



Notice of a meeting of Planning Committee

**Thursday, 16 January 2014
6.00 pm**

| Membership | |
|---------------------|---|
| Councillors: | Chris Coleman (Chair), Penny Hall (Vice-Chair), Helena McCloskey, Garth Barnes, Barbara Driver, Jacky Fletcher, Bernard Fisher, Rob Garnham, Les Godwin, Peter Jeffries, Andrew McKinlay, Malcolm Stennett, Pat Thornton, Simon Wheeler and Klara Sudbury |

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

Agenda

- 1. APOLOGIES**
- 2. DECLARATIONS OF INTEREST**
- 3. PUBLIC QUESTIONS**
- 4. MINUTES OF LAST MEETING** (Pages 1 - 22)
- 5. PLANNING/LISTED BUILDING/CONSERVATION AREA
CONSENT/ADVERTISEMENT APPLICATIONS,
APPLICATIONS FOR LAWFUL DEVELOPMENT
CERTIFICATE AND TREE RELATED APPLICATIONS –
SEE MAIN SCHEDULE**
 - a) **13/01459/COU Castle Dream Stud, Mill Lane** (Pages 23 - 102)
 - b) **13/01694/FUL Land adjacent to Dunalley Primary
School** (Pages 103 - 208)
 - c) **13/01461/OUT 81 New Barn Lane** (Pages 209 - 230)
 - d) **13/02026/FUL 9 Sandy Lane, Charlton Kings** (Pages 231 - 246)
 - e) **13/02055/LBC Telephone kiosks, Promenade** (Pages 247 - 254)

f) **13/02049/CACN Grounds, St Mary's Church**

(Pages 255 - 258)

**6. ANY OTHER ITEMS THE CHAIRMAN DETERMINES
URGENT AND REQUIRES A DECISION**

Contact Officer: Judith Baker, Planning Committee Co-ordinator,
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Planning Committee

21st November 2013

Present:

Members (15)

Councillors Coleman, Chair (CC); Hall, Vice-Chair (PH); Barnes (GB); Driver (BD); Fisher (BF); Fletcher (JF); Godwin (LG); McCloskey (HM); McKinlay (AM); Stennett (MS); Sudbury (KS); Thornton (PT); Wheeler (SW).

Substitutes: Councillor Roger Whyborn (RW)
Councillor Andrew Chard (AC)

Officers

Mike Redman, Director Built Environment (MR)
Tracey Crews, Head of Planning (TC)
Martin Chandler, Team Leader, Development Management (MC)
Wendy Hopkins, Planning Officer (WH)
Emma Pickernell, Planning Officer (EP)
Philip Stephenson, Strategic Planning Officer (PS)
Martin Stacy, Housing and Communities Manager (MSt)
Paul Scott, Contaminated Land Officer (PS)
Chris Chavasse, Senior Trees Officer (CC)
Michael Glaze, Gloucestershire Highways (MG)
Cheryl Lester, Legal Officer (CL)

1. Apologies

Councillors Jeffries and Garnham.

2. Declarations of interest

13/00756/FUL Leckhampton Industrial Estate,

CL explained to Members that a fellow Member, Cllr McLain, owns land adjacent to this site, and as they all know him, they may all consider they have what is known as a personal interest in this application. If so, they would each then also need to consider whether they feel they have a close association with Cllr McLain that was so significant that it is likely to prejudice their consideration of this application.

Cllr Driver considered that, as a close friend of Cllr McLain, her interest could be prejudicial as well as personal, and decided to leave the Chamber for this debate accordingly. All other members, at the Chair's suggestion, agreed to declare a personal interest in respect of this application.

13/01386/FUL Coronation Flats, Oak Avenue

Cllr Driver – personal and prejudicial – is on the board of Cheltenham Borough Homes and they are connected with the site.

13/01500/CONDIT and 13/01767/ADV Car Park, North Place

Cllr McKinlay – personal – is cabinet member for Built Environment.

3. Public Questions

There were none.

4. Minutes of last meeting

Resolved, that the minutes of the meeting held on 17th October 2013 be approved and signed as a correct record without corrections

5. Planning applications

| | | | |
|-------------------------|--|----------------|--|
| Application Number: | 13/01101/FUL | | |
| Location: | Land at North Road West and Grovefield Way, Cheltenham | | |
| Proposal: | Proposed erection of a flagship BMW, Mini and Motorrad dealership including vehicle sales and servicing facilities and will include the creation of an access from Grovefield Way | | |
| View: | Yes | | |
| Officer Recommendation: | Permit, subjection to S106 agreement and ratification by the Secretary of State | | |
| Committee Decision: | Permit, subjection to S106 agreement and ratification by the Secretary of State | | |
| Letters of Rep: | 25 | Update Report: | Additional letter from Cllr Britter; suggested conditions and S106 requirements |

Introduction

MJC introduced this application, saying it had a lengthy history, and an extant outline planning permission on the site – the site plan shows the area which benefits from that permission, and Members are being asked to consider the north-east third of that area.

Public Speaking:

As two separate individuals wanted to speak in support of this application, they were each allowed 1.5 minutes in which to do so.

Mr Andrew Hulcoop, Cotswold BMW, in support

The site at Tewkesbury Road is no longer acceptable from BMW's point of view, and it does not make commercial sense to keep two businesses open in Cheltenham, hence the proposal to close the old site. BMW employs 156 people in Cheltenham and Gloucester, its payroll adding £5m to the local community. Following relocation, they would expect to grow that headcount significantly, bringing more employment to the town. BMW prides itself on developing and training young people, with over 20 young trainees and apprentices, and its own training academy. This proposal will be a huge investment, but is considered worthwhile and right for the local area.

Mr Paul Fong, Hunter Page Planning, in support

Members will all appreciate the full planning merits of the scheme, having read the report. This is a comprehensive report, and HPPlanning worked hard with Officers to reach their conclusions. Is proud that this internationally-recognised brand wants to make significant investment in Cheltenham – it will be a landmark development based on a quality design, with sustainable facets and providing employment, wealth and prosperity to the local area. Commends the scheme to Members.

