



Notice of a meeting of Planning Committee

**Thursday, 22 August 2019
6.00 pm
Council Chamber - Municipal Offices**

Membership	
Councillors:	Garth Barnes (Chair), Paul Baker (Vice-Chair), Stephen Cooke, Diggory Seacome, Victoria Atherstone, Bernard Fisher, Dilys Barrell, Mike Collins, Alex Hegenbarth, Karl Hobley, Paul McCloskey, Tony Oliver, Simon Wheeler, John Payne and Rowena Hay

The Council has a substitution process and any substitutions will be announced at the meeting

Agenda

c) **19/01237/FUL 1 Hamilton Street**

(Pages 5 - 10)

Contact Officer: Judith Baker, Planning Committee Co-ordinator,
Email: builtenvironment@cheltenham.gov.uk

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43, Cudnall Street,
Charlton Kings,
Cheltenham,
Glos.
GL53 8HL

9th July 2019

Members of the Planning Committee,
Cheltenham Borough Council,
Promenade,
Cheltenham
GL50 9SA

Re: Revised scheme ref: 19/00576/FUL

Dear Councillors,

A proposed 1.5 storey, one bed dwelling (revised scheme ref: 19/00756/FUL) at 1 Hamilton Street, Charlton Kings, Cheltenham

Since the date of closure for public comment on the proposed single storey dwelling at Hamilton Street, there have been a number of additional submissions by public bodies, including the Planning Officer's Report. This recommends that the scheme should receive planning permission.

Having read these submissions and her Report, we would like to address the arguments used to reach her conclusion, which we believe are flawed. We will highlight the key points at Thursday's Planning Meeting. While this is a personal letter, I (██████) will also be speaking on Thursday on behalf of other residents of Cudnall and Hamilton Street, who have objected to the scheme. However, we believe that it would be helpful for Committee members to consider the detailed points in advance of the meeting and in the light of the pre-meeting site visit.

1. Para. 6.3.5 and 6.3.6. The comments by the Civic Society and the Architects Panel are used to support a single storey building on this site. But *neither* panel is enthusiastic about development of the site. The option of a single storey, as hesitantly suggested by the Civic Society; or a two-storey option, as suggested by the Architects Panel are clearly viewed as worse case scenarios ("could possibly" and "at the very least ..."). The two recommendations are also incompatible. Either you build higher, in which it is harmful to conservation; or you restrict the building to a single storey which is harmful to design. The logical conclusion to draw is that the site is unsuitable, whichever way you look at it.
2. Para 6.3.8. The arguments in this paragraph, based on those of the Conservation Officer, fail to take a balanced or impartial view of the Conservation Area Appraisal and Management Plan ["The Plan"], or the Parish and Borough Council's planning policies. The late submission of the Conservation Officer suggests that the report was written to support the Planning Officer's pre-determined outcome, rather than to present a balanced evaluation of the evidence. It argues that:
 - a. The proposed design 'presents an honest and distinct single storey subservient form that allows the listed building to be clearly legible and appreciated as a historic building'. A more accurate description is that 'the "container" like aesthetic of the dwelling is not

appropriate in this location' (Panel); and that the proposed aluminium clad dwelling matches the description of a 'shipping container' of which 'neither the design or the proposed materials are worthy of a dwelling in a conservation area' (Parish Council).

- b. 'How the building is experienced in its surroundings will be maintained and therefore there is no detriment to its significance'. The Planning Officer admits that there will be an impact on the public view of a single storey building. Placed in front of the historic building line and in close proximity to No. 36, this will be detrimental to the appreciation of this architecturally significant 15th century Listed building. The assessment also fails to adequately consider the visual impact on other period properties in this section of Cudnall Street; or the impact on the overall character and distinctiveness of the Conservation Area, as required by the planning frameworks.
 - c. The sentence quoted from the Plan's Executive Summary, which refers to the 'the diverse mix of building type, style, age and function', is misleading. It refers to the *period* character of the buildings in Cudnall Street, which are a diverse mix. It is precisely this period character which the Plan seeks to maintain. It cannot be used to justify the introduction of a 21st century building which would be detrimental to the period character.
 - d. There are, in fact, a very small number of modern buildings on the street. These have been marked on the attached Plan. They have all been built well behind the building line, with front or side gardens, conserving the essential period character of the street. The proposed scheme would reverse the sound planning principles adopted up until this point, which have safeguarded the Conservation Area its unique period character and distinctiveness.
 - e. Of more relevance in capturing the essence of the Plan from a heritage and conservation perspective is the second bullet point of the Summary: 'The area has retained its unique historic character and qualities through the visual dominance of historically and architecturally important buildings, the retention of their attractive historic settings and the retention of many of the historic plot boundaries'. The proposed new building will damage all three ingredients which give the Area its unique character and distinctiveness.
 - f. The suggestion by the Conservation Officer with regard to the building line is not referred to explicitly by the Planning Officer but is implicit in the conclusion to which she refers. The Officer highlights the fact that there is a clearly defined building line which runs from Nos 35 to No 45 Cudnall Street. He/she then goes on to argue that, because No 43 with a front garden adjoining Cudnall Street lies *behind* that building line, this justifies building *in front of* the building line at No 1, Hamilton Street, in its portion of the garden adjoining Cudnall Street. This defies sound planning, as well as common sense.
3. Para 6.4. The statement that 'the development would not result in any amenity concerns with regard to privacy, outlook or daylight' is incorrect. In addition to objections previously tabled by residents, we draw attention to the additional access of a gate and windows directly overlooking Cudnall Street, which have been slipped into the revised pair of drawings, neither of which are currently provided for at 1, Hamilton Street.
 4. Para 6.5 This statement fails to give proper consideration to the traffic and the safety risks raised by residents and the Parish Council, which are well known and well documented.

