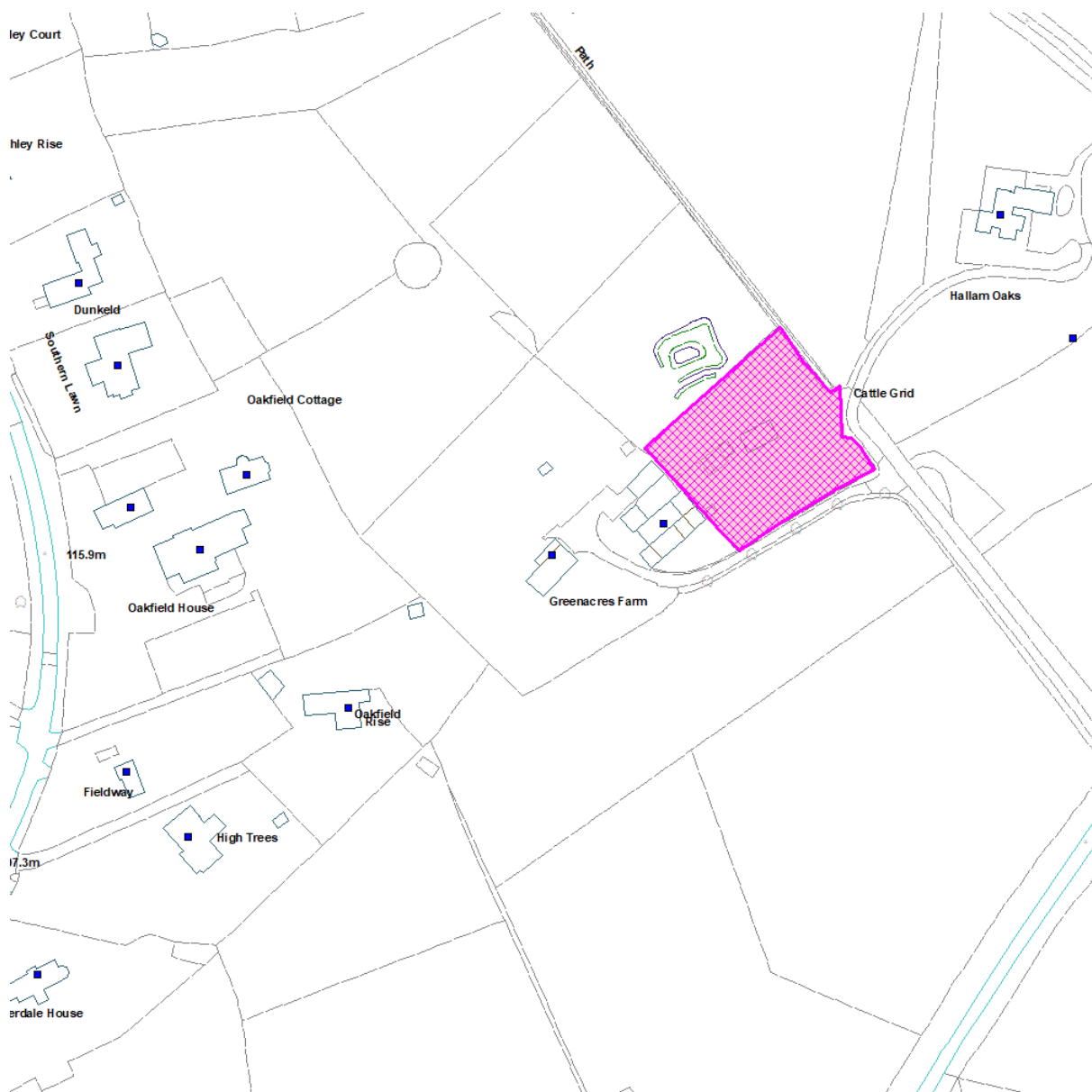


<b>APPLICATION NO: 19/01252/FUL</b>		<b>OFFICER: Mr Ben Hawkes</b>
<b>DATE REGISTERED: 26th June 2019</b>		<b>DATE OF EXPIRY: 21st August 2019</b>
<b>DATE VALIDATED: 26th June 2019</b>		<b>DATE OF SITE VISIT: 12th July 2019</b>
<b>WARD: Battledown</b>		<b>PARISH: Charlton Kings</b>
<b>APPLICANT:</b>	Newbay Consulting Ltd	
<b>AGENT:</b>	SF Planning Ltd	
<b>LOCATION:</b>	Oakfield House Stables, Oakfield House, Greenway Lane	
<b>PROPOSAL:</b>	Erection of a single self-build dwelling following the demolition of existing stables.	