Member debate:

MS: this is a good scheme. Commends the applicant for providing an excellent model which makes it so much easier to envisage, and represents the quality of the product sold.

JF: this proposal is in her patch, and the site has a long history. Sad that the green belt is to be built on, and would have liked to keep this as a green oasis, but the precedent has been set and there is no going back now. The design is wonderful and innovative, and she wholly supports it. Notes a lot of concern about traffic, but Mark Power at Gloucestershire Highways has said it will produce less motorists than an office development. Grovefield Way can get very congested at peak hours but is free-flowing most of the time, and North Road West is protected. Councillor Britter has written expressing concerns of residents – supports what he says, but there is nothing we can do. Fully supports the proposal, which will be good for the town's economy, and provide apprenticeships for young people.

SW: cannot agree with JF. This land is on the edge of the green belt, not a green oasis, but agrees that all this is water under the bridge. Is concerned about the confirmation of the stopping-up order, as detailed on Page 3 of the orange update. Understood that 'once a byway, always a byway', and that stopping up requires agreement of the ODPM and is only done on significant grounds – didn't think that commercial interest ticks the right boxes here. Asked under whose authority this path was stopped up, and did it go to the ODPM?

BF: has a few issues with this application. Firstly, no parking spaces are provided for the workers. Cotswold BMW is currently situated in Swindon Village, along with other motor traders, and for many years workers have parked in adjacent supermarket car parks. They have now been asked to leave, and are therefore filling up private roads from 8.00am till 6.00pm. There will be very little chance for workers at Grovefield Way BMW to park anywhere but ASDA and B&Q if not on the site; 47 spaces for 200 employees is not sufficient. This is a garage – people will drive to work, and the Green Travel Policy cannot be enforced and isn't legally binding. There will be a lot of people needing to park. Of the 200 jobs, wondered what percentage will be part-time? Highways has stated that vehicle movements in and out will be less than the original planning permission would have generated. Also, if the number of jobs per hectare was extended to the whole site, it would produce 800 jobs – we are looking for 21,250 - we would need to tarmac to the M5 to provide this. This is B1 employment land and needs higher employment density, otherwise we will have to use land protected by the JCS earlier than stated. A recent briefing note from Officers said that we must try to protect land, but Officers also say that a mixed use development on this site would be hard to resist, given recent changes in legislation. If this is so, it is only a matter of time before there is an application for housing here. On the subject of job generation, questioned whether the proposed use of the site would be more efficient than the permitted use.

The applicants need to sort out on-site parking – when building, all parking for workers must be on site. Members need to consider the loss of employment land and should not deviate from the planning permission on green belt. Asked about cycling and bike storage. Doesn't like the proposal.

RW: agrees with BF, but in terms of practical options for the site, this is the least worst option. Asked the Highways Officer for clarity regarding the Park & Ride – they say the capacity will run out in 2031, and one option is to extend the area, but alternatively, Highways is happy to accept £1/2m towards modal shift. Is a Park & Ride extension needed or not? If there is an alternative, would like more explanation about what this is – doesn't want to build a problem for the future.

HM: carrying on from RW's point, has serious concerns. The panel of land in the site has been approved by the Secretary of State for extending the Park & Ride by 220 spaces; the report refers to the land use changing from B1 to sui generis, but in fact it is changing from Park & Ride to sui generis. Mark Power says the Park & Ride is well used; the applicant refutes this. On Planning View, the Park

& Rise was full. There is an option to build further Park & Ride on site, but no details of what conditions are needed or what the timescale is. It would be unwise to turn our backs on the existing facility when the population of Cheltenham and the JCS area is forecast to rise to 2031. Where will these people park their cars? Elmbridge Court may never come to existence. The application is prior to an application in respect of the SW Cheltenham Transport Strategy report and the matter and S106 agreement should wait a month then can judge whether this extension should be protected from development. If this proposal is approved tonight, and it's later decided that further Park & Ride is needed, where will this go? If brought forward without the BMW complex, there will be no increase in employment – we are between a rock and a hard place. The Park & Ride would tick two boxes in the JCS – economic (people coming to Cheltenham for shopping) and environmental. The final decision is with the Secretary of State, but it is important that Members voice their concerns about the application.

LG: hoped we would have learned from our mistakes regarding loss of this green belt site – we are now hoist by our own petard and have got to get on with it. On the blue update, the only relative paragraph is No. 11 – the others should have been put forward when the application to develop the site first came up. Can Officers explain what Paragraph 1 means, particularly the first sentence? On Planning View, the question of class of use came up, and Members were told that the use was sui generis, not specifically B1, so what will happen when future applications come forward, will we have set a precedent with this application, will others follow the same train?

MG, in response:

- regarding the issue of existing trips vs proposed, said the extant planning permission for B1 use, 22 sq m of office space, would generate 278 vehicle movements in the morning, 603 in the afternoon, while this use will generate 67 vehicle movements in the morning, 53 in the afternoon;
- regarding parking for the 200 employees, noted that these are not all full-time positions, and reminded Members that this is no minimum/maximum parking standards under PPG13 – parking is considered on a site by site basis, and it can be assumed that the applicants know their needs better than we do;
- the applicants are providing 49 spaces, a green travel plan, and £1/2m towards modal shift targets, continuing to promote Cheltenham's transport strategy of encouraging bikes, buses, walking, car sharing etc;
- if there are problems with parking in the future, the County Council could put waiting restrictions, residents' parking schemes etc in place, but the amount of parking currently provided is considered enough;
- regarding Park & Ride, the land was originally saved for 100 spaces; by 2031 the current capacity will be reached; Highways officers can only assess the need to the end of 2031 – this is the end of the plan period. The £1/2m which the applicant provides will help achieve the multi-modal shift targets. We may be losing 100 Park & Ride spaces but the Travel Plan contributions will off-set that.