5. Para 6.6. The fact that the semi-mature copper beech tree in the current *could be* removed by the applicant at any time does not justify granting planning permission for a building which would *necessitate* its removal; particularly when the Tree Officer and the Parish Council have highlighted its importance to the street scene.

In summary, we believe that the arguments presented by the Planning Officer are flawed and fail to take a balanced view of the submissions made. This has been done to support a decision already taken by the Planner to support development on this site. The Report states the rationale behind this decision. The final Informative section states that 'in this instance, the authority sought revisions to the scale and massing of the development to secure a more appropriate development in this location'. The reasons given are:

- 'There is a presumption in favour of sustainable development' (Para 6.2)
- 'It would be difficult to resist the principle of a detached single storey in this location'. (Para 6.3.7).

In response, we recognise the need for new homes, but we do not believe that this provides sufficient presumption in favour of development in this particular site, when full consideration is given to the relevant planning context and the detrimental impact on the Conservation Area. What is being proposed is an inferior design on an unsuitable site. It is inappropriate to the context; it reverses previous planning policy in relation Cudnall Street and will result in lasting damage to the character and distinctiveness of the Street and the Conservation Area. We also reject the argument that, because the developer might put up something worse, for which planning would not be required. This could apply to any application; it is not a valid justification.

Cudnall Street has a unique character and provides a unique contribution to Cheltenham. As the Plan states, it 'contains a high number of statutory and locally listed buildings, allowing the area to be rich in historic and architectural interest'. Its character is a product of its residents as well as its buildings, under whose stewardship the Area has been conserved, improved and handed on. There have been a significant number of objections to this proposal, all by local residents, who have expressed the view which we believe to be representative, that this development will have a detrimental effect on the Conservation Area. There have been no declarations of support.

The Parish Council has reviewed three different designs in the light of the specific proposals made and the Parish Council's Planning Policy. It, too, has been unanimous in its objections to the scheme.

We are pleased to know that Committee Members will be visiting the site and will have an opportunity to visualise the impact for themselves. We have included with this letter the relevant extract from the Executive Summary of the Conservation Area Appraisal and Management Plan; and a map from the Plan to illustrate the period character, to which we have added the building line and the way in which new developments have all been located behind that line, in order to assist Members in reaching a decision.

What the Committee is being asked to accept is presented as, at best, a 'least-worse option'. We strongly urge the Committee to reject the Planning Officer's recommendation and decline planning permission for the proposed scheme.

Yours sincerely,

Copies: Miss Michelle Payne, Planning Officer
Mr Russell Grimshaw, Chair, Planning Committee, Charlton Kings Parish Council

