

Housing Enabling Comments- Kidnappers Lane 21/00847/REM, 12.01.22

Housing Enabling Comments Summary: Kidnappers Lane, 21/00847/REM, 12.01.22:

This officer previously raised two objections to the scheme; first, that the sustainability proposals for the affordable homes were inferior to those provided to the market homes. Secondly, in regards to the significant disparity between the external visual appearance of the affordable homes and their market counterparts.

Addressing the first concern, the applicant has submitted a statement (dated 07.01.22) confirming their commitment to deliver zero-carbon affordable homes (as well as clarifying how this will be achieved through design and construction). As such, the policy expectations of JCS Policy SD12: Affordable Housing have been met. Additionally, it is recognised that this commitment exceeds the policy requirements of JCS Policy SD3: Sustainable Design and Construction.

Assessing the second point, whilst the applicant's updated statement provides a logical explanation as to why the affordable homes cannot be "equal to that of market housing in terms of appearance" as per JCS Policy SD12, it is somewhat regrettable that this policy requirement cannot be fulfilled.

However, on balance, given the considerable prior engagement between the applicant and Council and the pressing need to determine this planning permission, it would be unreasonable to pursue any further design changes to affordable homes in this instance. Moreover, the applicant's firm commitment to delivering zero-carbon affordable homes (which is of significant benefit) means that, upon reflection, the applicants proposals in regards to the external visual appearance of the affordable and market homes are considered to be satisfactory.

Sustainability & Build Materials:

Within previously submitted Housing Enabling Comments dated 07.01.22, concerns were raised regarding the applicant's approach towards delivering low-carbon affordable homes on the Kidnappers Lane scheme, which compared unfavourably to the market provision, which would meet zero carbon standards, as confirmed within the applicant's Revised Design and Access Statement (dated 07.09.21).

In policy terms, this approach fell short of our adopted policy position found within JCS Policy SD12: Affordable Housing, in regards to ensuring that- "the design of affordable housing should... be equal to that of market housing in terms of appearance, build quality and materials". The intention of this policy, is, in effect, to ensure that the affordable homes are built to an equivalent standard of their market counterparts.

Having received the applicant's response to this concern, this officer is pleased to report that the revised approach is now consistent with JCS Policy SD12: Affordable Housing, and clearly explains how reductions in carbon emissions (and, by extension, reduction in fuel bills and effective approach towards tackling fuel poverty) will be effectively addressed through the build and design of the affordable homes. The applicant's clear written commitment to delivering zero carbon affordable homes is commended by this officer and will hopefully set an example for other developers to follow on future schemes.

As mentioned in the applicant's response, this Officer both recognises and welcomes the delivery of net-zero carbon affordable homes that exceed the expectations of our adopted policy (in this case, JCS Policy SD3: Sustainable Design and Construction). This point is especially relevant in light of the exponential rise in the cost of gas and electricity, which, when coupled with rising inflation rates and national insurance tax, is likely to have a serious and disproportionate impact upon low income households.

In summary, therefore, the improvements made to the design and build of the affordable homes to meet zero carbon emissions represents, (in this officer's view) a significant benefit to the scheme and is consistent with the policy expectations enshrined within JCS Policy SD12: Affordable Housing.

External Visual Appearance

Above and beyond concerns raised regarding the proposed carbon reduction measures offered to affordable homes, this officer's previous Housing Enabling comments (dated 07.01.22) also objected to the proposed scheme on the grounds of significant visual disparity between the market and affordable homes. In terms of the Council's adopted policy position, the previously submitted Housing Enabling comments raised concerns that the proposed scheme was falling short of JCS Policy SD12: Affordable Housing, which states that: "the design of affordable housing should...be equal to that of market housing in terms of appearance". This point was also echoed within the Section 106 agreement relating to this scheme which states that: "To ensure integration of the affordable housing units with the open market units to the extent that the affordable housing units shall be generally indistinguishable in appearance from the open market units in terms of unit design".

The applicant's response to these concerns (dated 07.01.22) contends that it would not be appropriate (or in keeping with the aesthetic of the local area) to make changes to the currently proposed visual appearance of the affordable (or market) homes.

Having considered the applicant's response to these concerns, this officer is satisfied, given the detailed explanation provided by the applicant, that, with the exception of the "cladding provided on larger properties to provide visual relief" that the market and affordable homes do not significantly differentiate between each other.

