

Alterations and conversion of existing public house (part) to form a single dwelling and erection of two new dwellings

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development
CP 4 Safe and sustainable living
CP 7 Design
GE 5 Protection and replacement of trees
GE 6 Trees and development
HS 1 Housing development
RC 1 Existing community facilities
RC 6 Play space in residential development
UI 3 Sustainable Drainage Systems
TP 1 Development and highway safety
TP 6 Parking provision in development

Supplementary Planning Guidance/Documents

Development on garden land and infill sites in Cheltenham (2009)
Play space in residential development (2003)
Sustainable developments (2003)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Campaign for Real Ale

4th July 2016

On behalf of Cheltenham CAMRA and also living in the local area, I wish to object to this planning application to the potential loss of the Ryeworth pub which, for many years, has been a valued local community hub and which, until a few years ago, also drew custom from a wider area due to its reputation for the good value quality food menu, booking was essential for meals, especially for the Sunday lunch. The last few tenants have not promoted the food side so much and have therefore not maintained the previous custom, hence the perceived non-viability of the pub. Whether this was a definite ploy to run down the pub by Enterprise as it may be worth more as a development opportunity, due to the garden and car park as potential building land is arguable, but in the right hands, this could revert to the thriving local pub that it used to be.

The current application is very similar to the recent one which was refused due to the loss of an Asset of Community Value (ACV). This ACV has regrettably been rescinded because no local community group came forward to purchase the pub in the time framework, however, as the current potential developer had already put in an offer to purchase the pub at the time, it was technically not on the market.

Since the recent planning refusal, to our knowledge, no attempt has been made to re-market the pub as a pub business, the developer has simply 'sat on it' until the ACV had been rescinded. This is regrettable, as we understand an ACV, once confirmed, should be in place until a change of use is approved by a planning consent, not simply by a change of ownership. In this scenario, any developer could purchase any pub and just wait for the ACV to be rescinded.

We know that, when originally put on the market, a local brewery (within 30miles), offered to purchase the pub at full asking price but was out-bid by this developer. This is the same scenario which led to the loss of the Little Owl a couple of years ago, which had a large garden and a large car park so the site value for housing far exceeded that of a pub business. We feel that, before this proposal be given a go-ahead, the pub should be put back on the market as a 'pub business' rather than a 'development opportunity' for at least 6 months, at a realistic 'pub business' price, to give this brewery or any other interested parties the opportunity to purchase and restore this pub to its former glory.

As an example, the Pelican in Gloucester, under Enterprise, changed tenants several times unsuccessfully before being purchased by Wye Valley brewery and is now thriving and has been voted CAMRA Gloucester Pub of the Year for the last few years. (this is not to imply that Wye Valley were the brewery interested in purchasing the Ryeworth).

Although it can be argued that other pubs, London Inn or the Langton, are within walking distance from this pub, from the other direction there are none, so for residents around Battledown and Ham the walking distance to a pub is at least doubled so it is essential to maintain this valued local amenity, so we would appeal to the planning committee that they will stick to their previous decision and refuse this application.

GCC Highways Planning Liaison Officer

8th July 2016

Location:

Ryeworth Road is located towards the South east of Cheltenham within the Charlton King's area of the town, approximately 2.3km from the town centre. Ryeworth Road is a class 4 residential highway with a carriageway width of approximately 4.2m in the location of the proposed site. There is street lighting and footways present although the footways are less than the standard 2.0m in width. The local context is characterised by a mix of frontage accesses and on-street parking.

Personal Injury Collisions:

There have been no recorded personal injury collisions within the proximity of the development site within the last 5 years.

Access and Visibility:

The development has proposed 3 accesses to serve the development. The existing public house which is to be converted to a residential dwelling will make use of an existing off-street parking area parallel to Ryeworth Road to the west of the site. The central dwelling will make use of a new vehicle dropped kerb frontage access which according to drawing P004 D can achieve the required emerging visibility of 2.4m x 54m in either direction. It can achieve the visibility with a 500mm off set from the kerb-line; this is acceptable in accordance with MfS2 guidance.

