

Our Ref: PJF/gp/PF/10093
(Please reply to Banbury office)

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28th May 2019

Ms L Palmer
Major Casework
Planning Inspectorate
3/J The Quay House
2 The Square
Bristol
BS1 6PN

Dear Leanne

**TOWN AND COUNTRY PLANNING ACT 1990
SECTION 78 APPEAL BY WILLIAM MORRISON (CHELTENHAM LTD) AND THE TRUSTEES OF THE
CARMELITE CHARITABLE TRUST AGAINST THE REFUSAL OF CHELTENHAM BOROUGH COUNCIL TO
GRANT PLANNING PERMISSION FOR AN OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF
UP TO 69 DWELLINGS ON LAND ADJACENT TO OAKHURST RISE, CHELTENHAM
LPA REF: 18/02171/OUT
PINS REF: APP/B1605/W/19/3227293**

REQUEST FOR INSPECTOR TO CONSIDER AN AMENDED PROPOSAL (WHEATCROFT PRINCIPLES)

I refer to the above appeal. In the Appellant's Statement of Case (paragraphs 1.14 – 1.15), I made reference to a potential request to be made to the appointed Inspector to determine the appeal on the basis of an amended layout (in the context of the Wheatcroft Principles, Procedural Guide, March 2019).

The request for the decision to be made on the basis of an amended layout plan arises particularly from the comments made by the Examining Inspector for the Cheltenham Local Plan 2011 – 2031. I attach the Inspector's Post-Hearing Advice Note (PHAN), dated 9th April 2019. The appeal site relates to housing allocation HD4.

The amended layout has been prepared specifically in response to the content of PHAN paragraph 22 – and is attached here (Drawing No. PL005 Rev D). The changes to the layout on which the determination was made are as follows:

- Housing development has been set back from the site boundary with Ashley Manor and Charlton Manor – resulting in an amended site layout and the number of dwellings being reduce from 69 to 68.

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- The parking spaces for units 59 – 64 (show s units 60 – 65 on Dwg No.PL005 Rev A) have been reconfigured.

Other drawings have been amended in order to accord with the revised layout, namely:

- Dwg No. PL004 Rev A Proposed Block Plan
- Dwg No. PL006 Rev A Indicative Mass Building Plan
- Dwg No. PL007 Rev A Affordable Housing Distribution
- Dwg No. PL010 Rev A Indicative Street Scenes
- Dwg No. PL011 Rev A Indicative Street Scene
- Dwg No. PL014 Rev A Nolli Plan
- Dwg No. 19073.101 Landscape Strategy
- Dwg No. 38-1036.03-B Tree Protection Plan

I also attach copy correspondence to Tracey Crews, Director of Planning at Cheltenham Borough Council, of today's date, setting out the steps to be taken to provide consultation on this requested amendment.

The Appellant acknowledges that it is a matter for the Inspector to decide whether the requested amendment is accepted for the purposes of decision-taking.

May I request that this correspondence and attachments thereto are forwarded to Mr Sims. Could this request be a matter that is covered in the Case Management Call on 3rd July?

Yours sincerely



Peter J Frampton

Enc: Model Letter to Consultees
Model Letter to Residents
Site Notice/Press Notice
Photographs of Site Notices in situ
Inspector's Post-Hearing Advice Note
Dwg No. PL004 Rev A Proposed Block Plan
Dwg No. PL005 Rev D Proposed Site Layout
Dwg No. PL006 Rev A Indicative Mass Building Plan
Dwg No. PL007 Rev A Affordable Housing Distribution
Dwg No. PL010 Rev A Indicative Street Scenes
Dwg No. PL011 Rev A Indicative Street Scene
Dwg No. PL014 Rev A Nolli Plan
Dwg No. 19073.101 Landscape Strategy
Dwg No. 38-1036.03-B Tree Protection Plan
Archaeology Addendum Note
Arboriculture Addendum Note
Built Heritage Addendum Note
Design and Access Addendum Note
Ecological Addendum Note
Flood Risk and Drainage Addendum Note
Landscape and Visual Addendum Note
New Tree Planting Management Plan
Transport Addendum Note

CC: Ms H Thomas, Cheltenham Borough Council
Ms M Payne, Cheltenham Borough Council