MJC, in response:

- to SW's comments about the stopping-up order, it is clear from the report that the application was made and determined unopposed four years ago; this is not relative to consideration of this application;
- to BF's points, said his comments were essentially similar to LG's, regarding the future of the site if planning permission is granted;
- to the comment about the merit of the employment land, said any future applications will be dealt with on their specific merits as will the current one; this is comparable with the NPPF and Cheltenham Plan, and has no bearing on what happens in future. Findings will be presented in keeping with employment land position, job creation etc;

- regarding the blue update, said Paragraphs 1-11 are Councillor Britter's comments, not the planning officer's words. Paragraph 1 refers to the RSS, but Cllr Britter was clearly referring to the JCS here.

SW: cannot handle the Highways Officer's comments that if it all goes wrong, the County can look at putting in parking restrictions adjacent to the site. There are major problems in this area, as shown by GCHQ staff. People don't want yellow lines and residents' parking schemes – they want to park outside their homes. Grovefield Way isn't suitable for parking, so can't accept this suggestion in any shape of form. Regarding the stopping-up order, can show a number of illegal anomalies on a definitive map where by-ways have been stopped up – one runs through the middle of a house in Hatherley! Not satisfied that this path has been stopped up legally, and would like to check the details.

HM: the Highways Officer said that by 2031, the existing Park & Ride will be full; on the orange update, Page 6, the Highways technical note states that, with growth assumed by the JCS, the Park & Ride will need 220 spaces to maintain all-day vehicle demand, with a gradual move towards that figure over the years. Confused – can Officers explain?

JF: GCHQ staff using the Park & Ride is a problem, and is being looked at. Grovefield Way has never had any parking restrictions; Elmbridge Court is on the cards, but when might that happen?

BF: it would be nice to see how the Transport Plan is working in the current premises and other BMW sites in Gloucestershire – do staff use buses and cycles to get to work? Takes issue with the Highways Officer's comments – prevention is better than cure, and we are here to prevent problems. There has been no parking assessment for Elmbridge Court, so that has to be a few years off at least, with no guarantee that it will ever happen. There has been a lot of talk about Elmbridge Court, a new bus station etc, but there is currently no alternative to the Park & Ride used now. GCHQ staff use it as Park & Walk, and as it is very close to the application site, BMW staff are likely to do the same.

This site is very sensitive – it is green belt and has planning permission for B1 use only. This application waters it down – the amount of jobs provided would be less than that 500 if the other 83h of land was treated same way, against a need of 21,800. There are empty sites in Cheltenham for employment land. Under the JCS, it is virtually impossible to resist a mixed application on this site, for a shop, garage and employment, but the garage only takes up one third of the site and creates less than 50 new jobs. We are making ourselves available, and a future application for houses will be impossible to resist.

MS: the car park debate is a red herring, and successors will start thinking about doubling the parking capacity on the present site with undercroft parking or an extra level. GCHQ should also be thinking about it in their grounds – the council should press GCHQ to do this, to do something about the sea of cars at present; they should have gone underground with parking from the start. Land is finite – we can't keep spreading to accommodate cars – we have to start stacking them.

RW: only received the committee papers last night, and now that he understands the Highways Officer comments more fully, withdraws his opening remark. Has no problem with BMW, but this area is reserved for Park & Ride – cannot therefore support the application. Highways has failed to address the issues and not provided satisfactory answers. MS talks about undercroft parking, but this costs a fortune, and water drainage issues in this area may well make it impossible anyway, so we cannot hang our hat on this for the future. Recommends the Secretary of State doesn't ratify the application.

BD: we have got to start using undercroft and underground parking. Houses can be built on top. It may be expensive, but BMW can afford it.

LG: referring back to Paragraph 11 (blue update), are we going to get a response on why the Inspector's decision has not been taken into consideration? Is he right in thinking that Grovefield Way is part of the south-west distributary road, built in 1991? Is it subject to parking restrictions? It would be very odd to see cars parked here. Is there an unwritten restriction, or the possibility that some parking can take place there?

MJC, in response:

- LG's and RW's points are similar, regarding the approach of the County Council and how Officers have taken into account the Park & Ride part of the outline permission;
- the recommendation hasn't been arrived at lightly, with numerous discussions with the applicant regarding the fundamental issue of the loss of the Park & Ride. Highways concerns have been mitigated by the S106 agreement of a £503k transport contribution;
- if permission is granted, the land will go, but the County is satisfied that the contribution can mitigate the effect, moving towards a modal shift;
- this is a reasonable approach, and the result of substantial negotiation; fundamentally, the loss of the Park & Ride doesn't outweigh the benefits the scheme will bring, including the S106 contribution;
- to LG, said again that Paragraph 11 on the blue update is the words of Cllr Britter, and the Inspector's decision was fundamental to consideration of the application; County considers that, with mitigation, and Park & Ride extension can be lost;
- to BF's comments about watering down the planning permission and potential for a mixed use application, covered this is his initial response, and reminded Members that all applications are considered on their merits; this isn't an application for B1 use, and is analysed in detail in the report;
- our own policy EM2(c) recommends use for car sales as an alternative to employment land, as it generates jobs; this use is compliant with the Local Plan, and doesn't water down the original consent;
- future applications on the other parcels of land will be determined on their own merits.

MG, in response:

- echoes MJC's points regarding the S106 contribution, saying that a high contribution was taken for the ASDA application, and data shows a massive modal shift, with people using buses, walking and cycling. Green initiatives often carry a stigma – 'it won't work' – but this isn't true;
- there is a condition for the developer to provide a transport plan, showing exactly how 49 people are parking at any one time – if they are parking on the roads and there is no modal shift, CBC will take enforcement action, but it is anticipated that there will be car sharing, buses, walking and cycling;
- highways officers had long discussions with transport consultants, who provided a lot of information to show how the 49 spaces would work;
- regarding his earlier comment on waiting restrictions, this got lost in translation – was not suggesting double yellow lines everywhere. The County can look at introducing restrictions, if necessary;
- the County is aware of GCHQ staff using the Park & Ride and agrees that this isn't ideal. It is being looked at by the parking team, and if an alternative is found, the capacity of the Park & Ride will increase;
- regarding Elmbridge Court, there is no planning application yet, but funding from the Department for Transport is agreed and a planning application is anticipated in early 2014, with a completion target date of 2016;
- regarding the Park & Ride capacity by 2031, this is the end of the development plan period. There may be 100 lost spaces, but GCHQ won't be using it, and the S106 payment will be used to encourage car sharing, walking and cycling. The transport study of the area was accepted by the

Inspector , and 10% of the S106 money can be used for this Officers had detailed discussions with the applicants to ensure safe access;

- the S106 contribution and study of the effects once built out should mitigate the effects of the development satisfactorily.

