

1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This application relates to a site to the north of Cheltenham within Swindon parish. The site is located just outside of the Principal Urban Area (PUA) on Green Belt land. The site is accessed via a track from Hyde Lane.
- 1.2 Planning permission was recently granted in September 2016 for the conversion of a former stable building on the site to provide 2no. dwellings together with an associated change of use of the land to residential. The application was accompanied by a structural survey report which concluded that the conversion of the building was “*structurally feasible without need of any major demolition and subsequent rebuilding to the main load bearing fabric of the existing building*”.
- 1.3 However, during the conversion works, part of the building collapsed. It is understood that initially only the asbestos roof covering and timber roof carcass was removed; however, during further works to establish the integrity of the foundations, the gable end collapsed. For health and safety reasons, given the building’s proximity to the public footpath, the decision was subsequently taken to demolish the remaining structure.
- 1.4 This application is now seeking planning permission for the erection of a four bedroom dwelling on the site; the dwelling would adopt the same footprint, and be of a similar height and massing, as the former stable building. The application also proposes a comprehensive landscaping scheme, and associated works to include the provision of 3no. car parking spaces.
- 1.5 Revised plans have been submitted during the course of the application to address some minor errors in the original submission; additionally a full topographical survey has been provided. The landscaping proposals have also been revised in line with the tree officer’s comments.
- 1.6 The application is before the planning committee at the request of Cllr Fisher and Cllr Clucas, and following an objection raised by the parish council. Members will visit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport safeguarding over 90m
Greenbelt

Relevant Planning History:

16/00276/FUL

PERMIT

23rd September 2016

Conversion of existing stable block to provide 2no. dwellings with associated change of use of land to residential

3. POLICIES AND GUIDANCE

Saved Local Plan Policies

CP 3 Sustainable environment

CP 4 Safe and sustainable living

CP 7 Design

GE 6 Trees and development

CO 7 Rebuilding or replacement of dwellings in the green belt

Adopted Joint Core Strategy (JCS) Policies

SD4 Design Requirements

SD5 Green Belt

SD10 Residential Development

SD14 Health and Environmental Quality

INF1 Transport Network

National Guidance

National Planning Policy Framework (NPPF)

4. CONSULTATION RESPONSES

Architects Panel

11th May 2018

Design Concept - The panel had no objection to the principle of building a modest single storey dwelling on this site, a building of similar scale to the former stables which had previously been granted planning permission to be converted to a dwelling.

Design Detail - The panel found the elevations confusing and inconsistent with the plans in that details relating to gutters, downpipes and projecting bays were not precisely drawn. The graphics adopted did not help sell the scheme and the Block Plan was apparently indicative only. Nevertheless, despite these shortcomings, the panel generally supported the design intent and believed the building could be very successful if detailed well.

Recommendation - Support

GCC Lead Local Flood Authority (LLFA)

4th April 2018

This is not a major application, therefore the LLFA will not be commenting on this application.

Gloucestershire Centre for Environmental Records

3rd April 2018

Report received.

Tree Officer

13th April 2018

The Tree Section does not object to this application depending on further information being submitted.

The tree section appreciates the number of trees proposed to be planted on this site, however, consideration needs to be taken as to the ultimate size of these trees at maturity and the shade they will cast. The locations of these proposed trees needs to be considered so that each tree has the capability to grow to maturity unhindered or constrained by its surroundings. The *Juglans regia* will reach a mature height of 10-15M, and are proposed to be planted nearby a *Quercus robur* which can reach a height at maturity of 17-22M. These trees are proposed for the middle of the 'orchard area' where they will cast shade on the other fruit trees to the north. The *Quercus* and *Juglans* should be relocated closer to the northern boundary to allow the fruit trees to be positioned to the south allowing them to take

full benefit from the sun. Instead of having 7 apple trees of 2 varieties, introduction of other fruiting trees may enhance the orchard, for example planting pears (eg. *Pyrus communis* Conference or *Pyrus Doyenne du Comice*), or Almonds (*Prunus Dulcis*).

