



## Planning, Design and Access Statement

Greenacre  
Spring Lane  
Prestbury  
Cheltenham  
GL52 3BW

Prepared on behalf of: Marcus Hawtin Builders Ltd  
Project: 17091  
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## 1. INTRODUCTION

- 1.1 This Planning Statement is submitted in support of an outline planning application seeking permission for one infill dwelling on land adjacent to Green Acre in the village of Prestbury. Access and scale are proposed to be determined at outline stage. Appearance, layout, and landscaping are proposed to be reserved for future consideration.
- 1.2 This statement sets out the main planning considerations and justifications for the scheme. It demonstrates that the proposed development is acceptable in principle and expands upon issues relating to Green Belt, design and amenity, and access.
- 1.3 The application submitted comprises the following plans and documents:
  - Site Location Plan – PL001A
  - Existing Site Plan – PL002A
  - Proposed Site Plan – PL003A
  - Existing and Proposed Elevations- PL004A
  - Archaeological Evaluation
- 1.4 This statement should be read in conjunction with the plans and documents that make up the application.

## 2. SITE AND SURROUNDINGS

2.1 The application site is located at Green Acre in the village of Prestbury on the outskirts of Cheltenham. The site currently comprises a large, detached dwelling with a private garden to side and front of the property. The site can be seen in Figure 1 below.



Figure 1 - Site Location (taken from Google Maps)

2.2 The site is currently accessed via an existing driveway directly from Spring Lane, which leads to a parking and tuning area to the side of the property. The access is hard surfaced and has good visibility in both directions where it adjoins Spring Lane.

2.3 The character of the immediate area is semi-rural given its edge of settlement location. The area to the south is predominantly residential in nature and comprises a mixture of large detached and semi-detached properties.

2.4 The site is located within the Cheltenham Principal Urban Area (PUA) and is also within the Green Belt, which washes over most of the village of Prestbury. The site is not subject to any formal or informal landscape designation and there are no known ecological constraints that

would preclude development on the site. The site is located within Flood Zone 1 and is therefore at a low risk from flooding. The site is also not within a critical drainage area.

2.5 There is no planning history that is relevant to this current proposal.

### 3. DEVELOPMENT PROPOSAL

- 3.1 The application seeks outline planning permission for one infill dwelling on land adjacent to Green Acre in the village of Prestbury.
- 3.2 Access is to be determined at outline stage and it is proposed that the new dwelling would be accessed off the existing access, which would be shared with Green Acre. The existing access arrangements are suitable to accommodate both dwellings and no changes are proposed.
- 3.3 Scale is also proposed to be dealt with at outline stage. The upper scale parameters are shown on drawing No. PL004.
- 3.4 Appearance, layout, and landscaping are proposed to be reserved for future consideration.

## 4. PLANNING POLICY CONTEXT

4.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be made in accordance with the Development Plan unless material considerations indicate otherwise.

### The Development Plan

4.2 The Development Plan is currently comprised of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (JCS), the saved retail policies of the Cheltenham Borough Local Plan 2nd Review – 2006, the Cheltenham Plan 2011-2031, and a number of made Neighbourhood Development Plans. However, there are no Neighbourhood Development Plans that are applicable to this site. The saved retail policies are also not relevant to this proposal.

4.3 The JCS policies that are of relevance to this application are:

- SP1: The Need for New Development
- SP2: Distribution of New Development
- SD4: Design Requirements
- SD5: Green Belt
- SD10: Residential Development
- SD14: Health and Environmental Quality
- INF1: Transport Network

4.4 The Cheltenham Plan policies that are of relevance to this application are:

- D1: Design
- GB1: Residential Infilling in the Green Belt
- BG1: Cotswold Beechwoods Special Area of Conservation Recreation Pressure
- GI3: Trees and Development
- CI4: Broadband Provision

### National Planning Policy Framework

4.5 The National Planning Policy Framework (The Framework) was revised on 5th September 2023. The Framework sets out the Government's economic, environmental and social

planning policies for England and details how these are expected to be applied. It is a material consideration in planning decisions.