RW: thanked Officers for this clarity. Regarding the Park & Ride, it appears that the County doesn't know how to spend the £503k contribution and hopes that as a result of the transport study it will find out. Commended the County on Monday, but in this situation, the County needs to treat CBC like adults and explain what will be the possibility of solutions which actually work – the £503k is taken on trust that it will provide solutions which work, but cannot buy into this.

BF: if we are going to take the JCS seriously, every application must be considered on its merits. This site is the largest green field B1 site in the borough; every time another green field site is used, applicants want a bespoke scheme. If he was a developer looking to build round Cheltenham – and with the JCS, there are a lot of these coming – he would have said this is B1 land and there is no chance, but now this is being diluted. If this is followed across the entire 83h of land earmarked for employment, we will be very, very short of employment land. This makes the credibility of the JCS look very weak, if there is no way of restoring this to B1. The applicant had to go to appeal to get permission, and we are rolling over and allowing a garage, with a fraction of the jobs of B1 use, and it shouldn't be forgotten that jobs generate the need for houses. Regarding the Park & Ride, there is no guarantee that Elmbridge Court will be built.

SW: on the question of parking, GCHQ built the maximum number of parking spaces allowed by law at that time – 40%. Since then, there has been a massive problem with them trying to find additional spaces. Some staff use the Park & Ride and pay for this, which is permissible, but others don't. If Highways say they can't prevent people using the Park & Ride, where will GCHQ staff park – Grovefield Way? This doesn't solve the problem. If the Park & Ride is full, whether with people going to town or GCHQ staff, we will need more space. Cannot support this application – people need to park somewhere and it is better here than on residential streets.

LG: still looking for a response to his second question – is there a parking restriction on the SW tributary road, of which Grovefield Way is one part? In view of comments made, we need to be clear where we stand regarding parking on that road.

PT: wasn't going to speak but is horrified by the discussion so far. If we take away Park & Ride spaces and throw people out of there, where will they go? Parking is a real problem in Benhall – a nightmare, with one particularly dangerous corner. This problem needs to be looked at in the round and must be sorted to make the application and the situation viable.

TC, in response:

- to clarify some issues about the status of the site, extant permission, and green belt, this site is not identified by the JCS as a strategic allocation for housing, employment or anything else. There is a commitment for it to be developed for employment use, which has been planned for in the context of the JCS. The suggestion that if part of the site is used for the garage, other schemes for housing will be difficult to resist is unfounded. The Inspector was clear why development of this land in the green belt was necessary – at the time Cheltenham has a severe deficit of employment land coming forward, and that situation is now worse;
- the JCS looks at strategic employment provision. We need to deliver on commitments we already have, and this scheme will trigger more use of the land to come forward;
- regarding the business sector, garages fall into this category, and BMW is a key site in Cheltenham. The proposal will create some new jobs, and benefit from rationalisation of the sites. Also to be considered is the site on Tewkesbury Road, which will become vacant and could be taken by another car dealership, thus creating more jobs;

- the proposal is compatible with policy EM2;
- to concerns about highways and transport advice, the S106 requires a significant transport contribution. Not all the answers are there, but the key elements will be in the modal shift. The Park & Ride and other transport issues will be looked at and transport colleagues will do work to identify which interventions are required the most.

MG, in response:

- to LG's question about Grovefield Way, there are no parking restrictions, but it would be mad to park here.

KS: it has been an interesting debate – had been unsure how to vote when reading the papers. There are good economic benefits, but a major issue of the loss of the Park & Ride extension potential. The Cheltenham Transport Plan consultation showed that people want improvements to the Park & Ride, including its location, possibly nearer to town – not sure if this would be the right place. Uses the route often and has noted heavy congestion at times at the B&Q roundabout since ASDA opened. Noted the significant contribution to the modal shift – it is important to know how this will be spent. For example, someone going to the tip cannot use the bus, but has to use a car. GCHQ and other issues also need to be sorted out, but these are not related to this application and it is unfair to the applicant to make them so. The scheme doesn't look bad, but is worried about the traffic and still not sure which way to vote.

CC: Members have been discussing this application for over an hour, with a good exchange of questions and answers. Noted some negativity from some Members – is there a move to refuse -if so, on what grounds? – or to defer due to anxiety about the Park & Ride?

HM: has searched the NPPF and Local Plan and can see no reason to refuse the application, but will abstain from the vote, due to concerns.

BD: what difference will it make if the decision is deferred?

CC: Members may feel they would benefit from more information from Highways on the Park & Ride situation – suggests this as something to be considered.

RW: happy to defer to HM's comment about the NPPF, but would propose deferral to allow the opportunity for a more joined-up picture from the County regarding how the modal shift can be achievable. Also, the applicants might want to consider whether they have gone for the right part of the site.

LG: the only sensible reason to defer would be to find out if there is some portion of land to extend the Park & Ride site, but this is not an option. We cannot take a slice of land from the potential developer, so there is no point in deferral. We need to agree or refuse.

BF: regarding deferral, this site was going to include a Park & Ride - is the applicant prepared to allow Park & Ride to be relocated in the site? The applicant must make it clear what the current green travel plan is. If the point of the planning application was for 200 extra Park & Ride spaces, there would still be room on site for this.

JF: this is most extraordinary, following months of negotiations. If Members refuse, can the Secretary of State overrule them? There are no planning reasons why we can refuse.

SW: would have liked to vote against this proposal, but will go along with deferral as there is no satisfactory answer regarding the public right of way.