Several of the trees planted on the Southern boundary of the site will grow to be large and as such may cast shade on the property, please could a shade analysis be undertaken and the proposals altered accordingly.

Revised comments

29th May 2018

The tree section appreciates the changes made to the landscape proposals following previous Tree Officer comments. The alterations to the tree species and layout have followed previous advice, and the trees section has no further objections.

GCC Highways Development Management

29th March 2018

I refer to the above planning application received on 23rd March 2018.

With regards to the above site; under our Highway's Standing advice criteria we do not need to be consulted on this application and this can be dealt with by yourselves with the aid of our guidance.

Parish Council

13th April 2018

The Parish Council acknowledge the previous consented scheme application ref: 16/00590/FUL for the proposed conversion of the original stable to create two dwellings.

We have taken this into account when reviewing the proposal contained in application number 18/00590/FUL.

Swindon Parish Council wish to register our objection to the proposals contained within application 18/00590/FUL.

1. The Parish Council believes that Insufficient Information and Details have been provided to be able to compare the proposal with the original stable block it is necessary for:

- a survey with levels and elevations of the original stable block to be provided.
- the existing elevations, plans and elevations to be shown in outline on the proposed drawings.
- The proposed finished floor and ridge levels should be indicated on the proposed drawings.

The Parish Council believe that without a drawing providing such comparisons it is not possible to be certain that the proposal has been designed to fulfil the criteria which is required for the conversion of a building to provide a dwelling in the Green Belt.

2. The Parish Council Objects to the Proposed Construction of a New Dwelling within the Green Belt

The Parish Council believe that this proposal is for a new dwelling which will replace the original stable block and therefore it fails to meet the requirements of the NPPF and other legislation listed in the Planning Officer's recommendation for application number 16/00590/FUL.

The original proposal was for the conversion of the existing stable block to provide two semi detached dwellings.

Paragraph 6.2.6 given in the Planning Officer's report for supporting the original proposal contained in 16/00590/FUL was:

"6.2.6 Additionally, local plan policy CO13 (conversion of rural buildings) states, in part, that:- The conversion of rural buildings to uses other than agriculture will only be permitted where:

(a) the building is not a temporary structure; and
(b) the building is appropriately located and suitably constructed and otherwise is suitable for conversion without substantial demolition, rebuilding or extension; (c) the conversion and alternative use are appropriate to the character and location of the building.... "

It is clear that the current proposal is a completely new dwelling and had it been the original submission it would have failed to meet a number of requirements including the criteria set out in the Planning Officer's statement as underlined in bold in the preceding extract.

3. It Does Not Comply With Any Of the Requirements that Relate to Conversion of Existing Buildings within the Green Belt

The Parish Council does not support the proposed application as in order to be compliant the proposal should be constructed so that it incorporates the existing fabric and should not require significant re-building or external alterations. This proposal is a significant rebuild and the external appearance is not the result of minor external alterations.

Conversions that involve extensions will not be considered appropriate and any future proposals to extend a converted building will be considered contrary to Policy.

4. The Existing Stable Block was Not a Suitable Building for Re-Use

Paragraph 90 of the NPPF sets out forms of development that are not inappropriate in the Green Belt and this includes the re-use of buildings that are of permanent and substantial construction.

The simple construction of the existing stable block did not in our opinion constitute a 'substantial construction' within the context of Green Belt policies. We do however acknowledge that additional structural information was provided following the consent of application number 16/00590/FUL and the opinion of the Building Control department was also obtained in order to assess the suitability of the structure for the works proposed in the original application.

Unfortunately the structure proved not to be as substantial as the applicant had hoped and could not be considered as forming a structurally sound base for any future works.

It is the opinion of the Parish Council that this prevents the Stable Block from being in any way compliant with the intent of the Green Belt policies and therefore it is no longer suitable for consideration as a 'Suitable Building for Re-Use'.

Therefore the Stable Block site no longer provides a means of constructing a dwelling within the Green Belt.

