



## 1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application proposes the variation of condition 2 (substitution of drawings) of planning permission 20/01612/CONDIT and amendments to the house type/design and layout of plots 1, 2, 4 and 6 of the approved scheme.
- 1.2 The previous planning permission sought to vary conditions on the original planning permission (18/02581/FUL) to allow for the delivery of the consented scheme through a phased programme of construction. As individual plots come forward, each self-builder would be able to implement their phase of the development and claim their own Community Infrastructure Levy (CIL) self-build exemption.
- 1.3 The original planning permission issued in 2019 relates to the demolition of the existing dwelling and construction of 8no. self and custom build dwellings with associated works and infrastructure, including sustainable drainage, new internal access roads, improvements to existing internal access road, site regrading and landscape planting.
- 1.4 Cromwell Court is a large mock-Tudor dwelling built in the early 1980s set in large grounds. The site is located wholly within the Cotswold Area of Outstanding Natural Beauty (AONB).
- 1.5 This application is before the Planning Committee following a request from Councillor Fisher. The reason given for the referral is that the proposed development does not fall within the definition of self-build housing development as set out in nPPG guidance.

## 2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

### Constraints:

Area of Outstanding Natural Beauty  
Residents Associations

### Relevant Planning History:

**17/02517/PREAPP 16th May 2018 CLO**

Residential development up to 9 dwellings. Demolition of existing property

**79/00922/PF 9th May 1979 PER**

Erection of a private house

**13/00413/TPO 19th April 2013 PER**

1) Oak within grounds of Cromwell Court, overhanging rear garden of Beech House (T1) - remove epicormic growth Beech House side only, reduce limbs to boundary on Beech House side only. 2) Oak within grounds of Cromwell Court, adjacent to Beech House (T2) - remove low limb over Beech House to boundary and reduce remaining limbs by 30%. 3) Oak within grounds of Cromwell Court, along driveway to Beech House (T3) - remove stem over driveway of Beech House, back to boundary

**17/01072/TPO 9th November 2018 ALL5D**

Five day notice to fell Ash Tree

**17/01090/TPO 11th July 2017 PER**

Crown clean (remove deadwood, broken and crossing branches) from 4 oaks and 2 ash situated alongside Harp Hill and Greenway Lane. Fell Oak alongside greenway lane due to decay fungus infection. Fell ash alongside Harp Hill as it is dying and dead branches pose a risk to the highway.

**17/01630/TPO 26th September 2017 PER**

Selective felling of trees in woodland compartments as part of a woodland management/restoration plan - details available on CBC website

**18/00903/FUL 13th June 2018 REF**

Retention of fence and gates

**18/01776/FUL 23rd November 2018 PER**

Sub-division of existing dwelling into 8 apartment units

**18/02581/FUL 22nd March 2019 PER**

Demolition of existing dwelling and construction of 8 x self & custom build dwellings with associated works and infrastructure, including sustainable drainage, new internal access roads, improvements to existing internal access road, site regrading and landscape planting

**20/01612/CONDIT 12th November 2020 PER**

Variation of conditions 2, 3, 7 and 9 on planning permission ref. 18/02581/FUL - to accommodate a phased construction programme

**20/02292/TPO 29th January 2021 PER**

1) Oak (T16) on western boundary By Beech House and The Oaks- reduce the crown via retrenchment pruning & decompact the soil in the root zone. 2) Ash (G1.1) - reduce the crown via retrenchment pruning & decompact the soil in the root zone. 3) 18 No. pines on north-west boundary adjacent to Harp Hill (Cpt3) - fell to ground level and replace with 54 No. new trees in the woodland compartments

**21/00140/DISCON 24th February 2021 DISCHA**

Discharge of conditions 11 (Arboricultural Method Statement) and 12 (landscaping scheme) of planning permission 20/01612/CONDIT

**21/00647/DISCON PDE**

Discharge of conditions 3 (Design Code) and 13 (drainage scheme) of planning permission

**21/01336/CONDIT PCO**

Variation of planning condition 2 of planning permission 20/01612/CONDIT - proposed amendments to plot 3

### **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

**Adopted Cheltenham Plan Policies**

D1 Design

L1 Landscape and Setting

SL1 Safe and Sustainable Living

GI2 Protection and replacement of trees

GI3 Trees and Development

**Adopted Joint Core Strategy Policies**

SP2 Distribution of new development

SD3 Sustainable Design and Construction  
SD4 Design Requirements  
SD6 Landscape  
SD7 The Cotswolds Area of Outstanding Natural Beauty  
SD10 Residential Development  
SD14 Health and Environmental Quality  
INF1 Transport Network

#### **Supplementary Planning Guidance/Documents**

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

## **4. CONSULTATIONS**

### **Parish Council**

*12th April 2021*

No Objection.