The eastern dwelling will also make use of a vehicle dropped kerb frontage access. Emerging visibility is achievable to the left; however visibility is restricted to the right due to the proximity of the adjacent property and associated land. Although the access is restricted, and would be regarded as unacceptable had this site been a Greenfield development, I have considered the previous site usage as a public house. The previous use would have generated significantly more vehicle movements per day through a restricted access than what would occur from a residential dwelling. The previous public house according to a TRICS survey based on the land use could have generated up to 100 daily vehicle movements, in comparison a single residential dwelling would generate 5 daily vehicle movements with 2 occurring per peak hour. A significant reduction in vehicle movements, with the risk of conflict as a result of the restricted access reduced. Therefore

the proposed vehicle access is less intensive than the previous access to the pub car park and in this instance would be deemed acceptable.

I refer to the above planning application received on 23rd June 2016 with Plan(s) Nos: P001, P002, P003B, P004-D, P005, P006-C, P007-A, P008, Design and Access Statement, Planning Statement and Transport Statement.

I recommend that no highway objection be raised subject to the following condition(s) being attached to any permission granted:-

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and visitors;
- iii. provide for the loading and unloading of plant and materials;
- iv. provide for the storage of plant and materials used in constructing the development;
- v. provide for wheel washing facilities;
- vi. specify the intended hours of construction operations;
- vii. measures to control the emission of dust and dirt during construction

Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance paragraph 35 of the National Planning Policy Framework.

The building(s) 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 P004 D, and those facilities shall be maintained available for those purposes thereafter.

Reason: - To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.

The proposed development will involve works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing those works.

Statement of Due Regard

Consideration has been given as to whether any inequality and community impact will be created by the transport and highway impacts of the proposed development.

It is considered that no inequality is caused to those people who had previously utilised those sections of the existing transport network that are likely to be impacted on by the proposed development.

It is considered that the following protected groups will not be affected by the transport impacts of the proposed development: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, other groups (such as long term unemployed), social-economically deprived groups community cohesion, and human rights.

Tree Officer
28th June 2016

In principle the Tree Section has no objection to this application. It is disappointing to see that there is no tree information submitted with this application even though there is a mature Oak tree on the site that is protected by a Tree Preservation Order.

The Tree Section would like to have a Tree Protection Plan submitted and agreed prior to the determination of this application.

Gloucestershire Centre for Environmental Records
6th July 2016

Report available to view on line.

Cheltenham Civic Society
7th July 2016

No comments.

Building Control
1st July 2016

No comment.

Parish Council
5th July 2016

No objection, comments as before

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	18
Total comments received	9
Number of objections	6
Number of supporting	3
General comment	1

5.1 A total of 18 local residents in neighbouring streets have been notified of the proposals. As a result of the public notification exercises and at the time of writing, a total of 12 comments have been received (9 in objection and 3 in support/general comment).

5.2 The comments received relate primarily to the following matters (albeit comments received in respect of the previous application should also be considered, given that the two proposals are identical in terms of built form) :-

In Objection

- Existing and anticipated problems with on street parking/congestion and access/visibility issues at road junctions
- Loss of public house and community facility

- Failure of pub due to poor management by brewery/landlord
- Number, height and appearance of new dwellings in street scene
- Neighbour amenity – overlooking and loss of privacy
- Site should be viable as a public house and should remain as a local asset/community facility

In Support

- Proposed residential development would result in a reduction in noise and disturbance to local residents associated with a pub in a residential area.
- A successful pub would have a negative impact on traffic
- Other good pubs within walking distance of site
- Redevelopment would improve the area and visual character of the road

Letters are attached to this report

5.3 OFFICER COMMENTS

5.4 Asset of Community Value

5.5 The Ryeworth Inn was first listed as an Asset of Community Value (ACV) on 23rd April 2015. On 18th November 2015 the owner of the Ryeworth Inn notified Cheltenham Borough Council of its intention to dispose of the property. In accordance with procedures CBC then gave notice of the owner's intention to dispose of the Asset and invited CAMRA or any eligible community interest group to express an interest as a potential bidder for the Asset. That initial 6 week period of formal notification/consultation ended on 8th January 2016 during which there was no interest in the Asset lodged by any party and no party registered for classification as a 'Registered Bidder'. As such, the six month moratorium on the sale of the property was not required.

5.6 Since May, the owner has completed the disposal/sale of the Ryeworth Inn. In accordance with ACV regulations, the Council was notified of the relevant disposal and the property was removed from the ACV register. The Ryeworth Inn is therefore no longer a registered asset of community value. To clarify, once notified of a disposal, the Council has no option but to remove the property from the register.

5.7 Additional supporting information

5.8 The applicant has provided additional information in support of the application and raises a number of issues and change in circumstances since the previous refusal.