No 1, HAMILTON STREET

Part 1 – Character Appraisal

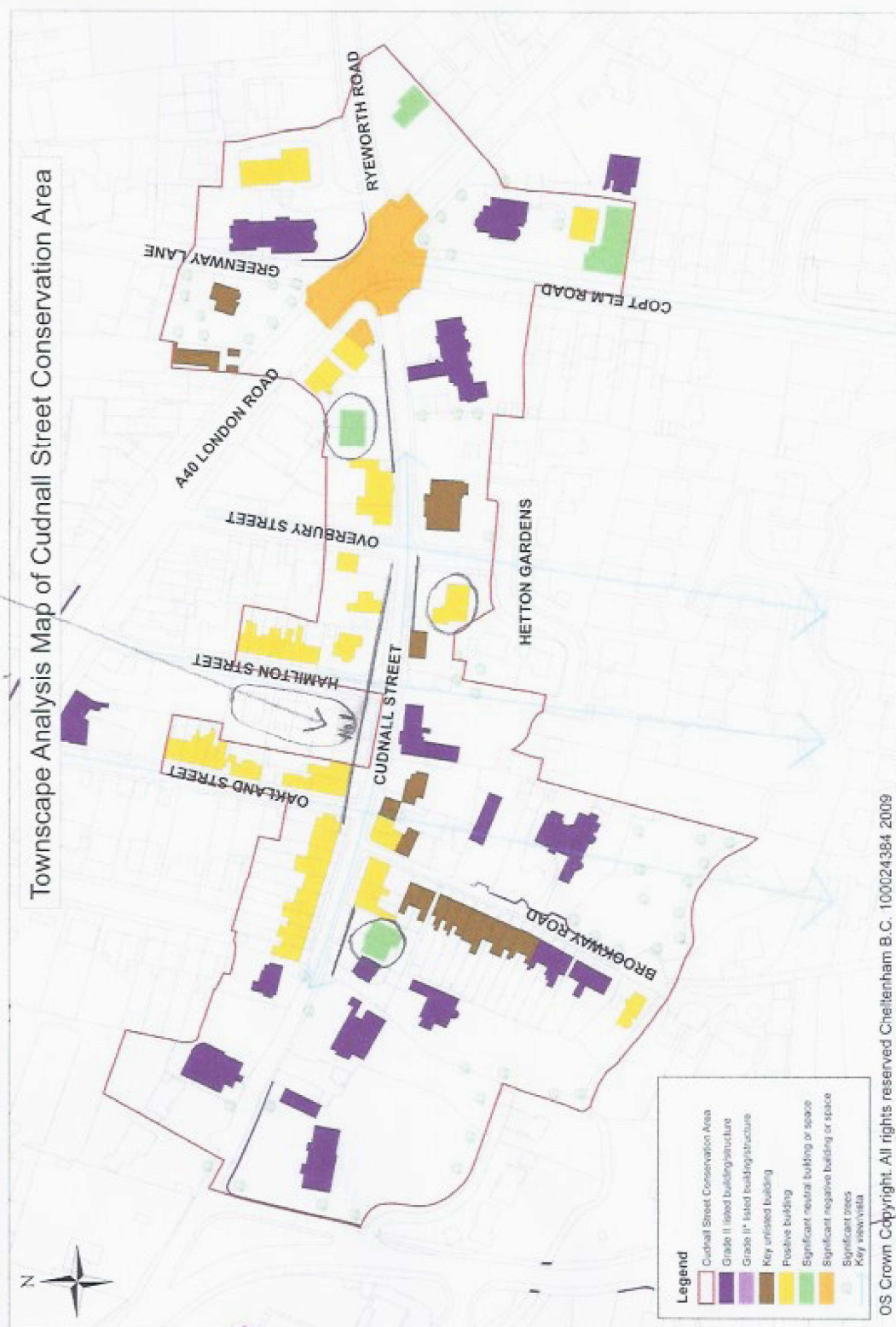


Figure 1 Townscape Analysis Map of Cudnall Street Conservation Area

Summary of special interest

1.12 Cudnall Street Conservation Area is special because:

- The Conservation Area contains a high number of statutory and locally listed buildings, allowing the area to be rich in historic and architectural interest;
- The area has retained its unique historic character and qualities through the visual dominance of historically and architecturally important buildings, the retention of their attractive historic settings and the retention of many of the historic plot boundaries;
- Cudnall Street has three distinct areas of contrasting urban grain. In the centre is fine grained layout and built form, with tight blocks and regular building layout. This is enclosed at either end by a much coarser grain – with larger plots and irregular building patterns;
- The Conservation Area has a diverse mix of building type, style, age and function. This adds to the special interest of the Conservation Area through the visual architectural variety of buildings, their varied details and materials, and their varied relationships to each other, as well as the varied uses of buildings and land;
- Cudnall Street forms an important road within the Conservation Area. It was historically named London Road and forms part of the ancient route through Charlton Kings across country to London.

2 LOCATION AND SETTING

Location and context

- 2.1 Today Charlton Kings is a large suburb within the Borough of Cheltenham. It is positioned approximately two miles east of Cheltenham's centre and includes the Parish of Charlton Kings. Today this large suburb surrounds the once detached and historic village of Charlton Kings. However Charlton Kings has always been intrinsically linked to Cheltenham. Although Cudnall Street Conservation Area forms part of the historic area of Charlton Kings, it is the St Mary's Conservation Area which includes the heart of the original historic village. The remainder of the settlement is formed by modern suburban development of varying ages set around Charlton Kings' historic core. There are two other Conservation Areas in Charlton Kings, being St. Mary's and Bafford. Charlton Kings is set at the foot of the Cotswold escarpment and the Area of Outstanding Natural Beauty wraps around to the south and east. This Cotswold hill landscape forms an attractive distant setting for Charlton Kings.

General character and plan form

- 2.2 Cudnall Street Conservation Area forms a small area with a varied character. The houses are a mix of different ages, architectural styles, materials, sizes and scales. The larger detached houses tend to be loosely set out, away from the street, whereas the terraced houses tend to follow a strong building line with contained frontages. The juxtaposition of the large, grand houses with the small, terraced houses creates an interesting and pleasing visual contrast. Roads in the Conservation Area are predominantly narrow. Cudnall Street and Brookway Road have a gently curving plan form, whereas Overbury Street, Hamilton Street and Oakland Street have a straight plan form.

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