MJC, in response:

- if the application is deferred, Officers can look at a few points, such as how the County will look to achieve the modal shift, and approach the developer regarding alternative uses of the site. Knows the answer to that question, so the only thing to be achieved by deferral is therefore further clarity from the County;
- to JF's question about the Secretary of State issue, if planning permission is refused, this will not be a departure from the Local Plan, and therefore will not need to be considered by the Secretary of State, although the applicant will have the right of appeal. If the committee decision is contrary to advice from Highways experts, there will be very little evidence to back this up, making it risky;
- if Members are nervous about permitting the scheme, they should vote to defer.

BD: has been on Planning Committee for 14 years, and is disappointed by the mess it gets itself into these days – frightened of saying no to a proposal, deferring, and then all saying yes next time. Planning Committee isn't working as well as it used to.

Vote of RW's move to defer

4 in support

7 in objection

3 abstentions

MOTION LOST

Vote on officer recommendation to permit

6 in support

3 in objection

5 abstentions

PERMIT

CC: this was a very good airing of a significant application on a significant site, with many good points raised.

| | |
|-------------------------|---|
| Application Number: | 13/00756/FUL |
| Location: | Leckhampton Industrial Estate, Leckhampton Road, Cheltenham |
| Proposal: | Demolition of existing buildings and residential development comprising the construction of 28 dwellings |
| View: | Yes |
| Officer Recommendation: | Permit subject to S106 contribution and with amendment to Condition 27 |
| Committee Decision: | Permit subject to S106 contribution |
| Letters of Rep: | 31 + petition |
| Update Report: | Officer comments, recommendation and conditions (circulated Wednesday) and additional representations |

Cllr Driver left the Chamber for the consideration of this item

Introduction

WH described the proposal, which will involve demolition of existing buildings and remedial work round the existing land levels. A viability assessment has been done, with an affordable housing provision of 10%.

Public Speaking:

Mr Bastin Bloomfield, local resident, in objection

Introduced himself to Members as a resident of Collum End Rise, a registered architect and a corporate member of RIBA. Favours and supports appropriate development of the site, but not in its current form. The Design & Access Statements says levels to the north of the site will be reduced to minimise impact on existing properties - this is not shown on the plans, and although the report notes a reduction on site levels of 2.5m, this occurs in a limited area on the far boundary. Despite the offer of access, the applicant has never viewed the site from any gardens other than 61 Collum End Rise to assess the impact of level changes, and the garden of 51 Collum End Rise is 2.4m higher than 61. Members will have noted on Planning View that the existing bank, at 5.2m, is significant before a three-storey building as put on the top. Key factors from the Garden Land SPG have not been addressed such as impact on neighbours' amenity due to layout, scale and massing. Twelve family homes and gardens, currently enjoyed by 43 residents, will be directly impacted by the proposals. They are not suggesting no development and recognise the importance of providing houses, but object to the dominating visual impact and significant loss of sun and daylight and its consequences, due to orientation and level changes. The proposals are large executive properties on small plots; due to the height difference, this is equivalent to a five-storey house 2m off his garden fence. More appropriately-sized properties and a better housing mix can ameliorate this detrimental impact. Asks Members to be happy all material considerations and relevant matters have been taken into account before they make their decision, and not to underestimate the significant loss of light and overbearing visual impact that neighbours will have to live with as a result of their decision. As a professional, can see what this scheme will do and, as a resident, is horrified.

Mr Alex Scott, applicant, in support

Spoke as a representative of the applicant, Martin Scott Homes, and did not want to reiterate what is in the report, but to provide background information. The applicants are a Cheltenham-based company, twenty years in the property business, and care about the town. They had a pre-app consultation in October 2012, and following design review meetings, and a public consultation in April, submitted their application in May 2013. The consultation had involved neighbours, residents, officers and other consultees, and a significant number of amendments were made in response to concerns from officers, including lowering the land levels, removal of a house adjacent to Collum End Rise, review of access arrangements, change to the mix of houses and their architectural style, a SUDS scheme, taking into account comments from Highways, Land Contamination, Natural England, Trees officers, planning officers. The development will enhance the gateway to the town along Leckhampton Road.

Member debate:

HM: notes a lot of objections to the scheme on the grounds of the SPD on Garden Land and Infill Sites, yet this is not referred to in the officer report – why not? The previous debate was very concerned with the loss of employment land in the borough, but how many jobs will be affected by this proposal and what can be done to help those employees find alternative work?

AC: has a number of concerns.

- (1) the site is currently a working area in the borough. The landlord has allowed it to deteriorate so no new tenants are coming forward, but there are still a few tenants and a number of jobs – and there could be more if the site was improved. The JCS requires a lot of jobs in Cheltenham, but here we are taking away an area which provides employment;
- (2) the gym is the only one in South Cheltenham and is used by a large number of local people, particularly the elderly. Its removal will cause a lot of inconvenience for them, as shown by the petitions which demonstrate the strong local feeling;
- (3) the loss of amenity for residents in Collum End Rise. Members saw this on Planning View, and although it is not our job to think about loss of views and reduced property value, they should consider what it will be like to have a view of Leckhampton Hill replaced with red brick;

- (4) regarding the provision of 10% social housing – is aware that our policy is for 40% and not one application has come anywhere near this. We should put our foot down over this;
- (5) is the proposal to re-house the bats realistic?
- (6) the officer report talks about the developer agreeing to assist the scout group with an application to redevelop the scout hut – but there is no condition concerning this, and it seems more like a vague promise;
- (7) if the developer had come forward and offered to redevelop the scout hut and the gym, he could have supported the proposal, but as it stands, cannot do so.

KS: also has a number of concerns, some of which she discussed with officers before the start of the meeting.

- (1) is very concerned about the loss of employment land, which Cheltenham is terrible at protecting. We seem to have a schizophrenic attitude here, holding on to employment land with terrible access, but letting to with casual abandon sites which provide important amenity for local people;
- (2) another fundamental and important concern is the viability of the scheme. There is no contribution to education, yet this part of town is attractive to families – all the schools are over-subscribed, and there was only one space left on Allocation Day. A site like this isn't viable if it doesn't make any contribution to education – therefore this site is not viable. These are family homes – where will the children go to school?
- (3) the impact on residential amenity is another concern. Knows the site well, and the levels vary greatly. Homes and gardens adjacent to the boundary on the south side will feel very enclosed and unpleasant. This should have been addressed with revisions of the plan. Why couldn't the proposed dwellings be bungalows – this would solve the levels issue and the education issue in one;
- (4) notes that these are very urban-looking houses on the edge of the AONB – another cause for concern;
- (5) finally, notes the update states there will be one house with social rent, but understood that the council had signed up for affordable rent, 80% of the market value. This will be very expensive for a four-bedroomed house. How has this happened?