**RECOMMENDATION: Permit**



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## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to an area of land associated with Oakfield House on Greenway Lane, the land currently accommodates two single storey storage/stable buildings. The application site is located outside of the Principle Urban Area (PUA) and is within the Cotswolds Area of Outstanding Natural Beauty (AONB).
- 1.2 The applicant is seeking planning permission for the erection of a self-build dwelling following the demolition of the existing stables.
- 1.3 The application is at planning committee following an objection received from the Civic Society.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### **Constraints:**

Area of Outstanding Natural Beauty  
Airport safeguarding over 15m  
Residents Associations  
Residents Associations

### **Relevant Planning History:**

**18/01891/PREAPP    1st October 2018    CLO**  
Dwelling with gated driveway, garage and outbuilding

## 3. POLICIES AND GUIDANCE

### National Planning Policy Framework

Section 2 Achieving sustainable development  
Section 4 Decision-making  
Section 5 Delivering a sufficient supply of homes  
Section 11 Making effective use of land  
Section 12 Achieving well-designed places  
Section 15 Conserving and enhancing the natural environment  
Section 16 Conserving and enhancing the historic environment

### Saved Local Plan Policies

CP 2 Sequential approach to location of development  
CP 4 Safe and sustainable living  
CP 7 Design  
GE 5 Protection and replacement of trees  
GE 6 Trees and development

### Adopted Joint Core Strategy Policies

SP1 The Need for New Development  
SP2 Distribution of New Development  
SD3 Sustainable Design and Construction  
SD4 Design Requirements  
SD6 Landscape  
SD7 The Cotswolds Area of Outstanding Natural Beauty  
SD8 Historic Environment  
SD9 Biodiversity and Geodiversity  
SD10 Residential Development  
SD11 Housing Mix and Standards

SD14 Health and Environmental Quality  
INF1 Transport Network

Supplementary Planning Guidance/Documents

Development on garden land and infill sites in Cheltenham (2009)

Other

The Cotswolds AONB Conservation Management Plan

## 4. CONSULTATIONS

**Building Control**

*5th July 2019*

The application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury borough council on 01242 264321 for further information.

**Parish Council**

*9th July 2019*

No objection

**Cheltenham Civic Society**

*24th July 2019*

The Civic Society's Planning Forum objects to this proposed development. It is in the wrong location. Currently the area has a country atmosphere, amidst fields. This substantial residential development would open the way to further encroachment and development of the this relatively rural area within the AONB.

**Strategic Land Use Team**

*1st August 2019*

Policy considerations in relation to a proposal for the erection of a single self-build dwelling following the demolition of existing stables.

The site

The application site is located on the south-west side of an access track situated approximately 100m in a north-westerly direction from Greenway Lane. The site is situated on land within the freehold of Oakfield House, which itself is located on Ashley Road to the west of the stables.

Policy Framework

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be taken in accordance with the relevant adopted Development Plan unless material considerations dictate otherwise. Therefore, in determining this application, the following must be considered:

The adopted development plan for the area:

- The Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (December 2017)
- Relevant saved policies of the Cheltenham Borough Local Plan Second Review 2006

Relevant material considerations, which include:

- The National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (nPPG)
- The pre-submission Cheltenham Plan and its evidence base.

Core issues in this case

The need for sustainable development

NPPF (2019)

Paragraph 11 of the NPPF states that "Plans and decisions should apply a presumption in favour of sustainable development." For decision making this means:

"d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date<sup>7</sup>, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed<sup>6</sup>; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

Cheltenham Borough Council cannot currently demonstrate a five year housing land supply. Therefore, the 'tilted balance' of paragraph 11 is relevant. However, footnote 6 of the NPPF says that AONB policies in the NPPF are not out-of-date and still apply to this application.