To justify the inclusion of the grey cladding provided on the larger market homes (which are not included on the affordable provision), the applicant suggests that: "a closed cell product made from recycled materials has been used to clad the larger properties... which is relatively new to the market and has therefore not achieved the certification required to use this on a party wall (a party wall being a dividing wall between two adjoining buildings, as is present on the affordable homes)", as such, the applicant suggests that it would not be practicable or feasible to ensure that this particular detail was included on both market and affordable homes.

In this Officers view, this disparity between the affordable homes and their market counterparts is less than ideal. However, on balance, it is appreciated that the scheme had already been through significant consultation between the Council and the applicant, and is due to be determined within weeks. Accordingly, it would be unreasonable for the Council to require the applicant to make major design changes to the proposed scheme. Additionally, it is recognised that the applicant has recently made significant amendments to the proposed scheme to accommodate the provision of zero-carbon affordable homes, which is clearly of significant benefit. In this vein, the applicants proposals in regards to the external visual appearance are considered to be satisfactory.

Additional Comments:

It is acknowledged that the applicants offer to increase the size of the 3 bedroom 5 person Shared Ownership and Affordable Rented homes respectively to meet the specifications of two 3 bedroom 6 person houses (following a request from this officer) exceeds the expectations set out within the Section 106 agreement, thereby representing a further positive element of the proposed affordable housing scheme.

Ewan Wright

Housing Strategy & Enabling Officer

12.01.2022

This page is intentionally left blank

APPLICATION NO: 21/00847/REM		OFFICER: Mrs Emma Pickernell
DATE REGISTERED: 14th April 2021		DATE OF EXPIRY: 14th July 2021
WARD: Leckhampton		PARISH: Leckhampton With Warden Hill
APPLICANT:	Newland Homes Ltd	
AGENT:	No agent used	
LOCATION:	Land Off Kidnappers Lane, Cheltenham	
PROPOSAL:	Application for approval of Reserved Matters (conditions; 1, 5, 7 & 13) following Outline Planning Application approval for 25 Dwellings & Associated Works (with all matters reserved) 19/00334/OUT	

Update to Officer Report

1. OFFICER COMMENTS

1.1. Determining Issues

- 1.2. As mentioned in the committee report the application has recently been amended to ensure that it is 100% zero carbon across the scheme, including the affordable homes.
- 1.3. The purpose of this update is to provide members with the applicant's response which sets this out, along with a response to other points raised by the Affordable Housing Enabling Officer.
- 1.4. The Affordable Housing Enabling Officer has also provided a response to this which withdraws previous concerns to the proposal.

2. CONCLUSION AND RECOMMENDATION

- 2.1 The recommendation remains to approve the application. It is considered appropriate to attach a condition (condition 5) to ensure that the measures outlined by the applicant, to achieve net zero carbon are implemented in full.

3. CONDITIONS

- 1 The development shall be begun not later than the expiration of two years from the date of this decision.

Reason: To accord with the provisions of Section 92 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 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.

Page 6

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).

- 4 Prior to first occupation of the development, refuse and recycling storage facilities shall be provided in accordance with the approved plans and shall be retained as such thereafter.

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

- 5 Prior to the first occupation of the development the sustainable practices and features outlined in letter from the Agent dated 10th January 2022 shall be implemented in full and shall be retained in perpetuity thereafter.

Reason: to ensure that the buildings meet the net zero carbon standard which has been outlined in the application submission, having regard to policy INF 5 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.

Your Ref: **21/00847/REM**

Our Ref: **232.02**

FAO Ewan Wright
Housing Strategy & Enabling Officer

Date 10th January 2022

Re: Kidnappers Lane, 21/00847/REM

Further to your communication dated 07.01.2022 in particular the comments raised regarding the following:-

Sustainability and Build materials

The quality of the homes and materials used do not vary between the open market and affordable homes and the details contained within our Design Statement remain accurate. However, since submitting the Reserved Matters application we have undertaken further detailed reviews and have increased the efficiency of the affordable homes further from Low Carbon to Zero Carbon. You will appreciate this goes far beyond our obligations under the planning application, local policy, building regulations or indeed what other property developers are currently providing in the local area.