5. Sustainable Location

The Parish Council disagrees that the site is in a sustainable location and therefore the development does not constitute a sustainable development as set out in the NPPF.

The site lies in a position that is sufficiently distant from any local means of public transport that would provide a reasonable means of accessibility for the occupiers other than by car.

6. The Proposal Does Not Fulfill the Provisions of and does not fall within any of the special circumstances set out in paragraph 55 of the NPPF

NPPF 55 states that Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.

One of the special circumstances and the basis for the previous consent had been that 'the re-use redundant or disused buildings and lead to an enhancement to the immediate setting.' As this is not only a replacement building but a new dwelling this application no longer meets this criteria.

It is the opinion of Swindon Parish Council that the proposal could not be considered as fulfilling the special circumstance 'exceptional quality or innovative nature of the design of the dwelling...'

7. The Proposal Does Not Fulfil the Provisions of Paragraph 89 of the NPPF

Paragraph 89 of the NPPF states that 'A local planning authority should regard the construction of new buildings as inappropriate in Green Belt.' It then describes a number of exceptions to this.

It is the opinion of the Parish Council that:

- The dwelling will not be used to support forestry and agriculture.
- The dwelling will not be used for outdoor leisure, outdoor sport or as a cemetery.
- This is no longer an extension or alteration that can be compliant with bullet point 3 of paragraph 89.
- The proposed building is a dwelling and not a stable and does not fulfil in any way the intent of bullet point 4 of paragraph 89.
- From the available information the proposed building does not appear to reflect the size of the one that it replaces. We have requested that the applicant should provide comparison drawings.
- The proposed property is not in a location where it could be considered as 'infilling' and the Parish Council have not been made aware that it is the applicant's intent that this should be considered as affordable housing.
- Comments relating to the exception described in Bullet Point 6 have been listed separately.

8. Comments Specific to the Exception described in Bullet Point 6 of Paragraph 89 of the National Planning Policy Framework

The original simple stable building was acceptable as a modest building for outdoor recreation and was set in an open field and did not have a harmful effect on the openness of the Green Belt.

The proposed conversion of the stable to two small dwellings was in accord with the provisions of bullet point 3 of paragraph 89 of the Framework in terms of buildings that are not inappropriate in the Green Belt.

However, the current proposal for the construction of a large single dwelling which will be segregated from the field by planted boundaries and fencing which has very little reference to the original stable building and its equestrian/agricultural character would, in the opinion of the Parish Council, create a more domestic character and overtly residential use.

The domestic features such as the proposed length of full height glazing to the south elevation will emphasise the residential appearance and the angular projecting windows on the north elevation do not reflect the original character of the stable.

The Parish Council believe that this domestication of the stable block site and the impact that it will have on the land around it would have a harmful effect on the openness of the Green Belt which may be difficult to overcome and will be very apparent to people using the public right of way.

9. Flooding and its Potential to Result in the Increase of the Floor Level of the Proposed Building

The Parish Council wish to object to any increase in the ridge level of the proposed building above the ridge level of the original building.

The site is known to flood and the Parish Council has been informed by local residents that the floor of the stable block has been under water on a number of occasions.

We are very much aware of the difference in terminology between the use of the words 'height of the building' and the words 'levels of the building'. We are concerned that by proposing that the building is the same height the applicant could raise the floor level whilst maintaining the building height. In real terms this would still result in an increase in the 'real' ridge level of the proposed building above the ridge of the original building and because of the problems of flooding the building could be significantly raised in level.

We note that there was a proposal for a SuDS Sustainable drainage system. Whilst we are not experts in this field we are aware that SuDS are drainage solutions that provide an alternative to the direct channeling of surface water through networks of pipes and sewers to nearby watercourses.

This is achieved by some form of on-site storage of water that will slowly drain away as flood water subsides and the levels of water courses and aquifers start to drop.

As this is one building in a very large and frequently 'boggy' and partially flooded field we do not understand how the provision of a SuDS system will provide a solution without significantly raising the floor level of the proposed building above the original floor level of the Stable Block.