4.6 The Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development, which can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development. This means *“approving development proposals that accord with an up-to-date Development Plan without delay” or “where there are no relevant Development Plan policies, or the policies which are most important for determining the application are out of date, 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; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework as a whole.”*

4.7 The Framework defines the three overarching objectives of sustainable development as:

- An Economic Objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- A Social Objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and
- An Environmental Objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

4.8 These objectives should be delivered through the preparation and implementation of plans and the application of policies in the Framework; they are not criteria against which every



decision can or should be judged. Planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

- 4.9 Paragraph 218 of the Framework advises that the policies within the Framework are material considerations which should be taken into account in dealing with applications from the day of its publication.

### **Appropriate Weight**

- 4.10 Regarding the weight that is given, Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that, determination of applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise. In this instance, as a five-year housing land supply currently cannot be demonstrated, the housing policies for Cheltenham are out of date, in line with footnote 8 of the Framework. As such, the tilted balance is engaged and there is a presumption in favour of granting permission unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusal or any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework as a whole.

## 5. PLANNING CONSIDERATIONS

- 5.1 Having regard for the proposed development; the sites planning history; the relevant planning policy context; and all other material issues; the main planning considerations for the determination of this application relate to ...

### Principle of Development

- 5.2 Policy SP1 explains that during the plan period, provision will be made for approximately 35,175 new homes. Policy SP2 sets out the distribution strategy for new development and explains that to meet the needs of Cheltenham Borough the JCS will make provision for at least 10,996 new homes. This will be provided within the Cheltenham Borough administrative boundary and cross-boundary urban extensions at Northwest Cheltenham and West Cheltenham (both of which are partly within Tewkesbury Borough) defined in Policy SA1, and commitments covered by any Memoranda of Agreement.
- 5.3 As the site is not allocated and the existing garden area to Green Acre is not classed as previously developed land, Policy SD10 stipulates that housing development will only be permitted where it meets one of the exceptions set out in the policy. In this context, criterion 4(ii) allows for infilling within the existing built-up areas of the Principal Urban Area of Cheltenham. The supporting text explains that for the purpose of this policy, infill development means the development of an under-developed plot well related to existing built development.
- 5.4 There is no definition of what constitutes an under-developed plot although within the JCS area, Inspectors have reasoned that it means 'free from development'. The site currently forms part of a generous garden associated with Green Acre. The sub-division of the plot would still retain a good-sized garden for the existing property as well as providing a good-sized garden for the proposed dwelling. As such, it is reasonable to consider the application site to be underdeveloped.
- 5.5 The proposed dwelling would be flanked on either side by existing residential property and would sit comfortably within the existing streetscene. It would therefore be well related to existing built development.
- 5.6 Considering the above, the site is within the Principal Urban Area of Cheltenham and the proposed development represents infilling within the existing built-up area. As such, the

principle of residential development here is supported by Policies SP2 and SD10 of the JCS.

- 5.7 It is also the case that the Local Authority cannot currently demonstrate a 5-year supply of deliverable housing sites, with a recent appeal decision at Oakhurst Rise, Cheltenham establishing that the current figure is around 3.7 years (Appeal Ref: APP/B1605/W/20/3261154). That is due in part to some of the strategic sites in the JCS not coming forward to planned timescales due to site specific constraints. Because of this, the Local Authority's housing policies cannot be considered up-to-date, and the 'tilted balance' is triggered, as per paragraph 11 of the Framework. Furthermore, as the proposal does not represent inappropriate development in the Green Belt, there are no policies in the Framework that provides a clear reason for refusing the development proposed.
- 5.8 As the principle of this development is firmly supported by the Development Plan, the acceptability of this proposal is not reliant on the application of the 'tilted balance'. However, the provision of additional housing should be seen as an additional benefit in this context, especially given the constrained nature of Cheltenham.

## Green Belt

- 5.9 Policy SD5 of the JCS states: *'To ensure the Green Belt continues to serve its key functions, it will be protected from harmful development. Within its boundaries, development will be restricted to those limited types of development which are deemed appropriate by the NPPF, unless very special circumstances can be demonstrated'*. The NPPF advises that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are, inter alia, limited infilling in villages.
- 5.10 Policy GB1 of the Cheltenham Plan reflects the NPPF and Policy SD5 of the JCS and supports limited residential infilling of built frontages on roads within the Green Belt and the Principal Urban Area where there is no resulting harm to the openness of the Green Belt. The policy explains that in this context, 'infilling' means the construction of a new residential building or buildings between two existing residential buildings.
- 5.11 The application site is bound to the south by a large two-storey contemporary dwelling known as Moat Corner, which also has a large, detached garage to the front adjacent to Spring Lane. The existing dwelling known as Green Acre sits broadly in line with Moat Corner and extends back slightly further into its plot. It is proposed that the new dwelling would

infill the existing gap between Moat Corner and Green Acre and would follow the existing building line. Considering this, the proposed development meets the definition of ‘infilling’ as set out in Policy GB1 of the Cheltenham Plan. Indeed, appeal Inspectors commonly accept that limited infilling in the Green Belt consists of the infilling of an existing gap in an otherwise built-up frontage.