JCS (December 2017)

Policy SD10 requires that on sites not allocated, housing development and conversions to dwellings will be permitted on previously developed land within the Principal Urban Area of Cheltenham and rural service centres and service villages except where otherwise restricted by policies in district plans. Housing development on other sites will only be permitted if it is for affordable housing on a rural exception site or if it is infilling within the Principal Urban Area of Cheltenham.

Policy SD14 requires that development should protect and seek to improve environmental quality and should not create or exacerbate conditions that could impact on human health or cause inequality.

Development in the AONB

NPPF (2019)

The NPPF expects decision-takers to apply great weight to the conservation and enhancement of the natural beauty of the AONB. Paragraph 172 states:

"Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads<sup>54</sup>. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development<sup>55</sup> other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and

- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated."

JCS (December 2017)

Policy SD6 is a JCS-wide policy on landscape and is not specific to the AONB. It requires that development seeks to protect landscape character for its own intrinsic beauty and for its benefit to economic, environmental and social well-being. It requires that proposals have regard to the local distinctiveness and historic character of landscapes in the JCS area and that all applications for development consider the landscape and visual sensitivity of the area in which they are located or which they may affect.

Policy SD7 requires that all development proposals in or within the setting of the AONB conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities. It also requires that proposals are consistent with policies set out in the Cotswold AONB Management Plan.

The Cotswolds AONB Management Plan 2018-23

Policy CE1 of the Cotswolds AONB Management Plan requires:

1. Proposals that are likely to impact on, or create change in, the landscape of the Cotswolds AONB, should have regard to, be compatible with and reinforce the landscape character of the location, as described by the Cotswolds Conservation Board's Landscape Character Assessment and Landscape Strategy and Guidelines.
2. Proposals that are likely to impact on, or create change in, the landscape of the Cotswolds AONB, should have regard to the scenic quality of the location and its setting and ensure that views - including those into and out of the AONB - and visual amenity are conserved and enhanced.

Policy CE2 says:

1. Proposals that are likely to impact on the local distinctiveness of the Cotswolds AONB should have regard to, be compatible with and reinforce this local distinctiveness. This should include:
  - being compatible with the Cotswolds Conservation Board's Landscape Character Assessment, Landscape Strategy and Guidelines and Local Distinctiveness and Landscape Change;
  - being designed and, where relevant, landscaped to respect local settlement patterns, building styles, scale and materials;
  - using an appropriate colour of limestone to reflect local distinctiveness.
2. Innovative designs - which are informed by local distinctiveness, character and scale - should be welcomed.

A landscape character assessment for the AONB was carried out in April 2015 with revisions undertaken in May 2016 but does not include a character area that covers the property concerned.

#### Assessment

As part of the government's commitment to sustainable development and the need to seek positive improvements to the quality of the built, natural and historic environment, the NPPF emphasises the need to provide housing that meets objectively assessed housing needs. Cheltenham Borough is not currently able to demonstrate a 5-year supply of deliverable housing.

The location of Oakfield House Stables outside the PUA reflects the historic operations of the facility and the requirement to be situated in a rural location. It is considered that the

conversion and re-use of some of the existing buildings for residential purposes would be preferable to complete redevelopment of the site for housing.

The stables are not considered to be part of the urban area but neither are they sufficiently separate to be considered isolated and unsustainable. However, the site is not previously-developed according to the NPPF and does not accord with JCS Policy SD10. This fact can only be given limited weight given that SD10 is considered to be out-of-date at this time.

Paragraph 172 of the NPPF is not considered out-of-date and gives great weight to conserving and enhancing the landscape and scenic beauty of the AONB. This does not, however, mean that no development should occur within it. Both the NPPF and Cotswolds AONB Management Plan are clear that it is possible for development to be suitable. The impact on the landscape and scenic beauty of the AONB and the amount of harm this will cause will need to be weighed against the need for new development within Cheltenham and the quality and appropriateness of the proposal.

