



PLANNING STATEMENT

**VARIATION OF PLANNING CONDITION 2 OF PLANNING PERMISSION 20/01336/CONDIT
TO MAKE AMENDMENTS TO HOUSES PROPOSED AT PLOTS 5 & 7 AT CROMWELL COURT,
GREENWAY LANE, CHELTENHAM: AUGUST 2021**

On behalf of Churcham Homes Ltd

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1.0 Introduction, planning history & the proposal

INTRODUCTION

- 1.1 This planning statement is prepared by SF Planning Limited on behalf of Churcham Homes Ltd, in support of their application to Cheltenham Borough Council to make amendments to planning application 20/01336/CONDIT.
- 1.2 The planning application seeks to make amendments to the design of the houses proposed at plot 5 & 7. The amendments reflect the outcomes of design discussions held between Churcham Homes Ltd and the purchasers of the plots and the scope of those changes are discussed in detail in this planning statement. The house will be delivered as a custom build home by Churcham Homes Ltd for the purchasers.
- 1.3 The architectural approach to the proposal is akin to the scheme consented by permissions 18/02581/FUL and 20/01612/CONDIT and follows the design of the houses considered by recent planning permissions 21/00646/CONDIT & 21/01336/CONDIT. The schemes consented by the recent permissions and the ones proposed by this present planning application have been developed in line with the parameters set out within the site-specific design code and was agreed by the local planning authority under discharge of condition application 21/00647/DISCON.
- 1.4 This planning statement identifies the relevant planning policy background which needs to be taken into account in the determination of the application and sets out a reasoned justification by reference to relevant national, strategic, and local planning policy explaining why planning permission should be granted for the proposed development.
- 1.5 The planning application has been submitted under section 73 of the Town and Country Planning Act 1990 relating to the determination of applications to develop land without compliance with conditions previously attached. The intention is to replace the proposed plans and drawings, submitted in support of this planning application, to replace the relevant drawings consented listed at schedule 1 of condition 2 of planning permission 20/01336/CONDIT.

THE SELF & CUSTOM BUILD APPROACH

- 1.6 National Planning Practice Guidance (nPPG) paragraph 016 Reference ID: 57-016-20210208 (Revision date: 08 02 2021) under the title 'What is self-build and custom housebuilding' explains that:

'Self-build and custom housebuilding cover 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. (applicant's emphasis added...)'

- 1.7 As described by the relevant paragraph of the nPPG, self-build properties can be delivered in a variety of different forms including the delivery of 'turnkey' self-build units whereby a building is constructed on behalf of a self-builder ready for occupation. These types of solutions still fall within the definition of self-build developments.
- 1.8 In the case of the proposed development at Cromwell Court, the applicant has been working with custom-builders to deliver schemes that fit the requirements of each individual parties. Custom builders work with Churcham Homes to make the necessary changes to the internal and external elements of the proposed buildings to fit the requirements of the custom builders. The homes will be delivered by the applicant for the custom-builders ready for occupation. This approach falls within the definition of the turnkey units.
- 1.9 In terms of the original planning permission at Cromwell Court, planning condition 15 of permission 18/02581/FUL 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.'

- 1.10 The applicant will deliver 'turnkey' self-build units on behalf of self-builders. As shown by this note, the revised proposals comply with the relevant legislation covering self-build development and thus complies with the requirements of planning condition 15 of permission 21/01336/FUL.

PLANNING HISTORY

- 1.11 Planning permission 18/02581/FUL for the *'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, (the proposed development)'* was granted 21st March 2019.
- 1.12 The planning permission consented the demolition of the existing Cromwell Court and its replacement with 8 x contemporary self & custom build properties in its place.
- 1.13 Planning permission 20/01612/CONDIT was granted on 12th November 2020 for the variation of conditions 2, 3, 7 and 9 of planning permission to accommodate a phased construction programme. The purpose of the application was to enable the delivery of the consented scheme in a more effective manner through a phasing arrangement. The planning consent allows each self-builder to implement their own build at the appropriate time, whilst also enabling them to claim their own Community Infrastructure Levy (CIL) self-build exemption.

- 1.14 Discharge of conditions 11 (arboricultural method statement) and 12 (landscaping scheme) of planning permission 20/01612/CONDIT was agreed in February 2021.
- 1.15 Details submitted to discharge condition 3 (design code) and 13 (drainage) of planning permission 20/01612/CONDIT was agreed in June 2021.
- 1.16 Planning permission 21/00646/CONDIT was granted by the local planning authority in June 2021 and authorised amendments to houses at plots 1, 2, 4 & 6. The amendments made to the scheme aligned with the parameters set out in the agreed design code.
- 1.17 Planning permission 21/01336/CONDIT was granted by the local planning authority in July 2021 and authorised amendments to the house proposed at plot 3. Again, the amended scheme complied with the parameters set out in the site-specific design code.