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

*8th April 2021*

Gloucestershire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure)(England) Order, 2015 has no objection.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

The Highway Authority therefore submits a response of no objection.

### **John Mills Cotswold Conservation Board**

*8th April 2021*

Thank you for consulting the Cotswolds Conservation Board ('the Board') on this proposed development, which would be located within the Cotswolds National Landscape.<sup>1</sup>

In reaching its planning decision, the local planning authority (LPA) has a statutory duty to have regard to the purpose of conserving and enhancing the natural beauty of the National Landscape.<sup>2</sup> The Board recommends that, in fulfilling this 'duty of regard', the LPA should: (i) ensure that planning decisions are consistent with relevant national and local planning policy and guidance; and (ii) take into account the following Board publications:

- Cotswolds Area of Outstanding Natural Beauty (AONB) Management Plan 2018-2023 (link);
- Cotswolds AONB Landscape Character Assessment (link) particularly, in this instance, with regards to Landscape Character Type (LCT) 2 (Escarpment);
- Cotswolds AONB Landscape Strategy and Guidelines (link) particularly, in this instance, with regards to LCT 2 (link), including Section 2.1;
- Cotswolds AONB Local Distinctiveness and Landscape Change (link);
- Cotswolds Conservation Board Position Statements (link) particularly, in this instance, with regards to Housing and Development (link).

The Board will not be providing a more comprehensive response on this occasion. This does not imply either support for, or an objection to, the proposed development.

**NOTES:**

- 1) Cotswolds National Landscape is the new name for the Cotswolds Areas of Outstanding Natural Beauty (AONB). The new name takes forward one of the proposals of the Government-commissioned 'Landscapes Review' to rename AONBs as 'National Landscapes'. This change reflects the national importance of AONBs and the fact that they are safeguarded, in the national interest, for nature, people, business and culture.
- 2) Section 85 of the Countryside and Rights of Way Act 2000. (Link).

## **5. PUBLICITY AND REPRESENTATIONS**

Number of letters sent	<b>100</b>
Total comments received	<b>1</b>
Number of objections	<b>0</b>
Number of supporting	<b>1</b>
General comment	<b>0</b>

- 5.1** Letters of notification were sent to 100 neighbouring properties; including the residents who had made representations in respect of the original planning application. One representation in general support of the current proposals was received; the comments made, in summary relate to the following:

- Smaller properties and improved landscaping
- Visual appearance more sympathetic to site location and AONB
- Loss of trees, wildlife and habitats

## **6. OFFICER COMMENTS**

### **6.1 Determining Issues**

- 6.2** Guidance set out within the National Planning Practice guidance (nPPG) acknowledges that issues may arise after planning permission has been granted, which require modification of the approved proposals and that where less substantial changes are proposed, an application seeking a minor material amendment can be made under section 73 of the Town and Country Planning Act 1990, where there is a relevant condition that can be varied (Paragraph: 013 Reference ID: 17a-013-20140306).

- 6.3** If granted, the application results in the issuing of a new planning permission which sits alongside the original permission which remains intact and un-amended (Paragraph: 015 Reference ID: 17a-015-20140306).

- 6.4** As such, the only consideration in the determination of this application is the acceptability of the proposed revisions to layout and house type/design of plots 1, 2, 4, and 6. The principle of the redevelopment of this site for self-build housing, and the proposal's overall impact upon the character and landscape qualities of the Cotswold AONB, neighbour amenity and highway safety have been established through the original grant of planning permission.

### **6.5 Officer Comments**

- 6.6** The proposed revisions to layout and house types are limited to plots 1, 2, 4 and 6 and, in summary, include revisions to footprint, alterations to garages, front entrance locations and roof terraces. The proposals would result in a modest reduction in overall

size/footprint of the four houses and plot 6 dwelling would be set lower in the ground than as approved. Plot boundaries would remain the same with the exception of some minor adjustments to the boundary between plots 2 and 6 to allow for replacement attached garages and improved vehicular access and turning within the two individual plots. This adjustment would also allow for ease of development of the two plots by individual self-builders.