### **GCC Highways Planning Liaison Officer**

*28th June 2019*

I refer to the above planning application received on the 27th June 2019, submitted with supporting information including drawing refs: PL005, PL002, 19.20.009B.

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

1. Throughout the construction [and demolition] period of the development hereby permitted provision shall be within the site that is sufficient to accommodate the likely demand generated for the following:

- i. parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. provide for wheel washing facilities, all the above to be annotated on a plan.

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

2. The vehicular accesses onto Greenway Lane shall be constructed broadly in accordance with the submitted plan drawing no. PL005 with any gates situated at least 5.0m back from the carriageway edge of the public road and hung so as not to open outwards towards the public highway and with the area of driveway within at least 5.0m of the carriageway edge of the public road surfaced in bound material, and shall be maintained thereafter.

Reason: - To reduce potential highway safety impact by ensuring that a safe and suitable access is laid out and constructed that minimises the conflict between pedestrians, cyclists and vehicles in accordance with paragraph 108 and 110 of the National Planning Policy Framework.

3. The development hereby permitted shall not be occupied until details of secure and covered cycle storage facilities for a minimum of user defined no.2 bicycles has been made available in accordance with details to be submitted to and approved in writing by the LPA.

Reason:- To give priority to cycle movements by ensuring that adequate cycle parking is provided, to promote cycle use and to ensure that the appropriate opportunities for

sustainable transport modes have been taken up in accordance with paragraph 108 of the National Planning Policy Framework.

4. The development hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan drawing no.PL005, 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 scope for conflict between traffic and cyclists and pedestrians is provided in accordance with the paragraphs 108 and 110 of the National Planning Policy Framework.

**NOTE:**

The proposed development will require the provision of a footway/verge crossing and the Applicant/Developer is required to obtain the permission of the County Council before commencing any works on the highway.

**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**

*24th July 2019*

The Tree Section does not object to this application. Please could a Tree Protection Plan be submitted and agreed before determination.

**Landscape Architect**

*29th July 2019*

Report available to view on line.

**Gloucestershire Centre For Environmental Records**

*29th July 2019*

Report available to view in line.

## **5. PUBLICITY AND REPRESENTATIONS**

Number of letters sent	<b>14</b>
Total comments received	<b>4</b>
Number of objections	<b>4</b>
Number of supporting	<b>1</b>
General comment	<b>0</b>

- 5.1 14 letters were sent to neighbouring properties and a site notice was displayed. In total 4 letters of representation have been received, 3 letters of objection and 1 letter of support.
- 5.2 The concerns raised within the letters of objection have been summarised but are not limited to the following:
- Principle
  - Impact on the AONB/Landscape character
  - Loss of views/outlook
  - Impact on wildlife
  - Design
  - Construction access
  - Impact on public rights of way

## **6. OFFICER COMMENTS**

### **6.1 Determining Issues**

- 6.2 The main considerations of this application are principle, design, impact on neighbouring amenity, impact on the AONB, impact on existing trees, highway safety and impact on protected wildlife.

### **6.3 The site and its context**

- 6.4 The application site is an area of land which is associated with Oakfield House on Greenway Lane, the site currently comprises of two relatively dilapidated storage/stable buildings and is located outside of the PUA and wholly within the AONB.
- 6.5 Directly adjacent to the application site is the neighbouring site occupied by 'Greenacres Farm', but generally the immediate locality is open land with dispersed settlements which are generally large detached buildings sat within generous plot sizes.

### **6.6 Pre-application advice**

- 6.7 This application follows the submission of a formal pre-application where officers provided a response on the acceptability of a new dwelling on this site. At the time the pre-application was considered (August 2018) Cheltenham could demonstrate a 5 year housing land supply, therefore officers response concluded that the principle of a new dwelling in this location would be contrary to JCS policy SD10, but consideration could be given to the principle of converting the existing buildings on the site to create a new dwelling, however evidence would have needed to be provided in order to support this.

### **6.8 Principle**

- 6.9 This formal planning application is being considered at a time where Cheltenham cannot currently demonstrate a 5 year housing land supply.
- 6.10 The application site is located outside of Cheltenham's PUA, the proposal to erect a new dwelling on this site would therefore be contrary to JCS policy SD10. However, as

Cheltenham cannot currently demonstrate a 5 year housing land supply, paragraph 11 of the NPPF becomes relevant.