Details of our Zero Carbon homes (both open market and affordable homes) are contained below and expand on the information provided in our Reserved Matters application. This confirms external fabric; renewable energy application; enhanced heating and hot water provision.

The current Building Requirements are due to change in July 2022 to provide an uplift to achieve a 31% reduction in CO2 emissions over and above the Part L 2013 requirements. In 2025 the Future Home Standard is proposed to come into force this will require all new dwellings to be Zero Carbon Ready. In 2050 the current aim is for all dwellings to be Zero Carbon and this is foreseen as being made achievable through decarbonising the grid.

Having taken onboard the climate emergency we are proposing to provide our dwellings to surpass both the new Building Regulations 2021 coming into force July 2022 and the Future Homes Standard which will come into force in 2025. This enables us to provide a Net Zero Carbon (EPC rating figure of over 100) level to all homes on site and is achieved by the following:

- 1. Enhancing the insulation levels of the fabric of the properties, this improves the fabric U-Values and accounts for 7% of the reduction in Carbon emissions and results in;
 - Improved floor, wall and roof insulation.
 - Improved window and door products.
 - Enhanced airtightness to reduce drafts and unwanted heat loss.
 - Reducing cold bridges by careful and considered detailing.*
- 2. Providing Air Sourced Heat Pump (ASHP) to generate heating and hot water at a 400% efficiency rating. This highly efficient energy heating accounts for 36% of the reduction in Carbon emissions and results in;
 - Air Source Heat Pump (ASHP) coupled with Under Floor Heating to provide a Seasonal Coefficient of Performance of more than SCOP4 which means that throughout the year for every*

kW of energy put in 4kW of energy is generated.

3. *To offset any carbon by using photoelectric cell panels to create electricity that can be used or sold back to the grid, this on site renewable energy system accounts for 57% of the reduction in Carbon emissions and results in;*
 - *Photovoltaic Collectors creating electricity directly from the sun with latest high grade 335W monocrystalline panels. The quantity of panels required to achieve this depends on the size of property, and therefore varies from between 8-20 panels.*

External Appearance

The affordable homes are, as the Officer notes smaller in size than the open market properties and therefore require a slightly different approach, nevertheless to remain true to the requirements the architectural language, quality of the materials and quality of details specified throughout the site do not differentiate between open market and affordable homes for the reasons listed below.

It is typical in the local area for larger properties to use a variety of techniques to provide visual interest and break up the mass of a building, this can be seen through the introduction of additional materials and/ or detailing, however on smaller scale dwellings this approach is not appropriate nor typical, therefore a single material is appropriate and consistent with the local vernacular.

As is noted the design approach utilises traditional form with a modern twist to reflect the era in which it is built. This has resulted in visual cues being taken from the local area and includes the roof pitches, dropped eaves, dormer windows and window proportions. These features and the resulting architectural style is consistent throughout the site regardless of tenure.

Both the main facing material (brick), roof tile and timber detailing are the core materials found throughout the open market and affordable homes, there are however small sections of cladding provided on the larger properties to provide visual relief, where necessary, as is typical and found locally. As a result the quality of materials, detailing and style throughout the development is reflective of the local area and again does not differentiate between open market and affordable homes.

It is also worth noting that to help further improve the reduction of waste materials and improve help the environment Newland Homes has selected a unique closed cell product made from recycled material to clad the areas on the larger properties. It is relatively new to the market and consequently the certification to use it for cladding across a party wall is not currently available, as required by part B of the Building Regulations.

Therefore, irrespective of any perceived preference to impose the same material combinations on all properties, thus taking away the variety of the development, in this instance it would not be possible.

Had this accreditation been made available Newland Homes remains of the opinion that the variety found throughout the development proposed is consistent with the local area in which it takes visual references from. In addition to being well balanced, appropriately distributed and tenure blind, and the Architectural Panels comments and recommendation for approval support this.

We also wish for it to be noted that during this application Newland Homes have increased the size of two of the affordable homes to meet local demand. This was not a requirement of the S106 and is

another example where we as a company have exceeded the standard expected in order to provide a robust and considered development.

Yours sincerely

Craig Cobham

Project Manager

DD: 01452 623017

Email: craig.cobham@newlandhomes.co.uk

This page is intentionally left blank