We therefore request that confirmation of the proposed levels is obtained prior to any consent being given.

10. The Parish Council do not believe that the appearance of the building proposed in the current application reflects the character and appearance of the original Stable Block

The use of similar materials on the outside of a building may have provided a building that was materially sympathetic to the original Stable Block, which may have been important if they were adjacent to each other, but the use of the same or similar materials does not automatically produce a building that reflects the appearance or the character of the original Stable Block.

5. PUBLICITY AND REPRESENTATIONS

- 5.1 Letters of notification were sent out to 25 neighbouring properties. In addition, a site notice was posted adjacent to the site next to the public footpath. Three representations

have been received in response to the publicity, two in support and one general comment about flooding; these have been circulated in full to Members.

6. OFFICER COMMENTS

6.1 Determining issues

6.1.1 The key considerations in the determination of this application are:

- the principle of residential development in this rural location;
- the impact of the development upon the openness and visual amenity of the Green Belt;
- the design, layout, and architectural treatment of the proposed dwelling; and
- any potential impact upon the amenity of occupiers of nearby dwellings and users of the existing public right of way, and on the local highway network.

6.2 Principle / Impact on Green Belt

6.2.1 Adopted JCS policy SD5 states:

“To ensure the Green Belt continues to serve its key functions, it will be protected from harmful development. Within its boundaries, development will be restricted to those limited types of development which are deemed appropriate by the NPPF, unless very special circumstances can be demonstrated. That is: ‘whether very special circumstances exist to outweigh the harm automatically caused to the Green Belt by virtue of the development being inappropriate and any other harm actually caused.’”

6.2.2 Paragraph 88 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Paragraph 89 goes on to state that whilst generally the construction of new buildings should be regarded as inappropriate in Green Belt, two exceptions are the *“replacement of a building, providing the new building is in the same use and not materially larger than the one it replaces”* and the *“limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt...”*.

6.2.3 Given the former equestrian use of the land, the site is considered to fall within the definition of previously developed land (brownfield land). This view is shared by an appeal inspector in a recent decision (Appeal Ref. APP/Y0435/W/17/3178790) which states:

“A stable building, hardstanding and manege are located in the northern part of the site, with the remainder used as grazing areas for horses...From my visit it is clear that although only the northern part of the site contains development, the paddocks that extends to the south is part of the use of the site for equestrian purposes. I find this to be an integral part of the site that is within the curtilage of the manege and stable building. Thus, the site is considered previously developed land.”

6.2.4 As such, the principle of a replacement building on this site must be considered acceptable. The similar footprint, height and massing of the proposed building to that of the demolished building would ensure that the development would not result in any greater impact on the openness of the Green Belt.

6.2.5 In a recent appeal decision on The Hayloft at The Reddings (Appeal Ref. APP/B1605/D/17/3184074) the inspector, at paragraph 22 states:

“As all of the original building has now been demolished...the appellant could no longer alter the building and revert back to the development granted by the 2015 permission...if this is correct, it is still material that the Council recently granted consent for a development that is very similar to the appeal scheme and which would have had no materially greater impact on the openness of the Green Belt or the character and appearance of the area. I give this factor very significant weight.”

6.2.6 The inspector goes on, at paragraph 24, to state that whilst affording substantial weight to the harm to Green Belt that would arise from that particular development, the grant of previous permissions was compelling, and gave these considerations great weight, stating *“This would amount to very special circumstances which would justify the development and outweigh the harm to the Green Belt”*.

6.2.7 Whilst this appeal decision dealt with the erection of a replacement dwelling within the Green Belt, that was materially larger than the one it replaced, there are clear similarities with this application.

6.2.8 Notwithstanding the above, with specific regard to residential development, adopted JCS policy SD10 is the relevant policy for the supply of housing. The policy states that outside of allocated sites, in Cheltenham, housing development will be permitted on previously-developed land within the PUA or where it is infilling within the PUA. Paragraph 49 of the NPPF advises that *“Housing applications should be considered in the context of the presumption in favour of sustainable development”*.