THE PROPOSAL

- 1.18 The proposal relates to plots 5 & 7 of the consented scheme and will introduce the revised house types and layouts for these individual plots.
- 1.19 The relevant planning drawings submitted with this planning application are as follows:
- 20.20.026 PL573 Block Plans
 - 20.20.026 PL574 Proposed Site Layout
 - 20.20.026 PL576 Implementation Phasing Plan
 - 20.20.026 PLH5-01 House Type 5 Floor Plans
 - 20.20.026 PLH5-02 House Type 5 Elevations
 - 20.20.026 PLH8-01 House Type 8 Floor Plans
 - 20.20.026 PLH8-02 House Type 8 Elevations
- 1.20 In comparison to the house already consented at plots 5 and 7 this planning application proposes the following amendments:

Plot 5 (house type 8)

- Revised lower ground floor arrangement which now proposes the garage to be located at ground floor level for greater connection with the main living area of the house.
- Creation of a lightwell around the southern and eastern elevations to provide natural light to the lower ground floor level.
- Rearrangement of internal ground floor to provide a greater distinction between formal and informal spaces.
- Relocation of utility, laundry, pantry and boot room to enable greater integration with the kitchen and main living space and improve connection to external spaces via the garage.
- Reduction in the expanse of glazing along the western elevation.
- Provision of sheltered courtyard garden at northwestern corner of the property. The walls will be constructed of natural Cotswold stone.
- Rearrangement of bedroom layouts at first floor level and provision of terraces to the master suite and bedrooms 3 and 4.
- Provision of family bathroom at first floor level.
- Redesign of the garage to provide double garage and single carport.
- Use of glazed balustrade feature to surround external seating areas/terraces at ground floor level.
- Greater use of natural grey Cotswold stone as predominant construction material with quartz grey colour cladding proposed at first floor level.

Plot 7 (house type 5)

- Greater integration of garage with the main house and relocation of garage unit to the northwestern corner of the house.
- The garage to be split into a double garage and single car port.
- At ground floor level, the less formal family spaces to be focused on the western side of the building, with the more formal spaces to the east.
- A greater physical separation of space proposed across the ground floor including the provision of a space that can function as a home office.
- Dedicated external circulation and seating areas to be provided around the southern and western elevations of the building to enable integration between internal and external environments.

- Use of glazed balustrade feature to surround external seating areas/terraces at ground floor level.
- Relocation of master suite to southwestern corner of the first floor and inclusion of separate dressing room in addition to the ensuite.
- Dedicated external terrace to be provided to master suite.
- Family bathroom to be provided at first floor level.
- Greater use of natural grey Cotswold stone as predominant construction material with quartz grey colour cladding proposed at first floor level.

Proposed conditions

- 1.21 On review of planning permission 20/01336/CONDIT it is condition 2 that requires amendment to accommodate the revised plans. The suggested reworded condition is set out below and the revised drawings are included italic font. Where original drawings are proposed to be replaced then the relevant drawing reference numbers have been struck out.
- 1.22 With regards to the coloring of the font used in the suggested condition, the ones highlighted in blue font are the drawings that were submitted under planning applications 21/00646/CONDIT and 21/01336/CONDIT. This planning application does not seek to replace these particular previously submitted drawings. The drawings highlighted in red are the drawings specifically relating to this planning application for amendments to plots 5 & 7. For ease the table rows relating to drawings subject of this planning application have also been shaded in grey.
- 1.23 Please note that the drawings highlighted in red text replace both drawings consented by planning permission 20/01612/CONDIT and updates the block plan, proposed site layout plan and the implementation phasing plan submitted in support of planning application 21/00646/CONDIT.

Condition 2

1.24 The planning permission hereby granted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

Schedule 1

Reference (Original Drawing)	Replacement Drawing (Where applicable)	Type	Received
18.0048.12 AP12	<i>20.20.026 PL001 Site Location Plan</i>	Drawing	March 2021
1415-CO2-C		Drawing	21 st December 2018
18.0048.20	<i>20.20.026 PLH1-02 House Type 1 Elevations</i>	Drawing	March 2021
18.0048.21	<i>20.20.026 PLH1-02 House Type 1 Elevations</i>	Drawing	March 2021
18.0048.22	<i>20.20.026 PLH2-02 House Type 2 Elevations</i>	Drawing	March 2021
18.0048.23	<i>20.20.026 PLH3-02 House Type 3 Elevations</i>	Drawing	May 2021
18.0048.24	<i>20.20.026 PLH4-02 House Type 4 Elevations</i>	Drawing	March 2021
18.0048.25	<i>20.20.026 PLH8-02 House Type 8 Elevations</i>	Drawing	August 2021
18.0048.26		Drawing	21st December 2018
18.0048.27	<i>20.20.026 PLH7-02 House Type 7 Elevations</i>	Drawing	March 2021
18.0048.28	<i>20.20.026 PLH05-02 House Type 5 Elevations</i>	Drawing	August 2021
18.0048.29	<i>20.20.026 PL002 Topographical Site Survey</i>	Drawing	March 2021
18.0048.30	<i>20.20.026 PLH2-02 House Type 2 Elevations</i>	Drawing	March 2021
18.0048.31	<i>20.20.026 PLH3-02 House Type 3 Elevations</i>	Drawing	June 2021