MS: if this proposal is permitted, the developer will have to take away huge amounts of spoil – earth and gravel – from across the whole site. Condition 3 needs to include an assurance that a route has been agreed with the local authority, to ensure that lorry-loads of earth won't be driven through small roads and estates. Has anyone told the bats they are getting a new home?

LG: asked questions about this unusual site on Planning View, and has listened to the comments in support and objection. Reiterates the point raised by KS – why not build bungalows here? - and regarding land levels, can the reduction of 1.5m be increased to mitigate the overlooking and other issues put forward. Would have difficulty finding sound planning reasons to refuse this scheme, but feels it could be made a good deal better than it is.

PT: following AC's comment about the scout hut, can this be made a condition? Remembers another developer promising a cycle track but not following through. If it isn't included as a condition, the chances are it won't be done. Is intrigued by the business of light, shadow and shade – imagining the site as it is, presumably some of the existing trees are as tall or taller than the proposed buildings and cast shade and shadow on neighbouring properties. New trees can be grown to shield the site from existing houses - they will still be cheek by jowl, and existing residents will have to put up with having people over the fence which will be difficult for them when they have enjoyed privacy for so long. Unfortunately, however, in the real world, other people want to live in this area.

GB: aware that this particular area has flooded in the past, and is concerned about mitigation. The report refers to land drainage on Page 87 and to a drain being fitted, but would like to see a greater

amount of certainty. Cannot see any information about wants clarification about what has satisfied the Land Drainage officer.

BF: is in favour of the proposal, which makes good use of a site which has been a mess for a long time. Many of the units are empty and would require major reconstruction to open as employment units. The proposed scheme is well laid out, with good provision for cars. The existing trees must cause as much shading than the new properties, which are, strictly speaking, two storeys high, with velux windows in the roof – not three-storey houses. It is a good lay-out for the area, close to the town centre, shops, bus routes, Leckhampton Hill etc, and makes good use of the site which is decrepit and Victorian. There are plenty of small industrial units where current businesses can relocated. Building houses close to town is good. The houses are well designed, the report sets out the case well, and the bats will enjoy rent-free social housing.

WH, in response:

- regarding the Garden Land SPD, this isn't specifically mentioned in the report but is inherently so – amenity is considered throughout the report, and officers feel that the scheme is compliant with the SPD;
- regarding the loss of employment land and policy EM2 of the Local Plan, the scheme was considered against this and considered to comply with (b) *the retention of the site for employment purposes has been fully explored without success*. Marketing information was submitted with the application which was reviewed by Policy colleagues; they were satisfied with it. Also, Paragraphs 22 and 31 of the NPPF, say planners should approve residential use where there is a need for additional housing in an area, and as Members know, it is an established fact that we have a 5-year housing land shortfall;
- regarding the impact on the AONB, the site is undesignated, though adjacent to the AONB on the western boundary. The landscape architect has reviewed the application and not raised any objections on those grounds. She has been involved in the landscape scheme and this will be secured by condition;
- regarding loss of amenity, when this is assessed, the impact on daylight, overshadowing, loss of privacy etc are all looked at via scientific calculations, including the 25° and 45° rule for adjacent buildings, shadowing at key points of the year, and distance between buildings all taken into account. This proposal exceeds all requirements regarding Collum End Rise. It is a unique site regarding land levels, with a significant difference on the Collum End Rise side, but it should be remembered that it is a site on the side of a hill. The matter of amenity was carefully looked at, calculations were applied, and the scheme exceeded requirements;
- regarding the 10%/40% affordable housing provision, the application was submitted with a viability study which was assessed by the DVS, who are independent land valuers for the public sector. The blue update sets out their conclusions that the scheme is unviable at 40%, 20% and 10%, but the applicant is prepared to include 10% affordable housing.

KS: reiterated her Point 5 (*above*) - how will the affordable housing be delivered in line with the affordable rent statement we are signed up to? Affordable rent is set locally, and will be high in Leckhampton.

MSt, in response:

- is KS concerned about affordable rent on a three-bedroomed or four-bedroomed house?

KS: concerned about how it will be delivered.

MSt, in response:

- this will be through an Registered Provider.

WH, in response (contd):

- regarding bats, the County ecologist looked at the site and identified two species here – the natter and the lesser horseshoe – roosting in an underground bunker. Having done extensive work on bats and working with the applicant, the proposal is for a strategically located new bat roost on their foraging path, where there is a good chance that they will use it. The ecologist is happy that these mitigation measures are adequate. A number of conditions have been suggested, including an S106 agreement about ownership and long-term maintenance of the bat and bird boxes, so their long-term protection is secure, possibly more so as a result of the proposal than their current situation;
- regarding the scout hut, this is not material to consideration of the application, but the applicant has had discussions with the scout group and made a goodwill offer. This arose out of the consultation process in April, where it was clear that this is what the very proactive local community want to see. Although it isn't a material consideration, the applicant is present at the meeting and will note the importance which Members attach to this;
- regarding the transportation of earth and spoil, after Planning View, asked PS to attend Committee to deal with this question, and the matter of contaminated land.

PS, in response:

- regarding the site, have advised a condition to ensure that any investigated land be assessed for contamination. As part of the proposal, a materials management plan will be submitted, providing information about where the spoil will be going, but the authority has no control over routing of lorries. Any contaminated material will have to be taken to an appropriate site

WH, in response (contd):

- regarding the site levels, the site has been subject to a lot of landfill over the years, and part of the planning application will lower the levels and reduce the impact on Collum End Rise and Liddington Close. The distance and daylight requirements have been exceeded, and it would be difficult to secure these at lower levels;
- regarding flooding, there is a history of flooding and problems with surface water at the site. Initially a drainage system was proposed to alleviate this, and the Land Drainage Officer's first comments were based on this. This went back to the applicants, who subsequently proposed a sustainable urban drainage solution with an attenuation tank in the corner. The Land Drainage Officer is happy with this;
- regarding trees, there are a lot of existing trees on adjacent land, and CC will comment.