- 6.7** A submitted Design and Access Statement provides a more detailed explanation of the proposed changes and rationale for doing so. In essence, the proposals follow the design approach of the approved scheme and the general scale, form, layout of plots and access road and general appearance would be unaltered; the proposed limited materials palette of grey Cotswold Stone, painted render and grey cladding facing materials adding consistency and responding to that of the previously approved scheme. The height, roof form, contemporary style approach to design and architectural quality would remain the same.
- 6.8** Condition 3 (requiring the approval of a Design Code for the development as a whole) and all other conditions attached to the previous planning permission are not proposed to be amended as part of this application. Members should also note that the current proposals would not alter the overarching purpose and requirements of the Design Code. An application to discharge Condition 3 was submitted to the Council recently and is currently being considered by officers. Similarly, details of new tree/woodland planting have recently been approved and this aspect of the proposed landscaping scheme would remain unaffected by the current proposals.
- 6.9** In light of the above considerations, the proposed amendments to plots 1, 2, 4 and 6 are considered acceptable and adhere to the objectives of Policy D1 of the Cheltenham Plan and Policies SD4 and SD7 of the JCS.

#### **6.10 Other considerations**

##### **6.11 Self-build housing development**

- 6.12** A local Councillor has raised concerns that the proposed development does not fall within the definition of self-build housing and as such would be CIL liable. In response to these concerns, the applicant has submitted a supplementary note which sets out national policy guidance on self-build and custom housebuilding and the reasons why the development at Cromwell Court falls within this category of house building. This document and the proposals in general have been reviewed by the Council's legal officer. Advice has also been sought from the Council's CIL officer.

- 6.13** National Planning Practice Guidance (nPPG) states that:

*'Self-build and custom housebuilding covers a wide spectrum, from projects where individuals are involved in building or managing the construction of their home from beginning to end, to projects where individuals commission their home, making key design and layout decisions, but the home is built ready for occupation ('turnkey'). The Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) provides a legal definition of self-build and custom housebuilding. The Act does not distinguish between self-build and custom housebuilding and provides that both are where an individual, an association of individuals, or persons working with or for individuals or associations of individuals, build or complete houses to be occupied as homes by those individuals'.*

- 6.14** The nPPG does not differentiate between self-build and custom housebuilding. However, it is useful to set out the differences:-

- A self-build home is one built to the plans or specifications of the occupant on a single plot.
- A custom build home is built to the plans or specifications of the occupant on a multi-plot site which is actively managed by a third-party enabler. Custom build involves the occupier of a new home commissioning or building their new custom home through a range of housing delivery models facilitated and/or supported by a landowner, developer, contractor, or enabler. The occupier will agree to purchase a serviced plot of land and will be committed to act within defined parameters (Design Code) designed to manage house design and size as well as the timescale for construction. This can include purchasers being able to customise a new pre- designed home (choice of plot, exterior and interior finishes and internal layout and add extra features). Custom build homes are, where necessary funded by a stage release self or custom build mortgage and payments for the build are made in stages as the build progresses.

**6.15** In contrast, speculative house building typically involves dwellings largely indistinguishable by their design, other than by their size and house type. Choice in finishes is limited to the developer's choices and these choices are usually only offered when purchasing off plan. Furthermore, there is no differentiation in the sales process and branding for speculatively built houses on the same site. Plot purchasers would have no opportunity to thereafter deliver their own home by working on their own.

**6.16** Similarly, the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) provides a legal definition of self-build and custom housebuilding. The Act does not distinguish between self-build and custom housebuilding and provides that both are where an individual, an association of individuals, or persons working with or for individuals or associations of individuals, build or complete houses to be occupied as homes by those individuals.

**6.17** Condition 15 of the previous planning permission states that:

*'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 not be used other than for the construction of self-build dwellings 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.'*

**6.18** It is clear therefore, that self-build housing may be delivered in a variety of ways, including 'turnkey' custom-build houses, whereby a dwelling is constructed on behalf of a custom-builder and made ready for occupation. Examples of self-build and custom building projects nationally demonstrate that the means of delivery can vary substantially; from a completed scheme of houses, where the purchaser of each plot has the ability to choose internal and external finishes and alter aspects of the internal layout to a purchaser having full control over the design and build of a single plot from start to finish. Custom and self-build housing can also include conversions and renovations.