18.0048.32	<i>20.20.026 PLH8-02 House Type 8 Elevations</i>	Drawing	August 2021
18.0048.33		Drawing	21st December 2018
18.0048.AP09B	<i>20.20.026 PLH8-01 House Type 8 Floor Plans</i>	Drawing	August 2021
18.0048.AP11A	<i>20.20.026 PL573 Block Plans</i>	<i>Drawing</i>	<i>May 2021</i>
18.0048.AP01B	<i>20.20.026 PL574 Proposed Site Layout</i>	<i>Drawing</i>	<i>May 2021</i>
18.0048.AP02C	<i>20.20.026 PL574 Proposed Site Layout</i>	<i>Drawing</i>	<i>May 2021</i>
18.0048.AP03B	<i>20.20.026 PLH2-01 House Type 2 Floor Plans</i>	Drawing	March 2021
18.0048.AP04B	<i>20.20.026 PLH3-01 House Type 3 Floor Plans</i>	<i>Drawing</i>	<i>May 2021</i>
18.0048.AP05B	<i>20.20.026 PLH4-01 House Type 4 Floor Plans</i>	Drawing	March 2021
18.0048.AP06C	<i>20.20.026 PLH5-01 House Type 5 Floor Plans</i>	Drawing	August 2021
18.0048.AP07B		Drawing	21st December 2018
18.0048.AP08B	<i>20.20.026 PLH7-01 House Type 7 Floor Plans</i>	Drawing	March 2021
18.0048.AP10A	<i>20.20.026 PLH1-01 House Type 1 Floor Plans</i>	Drawing	March 2021
18.0048.P1	<i>20.20.026 PL005 Phasing Plan</i>	Drawing	March 2021
18.0048.P2-A	<i>20.20.026 PL576 Implementation Phasing Plan</i>	<i>Drawing</i>	<i>August 2021</i>

1.25 The remaining planning conditions as worded on planning permission 20/01336/CONDIT are not proposed to be amended as part of this application.

2.0 Planning policy background

- 2.1 The submitted application must be determined with regard to section 38(6) of the Planning and Compulsory Purchase Act 2004, (2004 Act), which requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise.
- 2.2 Section 70 of the Town and Country Planning Act 1990, (1990 Act), requires that regard should be had to the provisions of the development plan and local finance considerations where relevant to the application, and to any other material considerations.
- 2.3 The Countryside and Rights of Way Act 2000, (2000 Act), imposes a duty on local authorities to have regard to the conservation and enhancement of Areas of Outstanding Natural Beauty, (AONB).
- 2.4 The Self-build and Custom Housebuilding Act 2015, (2015 Act), places a duty on local planning authorities to keep a register of parties wishing to acquire plots for self-build and custom housing and to have regard to such registers when carrying out planning functions.
- 2.5 The Housing and Planning Act 2016, (2016 Act), places a duty on local planning authorities to meet the demand for self-build and custom-build housing in their areas.
- 2.6 The National Planning Policy Framework, (Framework), and the National Planning Practice Guidance, (Guidance) set out national planning policy and guidance.
- 2.7 The development plan for the area comprises the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2017, (JCS)¹, and policies of The Cheltenham Plan 2011 (TCP).

¹ The JCS was adopted before the publication of the revised Framework in July 2018

3.0 Reasoned justification

OVERVIEW

- 3.1 Given the nature of consented development and the proposed amendments to the scheme sought by this planning permission, it is considered that the prevalent matters to be considered are those relating to the principle of development, good design and landscape impacts. These matters are considered below.

THE PRINCIPLE OF RESIDENTIAL DEVELOPMENT

- 3.2 The proposal seeks to vary a condition relating to an existing planning permission which consents the construction of 8 x self and custom build residential units at the site. There are no alterations proposed as part of this planning application and as such the principle of the redevelopment of the site has already been established through the grant of planning permissions 18/02581/FUL & 20/01612/CONDIT.
- 3.3 Since the grant of the 2018 and 2020 planning permissions, there has been no significant change to national planning policy relating to self and custom build housing development and therefore it remains that National legislation and planning policy, and strategic planning policy presumes in favour of self and custom-build housing development.
- 3.4 The council continues to have statutory duty under the 2015 and 2016 Acts to:
- keep a register of parties wishing to acquire plots for self-build and custom housing.
 - have regard to such registers when carrying out planning functions; and
 - meet the demand for self-build and custom-build housing in its area.