- 6.11 Paragraph 11 of the NPPF sets out a presumption in favour of sustainable development. In this instance, as Cheltenham cannot currently demonstrate a 5 year housing land supply, paragraph 11 d) of the NPPF is applicable, this reads:

‘Where there are no relevant development plans, or the policies which are most important for determining the application are out of date, permission should be granted unless:

- i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.’

In this instance the protected area is the AONB; therefore whilst the principle of a new dwelling on this site is considered to be acceptable, the main considerations are whether any identified harm will significantly and demonstrably outweigh the benefits.

#### 6.12 **Design, layout and impact on the AONB**

- 6.13 Policy SD7 of the JCS states:

*‘All development proposals in or within the setting of the Cotswolds AONB will be required to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities. Proposals will be required to be consistent with the policies set out in the Cotswolds AONB Management Plan.’*

Paragraph 172 of the NPPF states:

*‘Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding natural Beauty, which have the highest status of protection in relation to these issues.’*

- 6.14 As the council does not currently have a landscape architect, a consultant was instructed to review the application and the landscape impact assessment submitted by the applicant in order to consider the impact of the proposed development on the AONB and the surrounding landscape. The review was carried out and a full and detailed report was received. The response concluded that ‘The proposal would lead to both adverse landscape and visual change in the local area and would be contrary to policy SD7 of the JCS’.

When reviewing the comments, the identified harm specifically mentions the scale and massing of the building and in particular the impact the two storey elements would have on the public right of way that runs adjacent to the development site. Following further discussions with the landscape architect, it was suggested that a reduction in the scale of the new dwelling could reduce the level of harm/impact. With this in mind; officers sought revisions to the scheme as well as requesting the submission of a robust landscape/planting scheme due to the openness of the site.

- 6.15 Following discussions and negotiations with the applicant’s agent a revised proposal was submitted for consideration, the revised plans show that the first floor element of the proposed new dwelling has been significantly reduced. The second storey element has been retained at the northern end of the site to enable it to sit comfortably within its plot and to reflect the rising land levels to the rear.

- 6.16 The proposed new dwelling sits centrally within the plot and is considered to be of an appropriate footprint and scale for the size of the site, this would reflect the general character and pattern of development in the locality.
- 6.17 The overall design of the proposed new dwelling is clearly contemporary; officers feel that careful consideration has been given to the form, design and use of materials and the proposal results in a building that is of an acceptable design for this location. A condition requiring material samples/details to be submitted has been suggested.
- 6.18 The proposal includes the introduction of a 'green roof', whilst the principle of this is acceptable, details of the type of green roof should be submitted for consideration prior to its installation, as suggested by the landscape architect.
- 6.19 Officers requested a proposed landscaping plan as this was considered necessary to address previous comments regarding how visible the proposed new dwelling would be within the site and its potential impact as highlighted in the landscape impact assessment. A proposed landscaping plan has been submitted and reviewed and is considered to be acceptable.
- 6.20 The revised scheme is considered to have taken on board officers comments and have been produced so as to limit the harm identified in the landscape architects comments. In addition, the landscaping plan has been submitted to support the application. Officers consider the revised plans in conjunction with the submission of the landscaping plan have reduced the level of harm to the surroundings and the proposed dwelling is considered to be of an acceptable scale, form and design. Any identified harm would not significantly or demonstrably outweigh the benefits of a new dwelling.
- 6.21 The proposal accords with the Cotswolds Conservation Board recently adopted position statements relating to 'Tranquillity', specifically relating to policy CE4. The addition of one new dwelling on this site is not considered to result in unacceptable noise pollution or other visual disturbances.