- 5.12 Regarding the openness of the Green Belt, the site is slightly elevated from the road and is bound to the front by mature hedgerows along Spring Lane and dry-stone walling at the entrance to the drive. This limits public views into the site from Spring Lane. To the rear, the site backs onto an enclosed paddock where there are no public views into the site.
- 5.13 Where there are limited views into the site from Spring Lane, the proposed dwelling would be viewed in the context of existing residential development on either side in a location that is characterised by residential development on the edge of Cheltenham. Indeed, the site is located within the Cheltenham Principal Urban Area.
- 5.14 Regarding the purposes of the Green Belt, given that the proposal would infill a gap within an existing built frontage, it would not result in unrestricted sprawl, it would not give rise to neighbouring towns merging into one another, and would not result in encroachment into the countryside. Furthermore, the proposal would preserve the setting and special character of Cheltenham and given that only a single dwelling is proposed, it would not prejudice urban regeneration in Cheltenham.
- 5.15 In summary, the proposal is not inappropriate development in the Green Belt and would not result in harm to the openness of the Green Belt. As such, the proposal accords with Policy SD5 of the JCS and Policy GB1 of the Cheltenham Plan.

## Design and Amenity

- 5.16 Policy SD4 of the JCS requires new development to respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality in terms of street pattern, layout, mass, and form.
- 5.17 At a local level, Policy D1 of the Cheltenham Plan states that development will only be permitted where it adequately reflects principles of urban and architectural design, and

compliments and respects neighbouring development and the character of the landscape. Similarly, Policy SL1 states, inter alia, that development should not cause unacceptable harm to the amenity of adjoining land users and living conditions in the locality and not give rise to crime or the fear of crime nor endanger public safety.

- 5.18 Layout and appearance are proposed to be reserved for future consideration. However, it is envisaged that the dwelling would be sited centrally within its plot and follow the existing build line established by the existing dwellings on either side.
- 5.19 Scale is proposed to be dealt with at outline stage and the upper scale parameters are shown on drawing No. PL004. Given the context of the immediate area, the scale of the proposed dwelling would be in keeping with existing residential development along Spring Lane. Furthermore, the scale of the proposed dwelling would not harm the amenity of neighbouring property in terms of light and outlook.
- 5.20 Subject to achieving a suitable detailed design at reserved matters stage, the proposed dwelling would accord with Policy SD4 of the JCS and Policies D1 and SL1 of the Cheltenham Plan.

## Energy

- 5.21 Policy SD3 of the JCS requires development proposals to demonstrate how they contribute to the aims of sustainability by increasing energy efficiency, minimising waste, and avoiding the unnecessary pollution of air, harm to the water environment, and contamination of land or interference in other natural systems.
- 5.22 The Council adopted a Climate Change SPD on 20<sup>th</sup> June 2022. The purpose of the SPD is to enable sustainable design and construction and help reduce the negative environmental impacts of the property development industry. It incorporates guidance on different aspects of sustainable design and construction including energy and carbon, climate change adaptation, water efficiency, flood prevention, pollution, sustainable transport, biodiversity, and waste reduction.
- 5.23 The Applicant seeks to deliver a dwelling that meets high environmental standards in terms of its carbon footprint and energy consumption. Where possible, sustainable, and local materials will be used to minimise the impact on the environment. It is also envisaged that

the new dwelling will be constructed with a very high level of air tightness and could incorporate technology such as air source heat pumps, solar panels and electric vehicle charging points. The exact measures would be determined at the reserved matters stage when the detailed design and landscaping is finalised.