6.2.9 As previously noted, in this instance it is acknowledged that much of the site lies just outside the PUA boundary, and outside of the built up area of Swindon Village, and as such, the proposed development conflicts with policy SD10.

6.2.10 However, planning law requires applications for planning permission to be determined in accordance with the development plan *unless material considerations indicate otherwise*. It is therefore necessary to consider whether or not there are material considerations in this instance which would outweigh the identified conflict with the development plan.

6.2.11 Planning Policy Guidance (nPPG) identifies that a material planning consideration is one which is relevant to making the planning decision in question (e.g. whether to grant or refuse an application for planning permission); and that *“The scope of what can constitute a material consideration is very wide”*, and *“Whether a particular consideration is material will depend on the circumstances of the case”*.

6.2.12 Previous planning decisions, and appeal decisions, are generally accepted as being a ‘material consideration’. Indeed, in the Hayloft appeal decision referred to in paragraph 6.2.5 above, the Inspector gave *“very significant weight”* to the recent permissions granted on the site.

6.2.13 With this mind, officers consider that the recent grant of planning permission on this site, albeit for a conversion rather than rebuild, is a significant material consideration in the determination of this current application; and, on balance, based on the particular merits of this individual case, outweighs the identified conflict with policy SD10. As such, officers support the principle of erecting a single dwelling in this location.

6.3 Design and layout

6.3.1 Local plan policy CP7 (design) requires all new development to complement and respect neighbouring development and the character of the locality. Additional design principles are set out within adopted JCS policy SD4.

6.3.2 As previously noted the footprint of the proposed dwelling is the same as that of the former stable building, and it is of a very similar height and massing. In the approved conversion scheme, the roof was to be replaced by a traditional tiled roof, with simple fenestration and vertically boarded timber doors, and the exterior of the building was to be largely clad in horizontal timber boarding. The resultant building was considered to be appropriate to its rural setting.

6.3.3 The Design and Access Statement which accompanies this application sets out that the current proposal looks to retain a similar form, but to reflect *“the equestrian character and simplicity”* of the former stable building. The building now proposed would now have a steel sinusoidal roof covering but would again be clad in horizontal timber cladding. The curved ridge to the roof, and the cantilevered windows to the north elevation with hit and miss timber cladding, would provide for a higher standard of architectural design, which would enhance the immediate setting whilst sensitively responding to the rural location of the site.

6.3.4 The Architects Panel, although referencing some inconsistencies in the submission (which have now been addressed), generally support the design approach taken and believe the building could be very successful if detailed well. In this regard, officers agree that a high quality finish to the building would be critical to the success of the scheme. It is therefore recommended that conditions are imposed to ensure that samples of the external facing and roofing materials are submitted, together with the detailed design of the windows and external doors; flues; rainwater goods etc.

6.3.5 This revised scheme also provides opportunity to improve the sustainability credentials of the dwelling with the Design and Access Statement identifying that *“The buildings fabric will surpass the insulation requirement of Part L of the Building Regulations”*. Additionally, *“Shading to prominent glazed areas has been included to reduce the risk of overheating in the summer”* and the design has also sought to ensure that the building benefits from natural light to reduce the need for artificial lighting during daylight hours.

6.3.6 High quality landscaping proposals will also be crucial to the success of the development to ensure that the dwelling sits comfortably in its context, and the application has been accompanied by a detailed hard and soft landscaping scheme to include hedging and tree planting; the scheme has been revised during the course of the application in line with the Trees Officer's comments.

6.3.7 Future demand for the erection of domestic sheds, small extensions etc. can be adequately controlled by way of a condition which removes permitted development rights.

6.4 Impact on neighbouring amenity

6.4.1 Saved local plan policy CP4 (safe and sustainable living) advises that development will only be permitted where it would not cause unacceptable harm to the amenity of adjoining land users or the locality. The policy is consistent with advice set out within adopted JCS policy SD14.