**6.22 Impact on neighbouring amenity**

- 6.23 The only adjacent land user that shares a boundary with the proposed development site is to the west and is occupied by Green Acres Farm. The residential dwelling on this site is not directly adjacent to the shared boundary and is approximately 40 metres away. The buildings located directly adjacent to the shared boundary are farmstead buildings.
- 6.24 In terms of privacy, the proposed new dwelling sits centrally within the plot, upper floor windows in the proposed new dwelling are more than 19 metres from the shared boundary and therefore far exceed the minimum distance of 10.5 metres that is considered to be acceptable.
- 6.25 Due to the scale of the proposed development, its position within the plot and its relationship with neighbouring land users the proposal is not considered to result in any unacceptable loss of light to any neighbouring land user.
- 6.26 Officers note the concerns raised by the neighbouring land user at 'Baedalas Tun' regarding a potential loss of view, this particular site is approximately 150 metres from the application site and whilst officers accept that the new dwelling will be visible from this property and from neighbouring sites, the loss of a view is not a material planning consideration. Due to the relationship with neighbouring developments the proposal is not considered to result in any over bearing impact. A condition has been suggested to restrict the installation of external lighting as this could be considered to have a greater impact on the wider area during evening hours.

6.27 Whilst officers duly note all the concerns raised, it is not considered in this instance that the proposal will result in any unacceptable loss of light, loss of privacy or overbearing impact on any neighbouring residential land user and is therefore considered to be compliant with local plan policy CP4 and JCS policy SD14.

#### **6.28 Access and highway issues**

6.29 The application has been reviewed by Gloucester County Council's Highways department and no objection has been raised, their full comments can be read in section 4 above. The condition relating to cycle storage is not considered to be necessary given that the site has adequate internal storage areas to accommodate the safe and suitable storage of bikes.

6.30 The proposal of a new dwelling on this site is not considered to result in any highway safety implications and is considered to be acceptable on access, parking and highway safety grounds.

#### **6.31 Impact on protected species**

6.32 Records show that important species have been sighted near the application site in the past and in particular bats recorded in 2017, the sighting was recorded as 215 metres from the site. In addition badgers have been recorded in 2017, 245m from the site. In light of this, an Ecological assessment was requested and later received.

6.33 The ecological assessment concludes that there is an 'occasional pipistrelle night roost used by a small number of individual bats located in the existing stable building.' The impact to local populations within the report is considered to be 'negligible'. Officers accept that there is an occasional night roost in one of the buildings but are confident that suitable mitigation measures can be provided to ensure that any bats are appropriately protected. A condition requiring suitable mitigation measure details to be submitted prior to any works starting has therefore been suggested.

6.34 It is important to note that all bat species, their breeding sites and resting places are protected by law as they are European Protected Species.

6.35 With regard to badgers, the GCER report acknowledges the presence of Badgers in the local area, however there is no information or evidence to suggest that there are any setts on the application site.

#### **6.36 Other considerations**

6.37 The council's tree officer has reviewed the application and raises no objection to the proposed development. However, the officer has requested that a tree protection plan is submitted, this has been suggested as a condition.

## **7. CONCLUSION AND RECOMMENDATION**

7.1 Whilst officers appreciate the sensitive location of this site, having due regard to the councils current position in terms of a 5 year housing land supply and having considered the conclusions for each of the topic areas above, which include principle, design, layout, impact on the AONB, impact on neighbouring amenity, highway safety and access, impact on protected species, the harm is not considered to significantly and demonstrably outweigh the benefits of providing a further dwelling.

7.2 Officer recommendation is therefore to permit the application, subject to the conditions set out below;

## 8. CONDITIONS / INFORMATIVES

- 1 The planning permission hereby granted shall be begun not later than the expiration of three years from the date of this decision.

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 planning permission hereby granted 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 development (including demolition and site clearance), a Tree Protection Plan (TPP) to BS5837:2012 (or any standard that reproduces or replaces this standard) shall be submitted to and approved in writing by the Local Planning Authority. The TPP shall include the methods of tree and /or hedge protection, the position and specifications for the erection of tree protective fencing, and a programme for its implementation. The works shall not be carried out unless in accordance with the approved details, and the protective measures specified within the TPP shall remain in place until the completion of the construction process.

Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to saved policies GE5 and GE6 of the Cheltenham Borough Local Plan (2006). Approval is required upfront to ensure that important trees are not permanently damaged or lost.