## Access

- 5.24 The Framework sets out that development should only be prevented or refused on highways grounds where there would be an unacceptable impact on highway safety, or the residual cumulative impacts of development are severe. Those requirements are reflected in Policy INF1 of the JCS.
- 5.25 The site is currently accessed via an existing driveway directly from Spring Lane. This driveway leads to a large parking and tuning area to the side of the property. The access is hard surfaced and has good visibility in both directions where it adjoins Spring Lane.
- 5.26 Access is proposed to be determined at outline stage and it is proposed that the new dwelling would be accessed off the existing access, which would be shared with Green Acre. The existing access arrangements are suitable to accommodate both dwellings and no changes are proposed. Moreover, given the amount of development proposed, there would not be a material impact on the highway network.
- 5.27 In summary, the site will be served by a safe and suitable access and the residual cumulative impact on the highway network would not be severe. The proposals therefore accords with Policy INF1 of the JCS.

## Heritage

- 5.28 Policy SD8 of the JCS states that designated and undesignated heritage assets and their settings will be conserved and enhanced as appropriate to their significance, and for their important contribution to local character, distinctiveness, and sense of place.
- 5.29 The site has been the subject of archaeological investigations, in accordance with a Written Scheme of Investigation (WSI) approved by Gloucestershire County Council. Those investigations did not identify anything of archaeological interest and a final report has been submitted to Gloucestershire County Council for their records. A copy of that report accompanies this application submission.

## Cotswold Beechwoods Special Area of Conservation

- 5.30 Policy BG1 of the Cheltenham Plan states that development will not be permitted where it would be likely to lead directly or indirectly to an adverse effect upon the integrity of the European Site network (alone or in combination), and the effects cannot be mitigated. It goes on to state that to retain the integrity of the Cotswold Beechwoods Special Area of Conservation (SAC) all development within the borough that leads to a net increase in dwellings will be required to mitigate any adverse effects.
- 5.31 To mitigate any impact on the Cotswold Beechwoods SAC, a financial contribution is proposed towards the delivery of the mitigation measures set out in the Cotswold Beechwoods SAC Recreation Mitigation Strategy (Footprint Ecology - 2022). It is anticipated that this would be secured through a Section 106 Agreement.

## 6. DESIGN AND ACCESS CONCEPTS

### Use

- 6.1 The existing use of the site is C3. The proposal is for a single dwelling, which is also a C3 use. Given the context of the surrounding area, which is predominantly residential in character, the proposed use is appropriate for the site.

### Amount

- 6.2 The application proposes a single dwelling, which can be physically accommodated on the site in an acceptable manner, along with any associated outdoor amenity space and on-site parking provision.

### Layout

- 6.3 Layout is proposed to be reserved for future consideration. However, it is envisaged that the dwelling would be sited centrally within its plot and follow the existing build line established by the existing dwellings on either side.

### Landscaping

- 6.4 Landscaping is proposed to be reserved for future consideration. At the detailed design stage, it is envisaged that a suitable planting strategy will be employed to ensure that the proposed development creates a considered addition to the existing vernacular.

### Appearance

- 6.5 Appearance is proposed to be reserved for future consideration. It is intended that the proposed dwelling will respect the style and materials commonly seen within the surrounding area.

### Access

- 6.6 Access is to be determined at outline stage and it is proposed that the new dwelling would be accessed off the existing access, which would be shared with Green Acre. The existing access arrangements are suitable to accommodate both dwellings and no changes are proposed.
- 6.7 The site is also located in a highly sustainable location within the Cheltenham Principal Urban Area with good access to all the services and facilities available.



## 7. SUMMARY AND CONCLUSIONS

- 7.1 The application seeks outline planning permission for one infill dwelling on land adjacent to Green Acre in the village of Prestbury. The site is within the Principal Urban Area of Cheltenham and is within an existing built-up area.
- 7.2 Whilst the site is in the Green Belt, the proposal represents infilling within a village in line with the Framework and Policy GB1 of the Cheltenham Plan. It is therefore not inappropriate development in the Green Belt and would not result in harm to the openness of the Green Belt. As such, the proposal accords with Policies SP2, SD5 and SD10 of the JCS and Policy GB1 of the Cheltenham Plan.
- 7.3 Furthermore, as the Council cannot currently demonstrate a five-year housing land supply, there is a presumption in favour of sustainable development, as set out in paragraph 11 (d) of the Framework. As the policies in the Framework protecting areas or assets of particular importance do not provide a clear reason for refusal and there are no adverse impacts which would outweigh the benefits of the development, when assessed against the Framework as a whole, permission in principle should be granted for this development.
- 7.4 It is therefore urged that the Local Planning Authority grant outline permission for this sustainable development.



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