5.9 The applicant argues that, because the property is no longer an ACV any reference to such is no longer relevant in the determination of the current application and cannot be relied upon as a refusal reason in relation to the current application. Officers must agree with the applicant on this point since the property is no longer a registered ACV.

5.10 The applicant also refers to officers' opinion that Policy RC1 of the Local Plan does not strictly apply to public houses and that appeal inspectors have supported this argument in determining appeals in Cheltenham that resulted in the loss of a public house. The

relevant policy background and planning appeal history are outlined in more detail within the previous officer report, attached.

- 5.11** The applicant also cites another recent appeal decision (ref 3004081 1 Amity Place, Plymouth, Devon) which relates to the loss of a public house and its conversion to three flats. This public house was also registered as an ACV and located within a residential area. It had been marketed for two years with no viable offer made to purchase the property; the Inspector concluding that there was nothing to demonstrate that the use of the building as a public house would be viable.
- 5.12** In this case the Inspector considered the main issue to be the effect upon the social well-being of the local community; the availability of alternative premises and the lack of any expression of interest from community groups being key considerations. The Inspector commented that by definition an ACV is considered to be of value to the local community. However, when considering whether the loss of the ACV would have a harmful impact upon the social well-being of the local community, he considered the provision of additional housing also performed a social role in achieving sustainable development. He reached the conclusion that with the availability of alternative facilities nearby to serve the needs of the community and the provision of new housing, the proposed development would not harm the social well-being of the local community and the appeal was subsequently allowed. The appeal decision is attached as an appendix.
- 5.13** There are clear similarities between the appeal decision and the current application for Ryeworth Inn. There has been no expression of interest from community groups, there are considered to be adequate alternative facilities within walking distance of the application site which would meet the every-day needs of the community and new housing is provided. Having also considered the individual merits of the current application for the Ryeworth Inn, it follows that there should be no harm to the social well-being of the local community; the current proposal is considered to constitute sustainable development.
- 5.14** Background to Pub Closure
- 5.15** Notwithstanding the above, officers maintain the view that the loss of the pub is regrettable and are aware that the Ryeworth Inn has in recent years been a popular and valued local facility. In this respect, officers understand fully the concerns and sadness felt by both Members and local residents about its potential loss to the community. However, officers consider that there are still insufficient grounds to resist the proposed change of use under current planning policy; the removal of the property from the list of Assets of Community Value adding more weight to that argument.
- 5.16** Members will be acutely aware that, pub closures are unfortunately, taking place all too frequently. In Cheltenham a number of public houses have closed and these include the Cat and Fiddle, Whaddon Road, The Duke of York, London Road, The Best Mate Inn, The Bass House, Alma Road, The Sherborne Arms, Sherborne Road and the Fox and Hounds Prestbury Road. This is evidence perhaps of a recent shift in drinking patterns and entertainment generally with out of town pubs under the greatest pressure to remain viable since they tend to rely more on local trade.
- 5.17** The Ryeworth Inn ceased trading in the summer of 2013 and reopened in September that year following refurbishment works. However, this tenant plus two further vacated the premises due to the pub's poor trade and viability issues. The Ryeworth Inn provided a bar and restaurant and did not have the capacity to accommodate other entertainment facilities or function rooms which may have boosted income. Officers are not in a position to dispute the difficulties in trade experienced by the owners/tenants of the pub and acknowledge that given its location within an out of town residential street it would tend to rely more on local trade. Neither are officers attaching weight to comments made by some local residents about the poor management of the pub leading to its failure. From

the information provided, it would seem that reasonable attempts have been made by the owner to retain the building as a public house since 2013 but with no long term success.

5.18 Putting aside the question as to whether Policy RC1 is relevant in this case, the applicant is not required to demonstrate that the Ryeworth Inn is unviable as a business and neither does a full marketing report need to accompany the application. That said, the property was actively marketed after it closed in 2013.

5.19 With the above in mind, officers question whether it reasonable to expect property owners to retain empty and unviable public houses in the hope that business will improve at some point in the future or that an alternative buyer is found and willing to take on the proposition. In addition, local community organisations were given the opportunity to express an interest in the property through the ACV procedures previously outlined, but no interested party came forward during the statutory notification period. To some extent this does raise the question as to the demand locally and/or popularity of this public house. Further, whilst there have been a number of objections received from local residents in respect of the current and previous applications, not all raise concerns about the loss of the pub and the number and nature of objections received do not indicate that the loss of the Ryeworth Inn would be a significant community wide concern. Nonetheless, the concerns of local residents and Members in respect of the loss of the pub are real and a material consideration.