- 4 All landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to first occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority.

Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size which shall be first agreed in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to saved policies CP7, GE5 and GE6 of the Cheltenham Borough Local Plan (2006), and adopted policies SD4 and INF3 of the Joint Core Strategy (2017).

- 5 Notwithstanding The Town and Country Planning (Use Classes) Order 1987 and The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting those orders with or without modification), the development shall be a self-build dwelling as defined under the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) and shall not be used for any other purpose without express planning permission.

Reason: To ensure there are enough serviced plots of land to meet the demand for self-build and custom housebuilding in the borough, having regard to the self-build register and the provisions of the Joint Core Strategy (2017).

- 6 Prior to installation, details of the green roof shall be submitted to and approved in writing by the local planning authority. The details shall include the type and final established character of the proposed green roof.

Reason: In the interests of the character and appearance of the area, having regard to saved policies CP7, GE5 and GE6 of the Cheltenham Borough Local Plan (2006), and adopted policies SD4 and INF3 of the Joint Core Strategy (2017).

- 7 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 area, having regard to saved policies CP4 and CP7 of the Cheltenham Borough Local Plan (2006) and adopted policies SD4, SD7 and SD14 of the Joint Core Strategy (2017).

- 8 No external facing or roofing materials shall be applied unless in accordance with:

- a) a written specification of the materials; and/or
- b) physical sample(s) of the materials.

The details of 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 area, having regard to saved policy CP7 of the Cheltenham Borough Local Plan (2006) and adopted policy SD4 of the Joint Core Strategy (2017).

- 9 Throughout the construction [and demolition] period of the development hereby permitted provision shall be made within the site that is sufficient to accommodate the likely demand generated for the following:

- i. parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. provide for wheel washing facilities, all the above to be annotated on a plan.

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

- 10 The vehicular accesses shall be constructed in accordance with the submitted plan drawing no. PL005A with any gates situated at least 5.0m back from the carriageway edge of the public road and hung so as not to open outwards towards the public highway and with the area of driveway within at least 5.0m of the carriageway edge of the public road surfaced in bound material, and shall be maintained thereafter.

Reason: - To reduce potential highway safety impact by ensuring that a safe and suitable access is laid out and constructed that minimises the conflict between pedestrians, cyclists and vehicles in accordance with paragraph 108 and 110 of the National Planning Policy Framework.

- 11 The development hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan drawing no. PL005, 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 scope for conflict between traffic and cyclists and pedestrians is provided in accordance with the paragraphs 108 and 110 of the National Planning Policy Framework.

- 12 Prior to the commencement of development, a surface water drainage scheme, which shall incorporate Sustainable Urban Drainage System (SUDS) principles, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a programme for implementation of the works; and proposals for maintenance and management. The development shall not be carried out unless in accordance with the approved surface water drainage scheme.

Reason: To ensure sustainable drainage of the development, having regard to adopted policy INF2 of the Joint Core Strategy (2017). Approval is required upfront because the design of the drainage is an integral part of the development and its acceptability.

- 13 No external lighting shall be installed without prior written consent from the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to saved policies CP7, GE5 and GE6 of the Cheltenham Borough Local Plan (2006), and adopted policies SD4 and INF3 of the Joint Core Strategy (2017).

- 14 Notwithstanding the Ecological Assessment received on 6th September 2019, prior to the commencement of any works including site clearance/demolition, a detailed scheme for mitigation measures in relation to bats shall be submitted to and approved in writing by the Local Planning Authority.

The approved mitigation measures shall be adhered to and implemented throughout the construction period and thereafter shall be maintained in accordance with the approved details.

Reason: To ensure that adequate mitigation measures are provided in order to safeguard protected species in accordance with adopted JCS policy SD9 and paragraph 175 of the NPPF, this information is required upfront because without proper mitigation the construction works could have an unacceptable impact on protected species at the beginning of construction.

## **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, the authority sought revisions to reduce the scale and massing of the proposed development and also negotiated a detailed planting scheme in order to address landscape impact concerns;

Following these negotiations, the application now constitutes sustainable development and has therefore been approved in a timely manner.