CC, in response:

- confirmed that there are a lot of adjacent trees and many of these will be retained. New trees to be planted on the north side of the site are small and appropriate to the size of garden. Has asked for an understory of evergreen – holly, bay – to act as an evergreen screen in the winter months, and to encourage householders to remove the fence; has asked for further evergreen trees at the front – a particular form of spineless holly with berries;
- overall is happy with the scheme. There could be problems with the soil – additional top soil will be needed – but the new trees are appropriate species and should establish and thrive;
- the largest trees are not within the site, therefore outside the sphere of the developer.

WH, in response (contd)

- there is a mistake on Condition 27 on the blue update, which should reference obscure glazing in houses F1 and I only. These are bathroom windows.

SW: as a point of information, a right of way for access through the site to the hall is mentioned in the report – could officers indicate where this is on the plan?

WH, in response:

- this access remains as existing – a footpath off the main access. People will walk up the front of the development to the scout hut, following the red line on the drawing.

LG: asked whether bungalows on the Collum End Rise side were suggested or discussed at pre-app stage.

WH, in response:

- pre-app discussions concerned issues of amenity, and didn't specifically suggest any bungalows on the site. The position of the buildings, height, fenestration were considered, with a general level of advice – no particular architectural style was proposed or rejected. It is not for planners to evolve or propose a development but to consider what comes before them.

KS: moved to refuse the application, the main reasons being that it is contrary to EM2, and concern that a message be sent to owners that they cannot allow their premises to become dilapidated in order to realise a scheme. We need to be firm here. Surprised by BF's comments following on from his comments about Grovefield Way, as these patches of employment land all add up and are important to local communities. Also suggested CP4 as a refusal reason – impact on neighbouring properties, particularly to do with the difference in land levels; the impact of the two-storey houses would be significant, and PT was right – people do live cheek by jowl these days but not 5m higher than their neighbours' gardens.

PSt, in response regarding employment land:

- with regard to EM2, the land here has been identified as a steeply sloping site, which reduces the accessibility and usefulness of some units. The strategic land use team looked at the site prior to the application, and were keen to be sure that there was sufficient marketing over a sufficient period of time, to ensure the evidence was robust and ongoing. They are satisfied that there was a sufficient attempt to market the site, but bearing in mind the limitations, and the design and age of the units, it would be hard to do anything with the buildings of this type and scale;
- there is a distinction between loss of employment site with the potential for significant reorganisation and the ones limited by nature to buildings on site but can reasonably accommodate a modest development;
- if the proposal is refused, there is potential that the NPPF Para 22 would come into play, giving rise to questions over the site's long term viability.

AC: if the application was for building new offices for a technical park, would have no objection.

TC, in response:

- this is an interesting point. This area is part of South Cheltenham under the JCS, and Gloucestershire First, our economic partners, take the view that sites on this side of town cause significant difficulties. If a new site was proposed in this area, its attractiveness would be limited, due to connectivity issues, and looking at the site on its merits, this must be taken into account.

AC: what is a connectivity issue? People can walk to this site.

RW: has listened with interest to the debate, and found it hard to form an opinion but has done so now. To begin with, listed on the KS and AC side, with concerns about affordable housing, change of use, industrial going to residential, overlooking issues, but all these arguments have been demolished during the debate. If this was a blank sheet of paper, would we put an industrial estate here? It lends itself to residential. Disappointed with the 10% social housing but has to accept officer advice, and Members should think through at a strategic and policy level if the JCS would work on this basis. Is coming more and more to the view that this site is suitable for residential. Aware of calculations regarding overlooking, but must assume these have been done correctly and are acceptable.

BF: Mead Road causes problems as do other small industrial estates in residential areas, with large lorries and other traffic. Regarding affordable housing, this has to be addressed by the JCS – over 60% of applications on green field sites do not come through with correct affordable housing in line with the Local Plan. Developers are circumnavigating requirements, all over the country, not just in Cheltenham.

KS: the issue is not just about overlooking. It is the bulk, scale and mass of buildings at the end of gardens, on a bank, 5m high. CP4(a) and also CP7(c) are appropriate refusal reasons too, due to different land levels. The trading estate is of value to the local people, the gym is popular and well-used. This is not the right scheme for this site. It could be residential but not these plans. This is over-development, and will have an adverse effect on neighbours.

WH, in response:

- the gym does not fall foul of EM2 – it is a leisure use, not an employment use.

Vote on KS's move to refuse on EM2, CP4(a) and CP7(c)

2 in support
12 in objection
0 abstentions

PERMIT with amendment to Condition 27

Application Number: **13/01386/FUL**
 Location: **Coronation Flats, Oak Avenue, Charlton Kings**
 Proposal: **Provide new refuse bin storage stores**
 View: **Yes**
 Officer Recommendation: **Permit**
 Committee Decision: **Permit**
 Letters of Rep: **0** Update Report: **None**

***On return to the Chamber, Councillor Driver declared a personal and prejudicial interest and did not take part in the debate or vote on this application.
 Two other Members (Cllr Barnes and Cllr Godwin) were out of the Chamber for this application.***

EP explained that this is an application for two new bin stores, at Committee because it is a council-owned site. The proposal will replace the existing bin store at the back which is located too far from the road.

Public Speaking:

None.

Member debate:

BF: was told on Planning View that the bin stores are being relocated because of the distance that refuse collectors have to travel to reach them. Now the residents will have to travel further with their rubbish – this isn't fair.

Vote on officer recommendation to permit

11 in support
0 in objection
1 abstention

PERMIT

| | |
|-------------------------|--|
| Application Number: | 13/01483/FUL |
| Location: | Downside, Battledown Approach, Cheltenham |
| Proposal: | Demolition of existing single storey side and rear extension, erection of two storey extensions to the side and rear, single storey extensions to the front and rear (revised plans) |
| View: | Yes |
| Officer Recommendation: | Permit |
| Committee Decision: | Permit |
| Letters of Rep: | 8 |
| Update Report: | None |

EP described the application, and said the recommendation is to permit.