5.20 Local Plan Policy/Relevance of Policy RC1

5.21 The desire to retain the public house is understood and shared but officers are mindful that it is not the purpose of the planning system to restrict commercial operations or land use in this way. Planning decisions should not be made on the basis of a preferred use or a desirable retention of the current use of land or buildings unless there are sound and robust planning reasons for doing so, having regard to local and national planning policy guidance.

5.22 Members are aware of the wording of the explanatory text under the heading of "Community Venues" for Policy RC1 which refers only to evening classes and club meetings for which suitable venues are essential and any existing facilities should be protected from redevelopment. This type of venue is normally expected to include church halls and community centres, for example. Whilst many public houses do offer functions rooms in which evening classes and meetings could be held, it is not their primary purpose and in any event, the Ryeworth Inn does not have the capacity to offer this type of facility to the wider community; it is a pub and restaurant only. In this respect, officers can only reaffirm their view that Policy RC1 is not relevant to the considerations of this application. Even if it was considered to be relevant, it has been demonstrated that there are other options available locally with a number of alternative eating and drinking establishments available within walking distance of the site (The Langton (600m) and London Inn (500mm)). Both of these pubs offer similar facilities to the Ryeworth Inn and whilst not necessarily identical to the Ryeworth Inn in terms of size and provision, they do provide adequate and alternative venues and could otherwise be considered to comply with the objectives of Policy RC1(c).

5.23 Officers are aware that Members have consistently expressed a different view on the relevance of Policy RC1 to public houses and this is understood. As the Cheltenham Plan progresses, there may be scope to introduce a local plan policy which seeks to protect public houses and other community facilities. This could be similar to current local plan policy EM2 (loss of employment land) which requires developers to demonstrate that a use is no longer viable through marketing exercises etc. In officers' opinion there is currently no local plan policy which specifically protects public houses in this way. It is

therefore unlikely that reference to Policy RC1 in any reason for refusal would be supported at appeal, as has been evident following recent appeal decisions.

5.24 Other Considerations

- 5.25** Members should also be aware that under permitted development rights there is a permitted change from public house/drinking establishment (A4) to either retail (A1), restaurant (A3) or financial or professional services (A2) without the need for planning permission. There is also scope within the regulations for a temporary flexible use falling within use classes A1, A2, A3 or B1. These permitted changes of use do not apply in the case of a building which is listed as a community asset but now that the Ryeworth Inn is no longer a registered ACV, officers are mindful that any of these uses could now be implemented without requiring planning permission and without any requirement to include community facilities. The Fox and Hounds on Prestbury Road and the Double Barrel on Salisbury Avenue are recent examples of a where a public house has been converted into a small supermarket without requiring planning permission.
- 5.26** Permitted development is now a material consideration in the determination of this planning application and Members should be aware of the extent and range of alternative uses for this property as 'permitted development'.
- 5.27** The Ryeworth Inn could also be demolished but this would be subject to the applicant receiving written approval of the Council's determination that prior approval is not required as to the method of demolition and any proposed restoration of the site. Note that, the prior notification procedure is intended to protect local amenity during demolition; there could be no consideration of the merits of the loss of a public house to the local community.
- 5.28** In the case of a building which is not a community asset but used for a purpose falling within Class A4, there are some additional prior notification procedures. Firstly, the developer must send a written request to the local planning authority as to whether the building has been nominated as a community asset. Since the Ryeworth is now removed from the list of community assets demolition could take place but not before the expiry of 56 days following the date of the request to the Council as to whether the building has been nominated. Demolition must also be completed within 1 year of the date of that request.

6. CONCLUSION AND RECOMMENDATION

- 6.1** Whilst the loss of the Ryeworth Inn is regrettable, there are limited grounds on which to resist the proposed redevelopment of the site for residential purposes. There is no Local Plan policy which relates specifically to the loss of a public house and whilst the NPPF includes public houses within the context of community facilities, officers still consider that there are adequate alternative facilities available within reasonable walking distance of the application site to meet the everyday needs of the community in accordance with paragraph 70 of the NPPF.
- 6.2** Following confirmation of the disposal of the property, the Ryeworth Inn has been removed from the Council's register of Assets of Community Value. Furthermore, as part of the previous application, the required period of notice was given to enable any eligible and interested community group to come forward as a potential bidder for the site. Subsequently, there was no interest in the Asset lodged and therefore no party registered for classification as a 'Registered Bidder'.