3.5 Paragraph 62 of the Framework states:

"..., the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travelers [sic], people who rent their homes and people wishing to commission or build their own homes."
(Emphasis added).

3.6 Furthermore, the JCS is all but silent in respect of policy on self and custom-build houses. Albeit JCS policy SD11 states that:

"ii. Self-build housing and other innovative housing delivery models will be encouraged...".(Emphasis added).

this is part of a broader housing-mix policy and does not amount to a specific policy for self and custom-build housing.

3.7 The council are also unable, at present, to demonstrate a 5-year housing land supply of housing and this generates a requirement to consent proposals for sustainable new development.

3.8 The proposed development seeks amendments to the consented scheme which have been driven by the requirements of the applicant's client and therefore the amendments are part of the process of building out the consented development in line with the self-builders' specifications. The application therefore assists with the delivery of the consented development and thus assist the council in meeting both its mandatory self-build requirements and also its 5-year housing supply requirements.

DESIGN

- 3.9 The submitted scheme follows the design approach consented by planning permission 18/02581/FUL.
- 3.10 The general plot arrangements remain the same as that consented by planning permission 18/02581/FUL as the 8 plots will be accessed via the same internal spine road. The spine road, which will be a private road, has been designed to allow for access by the relevant refuse and emergency vehicles as well as by proposed occupiers. The acceptability of the proposed design has already been established.
- 3.11 The architectural approach remains one of high-quality contemporary architecture utilising the general material palette consented by planning permission 18/02581/FUL and recently permitted schemes 21/00646/CONDIT & 21/01336/CONDIT. The materials will comprise those such as natural stone and expanses of glazing along with a carefully specified cladding system.
- 3.12 The planning application also follows the principles set out in the design code submitted to discharge planning condition 3 of planning permission 18/02581/FUL. This document provides further details of the materials to be used on site.
- 3.13 The amended design is also cognisant of the parameters set by the original ecology, arboricultural, drainage and transport assessments in shaping the overall design of development at the site. Therefore, the proposal will continue to:
- function well and add to the overall quality of the area.
 - reflect the principles of urban design.
 - be visually attractive as the result of good architecture.
 - be sympathetic to the surrounding built environment and landscape setting.
 - establish a strong and distinctive sense of place.
 - be inclusive and accessible with a high standard of amenity.
 - be safe and secure.
 - have an appropriate density for its location; and
 - retain and protect existing trees, which will be augmented by new tree planting.

- 3.14 In this regard the proposal complies with the requirements of JCS policy SD4 relating to good design, TCP policy D1 and NPPF paragraph 127.

LANDSCAPE, AONB

- 3.15 Relevant landscape and AONB policy are set out at section 16 of the Framework, JCS policies SD6, and SD7 and TCP policy L1.
- 3.16 The amendments to the proposed buildings within the individual plots will not materially change the form, scale, design and appearance of the consented proposal and as such there will not be any significant landscape harm generated by the scheme when compared to the already consented scheme.
- 3.17 Given the extent of development consented by the extant planning permissions there will not an adverse impact in landscape terms or in relation to the Cotswold AONB.

4.0 Summary and conclusion

- 4.1 The proposed development seeks to amend details relating to plots 5 & 7 at Cromwell Court. The principle of development has already been accepted at the site through the grant of planning permissions 18/02581/FUL, 20/01612/CONDIT, 21/00646/CONDIT & 21/01336/CONDIT and the proposal does not seek any amendments to the fundamental elements of the consented schemes.
- 4.2 The planning application generally relates to revisions to the layout of the proposed houses at plots 5 & 7 and amendments to the proposed aesthetic design to account for changes requested by the applicant's clients.
- 4.3 It remains that the proposal will be one of high-quality architecture that will help to address the unmet demand for self and custom-built housing, also help to address Cheltenham's housing land supply shortfall, and the council achieve its JCS housing requirement as well.
- 4.4 Through working within the environmental and technical parameters which were established as being acceptable through the grant of planning permission 18/02581/FUL the revised scheme will not have a detrimental impact in environmental or technical planning terms.
- 4.5 Therefore proposed development will be easily assimilated and become an established part of the local scene, just as readily as the new houses permitted off Harp Hill. It will enhance the area's character and appearance by virtue of its high standard of architectural design and the extensive new landscaping proposed.
- 4.13 All these factors taken together tilt the planning balance strongly in favour of granting planning permission.



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