**6.19** In the case of Cromwell Court, the previous application was submitted and approved on the basis that the scheme would be delivered as a custom-build housing project. The applicant has subsequently confirmed that each unit will be constructed on behalf of a custom-builder ready for occupation (turnkey) and delivered in a phased manner in response to individual custom-builders coming forward as and when. It is understood that the applicant has been working with custom-builders to deliver houses that meet the requirements of individual parties. This has resulted in the current application to vary the layout and architectural design features of plots 1, 2, 4 and 6. These dwellings will be

delivered (ready for occupation) by the applicant on behalf of their respective custom-builders. The applicant has also confirmed that they are willing to engage with the Council to ensure that registered potential self-builders on the Council's self-build register are informed of the contact details for the site.

- 6.20** It is anticipated that further applications to amend the previously approved details for the remaining plots will be submitted once other self-builders come forward. With that in mind, members are advised that an application to vary the layout and design of Plot 3 has recently been submitted (21/01336/CONDIT).
- 6.21** It is acknowledged that the approved scheme in 2019 for 8 self-build dwellings is confusing in that the 8 dwellings appeared 'ready' for construction purposes and, seemingly, had not been subject to any design input from individual self-builders. However, officers are assured that the manner in which this scheme will be delivered does fall within the definition of self-build, as set out in paragraph 6.13 above. As mentioned above, each plot will come forward and be delivered by the applicant separately, on behalf of the custom builders, as turnkey custom-build homes; the approved scheme details altered to suit the requirements of the individual plot purchasers but keeping within the parameters of an approved Design Code. The condition restricting the use of the site/construction of houses to self-build dwellings would be re-instated in any subsequent planning permissions (s73 applications).
- 6.22** In addition, each plot purchaser will be required to sign a CIL self-build exemption form which is legally binding. Each purchaser will need to declare that the development/house meets the requirements of self-build and submit evidence to prove the same to avoid a 'disqualifying event'. Failure to do this, or other disqualifying events occurring during the rest of the 3 year clawback period, would require the self-builder to repay the relief granted. Therefore, if at any point it becomes apparent to the Local Planning Authority that the circumstances and/or information provided do not meet the criteria of self-build then the property would be disqualified and CIL would become payable.

**6.23** Public Sector Equalities Duty (PSED)

- 6.24** As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have "due regard" to this duty. There are three main aims:
- Removing or minimising disadvantages suffered by people due to their protected characteristics;
  - Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people; and
  - Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage, the duty is to have "regard to" and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

- 6.25** In the context of the above PSED duties, this proposal is considered to be acceptable.



## **7. CONCLUSION AND RECOMMENDATION**

- 7.1 For all reasons set out above the recommendation is to grant planning permission subject to the following conditions which have been carried over from the original planning permission(s) and re-worded where necessary.

## **8. CONDITIONS / INFORMATIVES**

- 1 The planning permission hereby granted shall be begun not later than the expiration of three years from the date of the original decision notice (21st March 2019) issued under planning permission (18/02581/FUL).

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 and in accordance with all other drawings listed in Schedule 1 of planning permission 18/02581/FUL and 20/01612/CONDIT which are not superseded by the granting of this planning permission.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Notwithstanding the submitted details, a document setting out the design principles (hereafter referred to as a 'Design Code') for the development hereby approved shall be submitted to the Local Planning Authority for written approval. The Design Code shall set out how the principles and objectives of the Design and Access Statement by Ian Singleton shall be met by the development hereby approved and shall include the following matters:

- (i) The overarching design, form and general arrangement of external architectural features of buildings including the walls, roofs and fenestration.
- (ii) The hierarchy for roads and public spaces;
- (iii) The colour(s), texture and quality of external materials and facings for the walls and roofing of buildings and structures;
- (iv) The design of the public realm to include the colour, texture and quality of surfacing of footpaths, streets, parking areas and other shared surfaces;
- (v) The design and layout of any street furniture.
- (vi) Waste and refuse bin storage arrangements
- (vii) Boundary treatment/enclosures, fences and walls

The Design Code shall be submitted and approved by the Local Planning Authority prior to the commencement of Phase 2 and the development shall be carried out in accordance with the approved Design Code.