6.4.2 The nearest residential properties are located to the south of the site fronting Hyde Lane. Given the distance to these dwellings there should be no harm to the amenities of the occupiers of these properties in terms of noise and disturbance, outlook, or privacy.

6.4.3 The proposals are therefore acceptable in terms of neighbouring amenity.

6.5 Access and highway safety

6.5.1 Adopted JCS policy INF1 advises that all development proposals should provide for safe and efficient access to the highway network for all transport needs. The policy identifies that planning permission will be granted where the impact of the development will not be severe.

6.5.2 The site is currently accessed via a long unmade track which leads from a Class 3 lay-by style highway subject to a 30mph speed limit; the access serves as a Public Right of Way (PROW). This access would be used to serve the proposed dwelling, and is the same as that previously approved.

6.5.3 The current application has not been reviewed by the Local Highway Authority; however, they raised no objection to the previous application to provide 2no. dwellings on the site, subject to the inclusion of conditions to ensure that car parking is delivered within the site, and that works to improve the access are carried out.

6.5.4 The proposal was also previously considered by the County Council's Public Rights of Way Team who likewise raised no objection subject to the developer/future occupiers applying for the necessary order/licenses. It was considered necessary to close the PROW for the duration of the construction works to ensure public safety and a temporary Closure order would be required in this respect. In addition, future occupiers of the dwelling would have to apply for a vehicle license to use the PROW. Informatives are suggested to this effect.

6.5.5 The development is therefore acceptable on highway grounds.

6.6 Other considerations

6.6.1 The site is located outside of Flood Zones 2 and 3 but part of the site is identified by the Environment Agency as being at a low risk of flooding from surface water. The application proposes the use of a SuDS pond in the south-eastern corner of the site to provide storm water attenuation and, for the avoidance of doubt, a condition is suggested that requires a Sustainable Drainage System (SuDS) to be incorporated; full details of which would be considered at Building Regulations stage. It is intended that water run-off from the dwelling would be channeled into a shallow grassed swale connecting to the pond and water within the pond would naturally evaporate or dissipate over time; the swale would simply appear as a shallow linear indentation within the lawn. Officers consider it unreasonable to require additional flood information to be submitted in respect of this application given the very recent grant of planning permission for the conversion.

6.6.2 Environmental Health previously identified the site as having been used as "Brick Kilns" in the past. Subsequently, a contaminated land report was submitted to and agreed by the Environmental Health team; and therefore no additional information is required in this respect.

6.7 Conclusion and recommendation

6.7.1 Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Officers acknowledge that the proposed development would be in conflict with JCS policy SD10 given that much of the site lies just outside the PUA boundary; however, it is considered that, in this instance, the recent grant of planning permission for the conversion of the former stable building is a significant material consideration which would outweigh this conflict. Officers do not accept that support for this particular development would

undermine the use of policy SD10 in refusing inappropriate residential developments elsewhere.

6.7.2 The footprint of the proposed dwelling is the same as that of the former stable building, and it is of a very similar height and massing; as such, the proposal would have no greater impact on the Green Belt than the previously approved scheme. Additionally, the proposed building would provide for a higher standard of architectural design and be appropriate to its rural setting, with the design approach supported by the Architects' Panel.

6.7.3 Whilst the dwelling itself would be sited outside of the PUA, its access from the highway is within the PUA, and the dwelling would be located to the rear of an established row of residential properties with local transport links to a wide range of facilities. Moreover, in granting planning permission for the conversion of the former stable building to two dwellings, the site was considered to be a sustainable location for residential development.

6.7.4 The proposal would not impact on the amenity of nearby residential properties and, would not result in any severe impact on the highway network. No objection has been raised by local residents.