- 6.3** Now that the Ryeworth Inn is no longer a registered ACV permitted development is a material consideration in the determination of this planning application and Members should be aware of the extent and range of alternative uses for this property as 'permitted development'. The property could also be demolished without express planning permission but subject to the developer/applicant carrying out all prior approval notifications.
- 6.4** There are no concerns in relation to highway safety and parking congestion; the proposed development should not worsen the current difficulties in parking experienced by local residents. Off road parking for seven vehicles is proposed which is considered adequate for the size and location of development. Despite the pub car park facility, the proposed development would generate considerably less daily vehicular movements to and from the site; three dwellings being a less intensive use of the site generally.
- 6.5** There should be no significant harm to the amenities of occupiers of neighbouring properties in terms of overlooking and loss of privacy. It is acknowledged that some distances to boundaries with neighbouring properties fall a little short of the separation which should ideally be provided. However, Officers have looked at the garden lengths and character of surrounding development, particularly those in Hambrook Street and Ryeworth Close and consider that the proposed dwellings would not have a dissimilar relationship to neighbouring properties and that an adequate degree of separation is achieved. All first floor, rear facing, clear glazed windows have been kept to a minimum and achieve the required distances to first floor clear glazed openings of neighbouring properties in Hambrook Street.
- 6.6** The design, scale and appearance of the proposed development are in keeping with the character of surrounding development and the retention of the original pub building (in its proposed altered form) is welcomed.
- 6.7** Furthermore, there are advantages to a residential use in this location, not least that it would contribute to the 5 year supply of housing land.
- 6.8** In light of all the above considerations and change in circumstances since the previous application, officers must reach the same conclusion that, the advantages of the proposal outweigh any of the concerns raised. The recommendation is therefore to permit subject to the following conditions.

7. CONDITIONS / INFORMATIVES

- 1 The development hereby permitted shall be begun before the expiration of three 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 the approved plans listed in Schedule 1 of this decision notice.
Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 No gates shall be erected at any time for use across the proposed access unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that use of the drive does not result in an obstruction to the carriageway in accordance with Local Plan Policy TP1 relating to development and highway safety.

- 4 Prior to the first occupation of the approved development, the access driveway shall be surfaced for at least the first 4.5m from the carriageway with permeable hard surfacing (unless provision is made to direct run-off from the hard surface to a permeable area) and shall be retained as such thereafter.
Reason: To prevent loose material being carried onto the highway in accordance with Local Plan Policy TP1 relating to development and highway safety.
- 5 Prior to the first occupation of the development, the car parking areas shall be completed and marked out in accordance with the approved plan(s). The car parking areas 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 each residential unit in accordance with Local Plan Policy TP1 relating to development and highway safety.
- 6 The cycle parking provision shown on the approved plans shall be completed prior to the first occupation of the development and thereafter kept free of obstruction and available for the parking of cycles only.
Reason: To ensure adequate provision and availability of cycle parking in accordance with Local Plan Policy TP6 relating to parking provision in development.
- 7 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.
- 8 Unless otherwise agreed in writing by the Local Planning Authority, the exterior of the approved development shall be rendered and painted in either a white or cream colour and maintained as such thereafter.
Reason: To ensure a satisfactory form of development in accordance with Local Plan Policy CP7 relating to design.
- 9 No bargeboards or eaves fascias shall be used unless otherwise first agreed in writing by the Local Planning Authority.
Reason: To ensure a satisfactory form of development in accordance with Local Plan Policy CP7 relating to design.
- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and/or re-enacting that order with or without modification), no extensions, garages, sheds, outbuildings, walls, fences or other built structures of any kind (other than those forming part of the development hereby permitted) shall be erected without express planning permission.
Reason: Any further extension or alteration requires further consideration to safeguard the amenities of the area, having regard to Policies CP4 and CP7 of the Cheltenham Borough Local Plan (adopted 2006).
- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and/or re-enacting that order with or without modification), no additional windows, doors and openings shall be formed in the dwellings hereby approved without express planning permission.
Reason: Any further openings require detailed consideration to safeguard the privacy of adjacent properties, having regard to Policy CP4 of the Cheltenham Borough Local Plan (adopted 2006).

- 12 The dwelling(s) shall not be occupied until a scheme for the provision or improvement of local play space to serve the proposed dwelling has been 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 ensure appropriate levels of local play provision for the development, having regard to Policy RC6 of the Cheltenham Borough Local Plan (adopted 2006).

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.