Reason: In the interests of the character and appearance of the area, having regard to Policy D1 of the Cheltenham Plan (2020) and adopted policies SD4 and SD7 of the Joint Core Strategy (2017).

- 4 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 adopted policy D1 of the Cheltenham Plan (2020) and adopted policy SD4 of the Joint Core Strategy (2017).

- 5 Prior to the occupation of the development hereby permitted, the vehicular access shall be laid out and constructed in accordance with the submitted plan drawing no. 18.0048.AP01B 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 having regard to Policy INF1 of the Joint Core Strategy (2017) and paragraphs 108 and 110 of the National Planning Policy Framework.

- 6 The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 40m north east (Left) and 53m south west (Right) distant in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

Reason:- To avoid an unacceptable impact on highway safety by ensuring that adequate visibility is provided and maintained 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 , having regard to Policy INF1 of the Joint Core Strategy (2017) and paragraphs 108 and 110 of the National Planning Policy Framework.

- 7 No phase of development shall be occupied until the vehicular parking and turning facilities for that phase of development have been provided in accordance with the submitted plan drawing no. 18.0048.AP01B, 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 having regard to Policy INF1 of the Joint Core Strategy (2017) and paragraphs 108 and 110 of the National Planning Policy Framework.

- 8 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

Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods having regard to Policy INF1 of the Joint Core Strategy (2017) and paragraph 110 of the National Planning Policy Framework.

- 9 No phase of development shall be occupied until the proposed car parking spaces for that phase have been designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Reason: To ensure that the development incorporates facilitates for charging plug-in and other ultra-low emission vehicles in accordance with paragraph 110 of the National Planning Policy Framework.

- 10 The development hereby approved shall not be carried out unless in accordance with the approved Arboricultural Impact Assessment (ref: DTCL.137.AIA.2018). The protective measures specified within the Arboricultural Impact Assessment 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 G12 and G13 of the Cheltenham Plan (2020).

- 11 An Arboricultural Method Statement (AMS) shall be submitted to and agreed in writing by the Local Planning Authority for the construction of the boundary wall adjacent to tree ref: T2 at the proposed entrance to this site. This tree has been described in the approved Arboricultural Impact Assessment as a veteran tree and as such no development should take place from a distance of 15 times the radius of the trunk diameter. This AMS should also give a detailed description and supervision of the described no-dig road. This no-dig road needs to be of a porous nature so that water is not diverted away/off tree T2 roots.

Reason: To safeguard the existing tree(s) in the interests of visual amenity, having regard to saved policies G12 and G13 of the Cheltenham Plan (2020).

- 12 Prior to the implementation of any landscaping, full details of a hard and/or soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify all walls, fences, trees, hedgerows and other planting which are to be retained, and provide details of all new walls, fences, or other boundary treatments; finished ground levels; new hard surfacing of open parts of the site which shall be permeable or drained to a permeable area; a planting specification to include [species, size, position and method of planting of all new trees and shrubs]; and a programme of implementation.

All hard and/or soft landscaping works shall be carried out in accordance with the approved details 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. All hard landscape works shall be permanently retained in accordance with the approved details [delete if not appropriate].

Reason: In the interests of the character and appearance of the area, having regard to adopted policies D1, G12 and G13 of the Cheltenham Plan (2020), and adopted policies SD4 and INF3 of the Joint Core Strategy (2017). Approval is required upfront because the landscaping is an integral part of the development and its acceptability.

- 13 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.

- 14 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 adopted policies D1 and SL1 of the Cheltenham Plan (2020) and adopted policies SD4 and SD14 of the Joint Core Strategy (2017).

- 15 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 not be used other than for the construction of self-build dwellings 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).

## 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 applicant will note that all relevant conditions have been carried over from the previous planning permission 20/01612//CONDIT and reworded/updated where necessary. The Local Planning Authority is aware that conditions have been complied with and part discharged through application ref: 21/00140/DISCON and is therefore satisfied that the details submitted for application 21/00140/DISCON are also relevant to this revised consent. Further applications to discharge/part discharge Conditions 11 and 12 of this planning permission will not be necessary unless changes to the details approved are proposed.