6.7.5 Therefore, on balance, based on the particular merits of this individual case, officers recommend that planning permission be granted subject to the schedule of conditions below:

7. CONDITIONS

- 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 Prior to the commencement of any works on site in association with the development hereby permitted, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

The approved method statement shall be adhered to throughout the development process and shall, where necessary:

- i) specify the type and number of vehicles expected during the construction of the development;
- ii) allocate space for the parking of vehicles for site operatives and visitors;
- iii) allocate space for the loading and unloading of plant and materials;
- iv) allocate space for the storage of plant and materials used in constructing the development;
- v) specify the intended hours of construction;
- vi) specify measures to control the emission of noise, dust and dirt during construction; and

vii) provide for wheel washing facilities.

Reason: To minimise disruption on the public highway and to adjacent land users, and accommodate the efficient delivery of goods and supplies during the course of the construction works, having regard to adopted policy INF1 of the Joint Core Strategy (2017). Approval is required upfront because without proper mitigation the works could have an unacceptable highway impact during construction.

- 4 Prior to the commencement of any other works on site in association with the development hereby permitted, the existing access facility shall be modified to provide a minimum width of 4.1m for the first 5m, with 4.5m wide entry and exit radii, and the area within 5m of the carriageway edge shall be surfaced in bituminous macadam or other approved material. The works shall be carried out in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority, and shall be similarly maintained thereafter.

Reason: To ensure a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 5 No external facing or roofing materials shall be applied unless in accordance with physical sample/s of the materials which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the locality, having regard to saved policies CP3 and CP7 of the Cheltenham Borough Local Plan (2006) and adopted policy SD4 of the Joint Core Strategy (2017).

- 6 The following elements of the scheme shall not be installed, implemented or carried out unless in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority:

- a) Windows and external doors (including reveals, cills, materials and finishes); and
- b) Rainwater goods.

Reason: In the interests of the character and appearance of the locality, having regard to saved policies CP3 and CP7 of the Cheltenham Borough Local Plan (2006) and adopted policy SD4 of the Joint Core Strategy (2017).

- 7 Prior to first occupation of the development, a refuse and recycling collection point for the dwelling within at least 25m of the existing highway shall be provided in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The refuse and recycling collection point shall be similarly maintained thereafter.

Reason: In the interests of sustainable waste management and recycling, having regard to Policy W36 of the Gloucestershire Waste Local Plan.

- 8 Prior to first occupation of the development, vehicular facilities shall be provided in accordance with Drawing No. DLA.1852.L003.02A. The parking and turning facilities shall not be used for any purpose and shall remain free of obstruction for such use at all times.

Reason: To ensure that adequate car parking, and a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided, having regard to adopted policy INF1 of the Joint Core Strategy (2017).

- 9 The development hereby permitted shall incorporate a suitable Sustainable Drainage System (SuDS) to manage surface water drainage. The scheme shall be implemented prior to first occupation of the dwelling and thereafter fully maintained and managed.

Reason: To ensure sustainable drainage of the development and reduce flood risk, having regard to adopted policy INF2 of the Joint Core Strategy (2017).

- 10 All soft landscaping works shown on Drawing No. DLA.1852.L003.02A shall be carried out in the first planting and seeding seasons following the first occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the character and appearance of the locality, having regard to saved policies CP3 and GE6 of the Cheltenham Borough Local Plan (2006) and adopted policy SD4 of the Joint Core Strategy (2017).

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) 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 locality, having regard to saved policies CP4 and CP7 of the Cheltenham Borough Local Plan (2006) and adopted policies SD4 and SD14 of the Joint Core Strategy (2017).

INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 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 Public Right of Way team consider that to ensure public safety the PROW should be closed for the duration of the construction works. A temporary Closure order will be required, with a minimum of 8 weeks notice and a minimum cost of approximately £700. The applicant/developer will need to apply to the PROW team at Amey Gloucestershire 08000 514 514 for this to be processed and approved.

(It must be noted that there is no guarantee that a legal Order will be confirmed simply because planning permission has been granted).

- 3 The proposed development will require the provision of a footway/verge crossing and the applicant/developer is reminded of the need to obtain approval for the vehicle crossing from Amey Gloucestershire before commencing any works on the highway; you can contact them on 08000 514 514 or alternatively email: GCCHighways@Amey.co.uk.