

APPLICATION NO: 16/00202/OUT		OFFICER: Mr Craig Hemphill	
DATE REGISTERED: 6th February 2016		DATE OF EXPIRY: 7th May 2016	
WARD: Leckhampton		PARISH: Leckhampton With Warden Hill	
APPLICANT:	Roberts Hitchins Ltd		
AGENT:	No agent used		
LOCATION:	Land Off Kidnappers Lane Cheltenham		
PROPOSAL:	Residential development of up to 45 dwellings, associated infrastructure, open space and landscaping, with creation of new vehicular access from Kidnappers Lane, demolition of existing buildings		

Update to Officer Report

1. REFUSAL REASONS

- 1 The principle of granting planning permission for the proposed development as submitted is unacceptable. The site is located adjacent to an emerging Cheltenham Local Plan site which means it cannot be considered in isolation in terms of its cumulative impact. The granting of planning permission for the proposed development in advance of the finalisation of the emerging Cheltenham Local Plan could prejudice decisions to be made about the size, scale or suitability of new housing development and the designation of Local Green Space in this or the wider area. Therefore it is unclear at this time whether the proposed development would be in line with planning for housing objectives, and reflecting the need and demand for housing in this area or whether the proposals would undermine wider policy objectives including Local Green Space.

It is therefore important that any development in this area is part of a plan-led process. The application is therefore contrary to guidance set out in paragraph 150 and 156 of the NPPF and policy INF 4 and INF7 of the Proposed Modifications of the Joint Core Strategy.

- 2 The proposed development would fundamentally change the character of the former nursery to a residential area of urban character given its density and arrangement. The residential settlement given the nature of the mass, density and layout of the development would appear out of keeping within the surrounding landscape setting that is predominantly open and rural. The development would therefore appear as an isolated urban area in the otherwise rural area with no connectivity to other housing located outside the identified Principal Urban Area. The proposal would degrade the visual amenity and harm the character and appearance of the sensitive valued landscape in this area, and would reduce the quality of views to the Cotswold Area of Outstanding Natural Beauty from the footpath to the south of the site. Furthermore, the illustrative layout in this location does not follow the objectives of good urban design as it does not respond to the need to achieve place making with a view to helping create a pleasant and suitable place to live, or provide for a place which links well with and respects its immediate neighbours and wider setting, or provide for a place that makes a positive contribution to the quality and character of the area.

The application therefore fails to comply with policies CO1, CO2 and CP7 of the Local Plan and Policy SD8 of the Proposed Modifications to the Joint Core Strategy along with the objective set in sections 7 and 11 of the NPPF.

- 3 Policy CP8 of the Cheltenham Borough Local Plan states that development will be permitted only where adequate provision has been made for the infrastructure necessary for the development to proceed and for other public services and facilities, the need for which arises directly from the development. This requirement is reflected in policy INF7 of the Proposed Modification to the Joint Core Strategy.

The development proposed will lead to:

1. An increase in use of the surrounding highway networks and the development should therefore mitigate its impact in terms of providing commuted payments towards the provision of walking, cycling and the use of public transport for journeys to and from the application site. (Local Plan Policy TP1, Joint Core Strategy Proposed Modifications Policy INF1, Supplementary Planning Guidance, 'Planning Obligations: Transport', NPPF Section 4)
2. An increase in demand for playspace provision in the Borough and therefore the development should mitigate its impact in terms of adequate provision for outdoor playing space. (Supplementary Planning Guidance, 'Playspace in Residential Development', and Local Plan Policy RC6, Joint Core Strategy Proposed Modifications Policy INF4, section 8 of the NPPF)
3. An increase in demand for education and library facilities in the Borough and therefore the development should mitigate its impact in terms of providing on-site or off-site provision or commuted payments towards the provision of new or improved primary and secondary school facilities and new or improved library facilities within the Borough. (Joint Core Strategy Proposed Modifications Policy INF5, Section 8 of the NPPF)
4. A need to provide for the future management (and maintenance) of the common land within the development and therefore the development should make provision to mitigate its impact by providing for the provision a land management plan covering such common areas of land. (Joint Core Strategy Proposed Modifications Policy INF4, Supplementary Planning Guidance, Landscaping in New Development).
5. A need to provide for an element of affordable housing (Local Plan Policy HS4, Joint Core Strategy Proposed Modifications Policy SD13).

No agreement has been completed to secure payment of the necessary commuted sums, identified above and in the Committee report, along with the provision of affordable housing and a land management plan. The proposal therefore fails to meet the expectations of Local Plan Policy CP8 and Local Plan Policies, Supplementary Planning Guidance, Joint Core Strategy Proposed Modifications Policy INF7 and the NPPF Guidance referred to.