Public Speaking:

Mrs Heidi Jockelson, neighbour, in objection

The applicants have shown no regard for the effect on their neighbours during the development of these proposals, which threaten a massive intrusion into their privacy – there has been no acknowledgement of the adverse impact this substantial project will have, hence her strong objection. The most contentious issue is the virtual doubling in size of the house, and the proposed two-storey structure almost 10m in depth, within 1m of the side boundary of her property – a vast expanse of solid wall which will swamp her home, causing serious loss of light. This is exacerbated by the difference in ground levels between Downside and Waverley, resulting in a prison-like wall which she and her husband will have to suffer every day. Trees in Downside’s garden already block out much of their daylight. The current gap between the buildings is 7m, excluding garages; maintaining space between buildings and ensuring adequate daylight are basic design principles in a residential development. Local Plan policy CP4 states that development will only be permitted where it will not harm neighbouring amenity, and neighbours are unaware of the applicant’s long-term plans – he appears to be solely intent on exploiting the maximum space available.

This is particularly unedifying when the apparent pursuit of financial gain from property speculation by someone who has never lived at the house is placed before a family’s quiet enjoyment of their home next door, whose only home it has been for nine years. Her husband is virtually house-bound, suffering from advanced Parkinson’s Disease, and she is his full-time carer, as well as working from home in an office located in the converted garage. The outside wall of this will be severely affected by the proposed building works. There are a number of issues relating to the proposed building work, including the garage and shared chimney of the gas boiler outlet which will require joint cooperation. In view of the seemingly autocratic stand taken by the applicant, this could prevent problems which will be difficult to resolve.

On a safety note, there is a primary school opposite the two houses, and already an ever-present danger to children from vehicles travelling too fast. Construction traffic will increase this risk significantly.

If permitted, this scheme could set an unfortunate precedent and threaten the maintenance of good practice in Battledown.

Mr Mark Underwood, on behalf of the applicant, in support

The applicants plan to extend Downside into a family home. Personal circumstances are not relevant to the application, but in order to defend the defamation of character of the applicant, explained that he (the applicant) is unable to attend tonight’s meeting due to ill health which, combined with his own job which involves significant travel and time away from home, is the reason for wanting to move his wife and family back to the family home in Cheltenham. The applicant’s wife and her brother grew up in

Downside, and the family has lived there until recently, for over 50 years. He was disappointed to lose the proposed car port and has made structural changes to the porch and reduced the extension to the rear west side after consultation with planning officers, and in line with current policy. The reduction of the extension to the west was a response to the only objection of any merit from the owners of Waverly, but despite these amendments, they continue to object with no substance in terms of planning policy but simply out of resistance to change, which may be common but will hopefully not affect the Committee's decision. The planning officer confirms that the proposed extension is acceptable in relation to both neighbours with a feeling of space between; is acceptable in terms of street scene; complies with light testing; has no windows in the side elevation; has windows to the rear which achieve oblique views to the garden, usual in the area; has acceptable impact on residential amenities; is in accordance with policy relating to good stands of design; has adequate parking. Plans to extend Downside into a modern family home, respectful of all planning policy and the local environment, and hopes Members will uphold the officer's recommendation to approve.

Member debate:

PT: asked for an illustration to show the house to be extended in relation to its neighbours.

BF: on Planning View, noted that these are currently linked houses with two chimneys. If the application is approved, how this is dealt with during construction must be set out. Will there be a single skim wall?

EP, in response:

- the finish on the neighbouring property will need to be resolved, but this is not a planning issue – it is a civil matter, to be resolved by owners of the two properties.

Vote on officer recommendation to permit

9 in support

4 in objection

2 abstentions

PERMIT

CC: said that if the neighbours were wondering why there was not more debate on this application after the lengthy discussion on earlier ones, they should know that Members visited the site on Planning View, had read the report and representations, and listened to what both speakers had to say. They must not think that the lack of a long debate meant that Members have not given due weight and thought to the application. Thanked the neighbours for coming to the meeting.

| | |
|-------------------------|---|
| Application Number: | 13/01758/FUL |
| Location: | 1 Hayes Road, Cheltenham |
| Proposal: | Erection of a replacement summer house |
| View: | Yes |
| Officer Recommendation: | Refuse |
| Committee Decision: | Refuse |
| Letters of Rep: | 0 |
| Update Report: | None |

MJC introduced the application, saying Members on Planning View will have seen the existing summer house – the proposal is considerably larger, and the officer recommendation is to refuse. The application is at Committee at the request of Councillor Rowena Hay.

Public Speaking:

Mr Lawrence Tucker, applicant, in support

The existing summer house sits 0.5m off the boundary wall, behind a 10ft high hedge which has been in front of the established building line for more than 25 years. The garden is 461 square metres, of which the existing summerhouse takes up 2% and the proposed takes up an addition 4.4% - so not a huge amount. Referring to Policy BE1, the report states that the location of the proposed summerhouse will erode open space and be out of keeping, but does not think that the additional space of 4.4% of the garden erodes open space significantly, and has there has been a summerhouse on the site for a quarter of a century, so it cannot be out of keeping. The report also says that, under Policy CP3, the proposal would be a large and alien addition, but this is an exaggeration, as summerhouses are normally found in gardens, and under CP3(c) it could actually be said to conserve and enhance the built and natural environment, making a significant contribution to the character, appearance and amenity of the site. The report also says that the proposal fails to comply with policy CP7, but the application is not for an extension or alteration to existing building, so this policy is not valid, and states that the existing summerhouse is unassuming and incidental. If this is the case, what size would it have to be to be considered assuming and significant – an acceptable size is not quantified. Is willing to negotiate on size if necessary, but there is no evidence that the summer house will detract from the area and no indication of how the harmful effect is measured – therefore cannot understand this opinion. Has been in discussion with the planning officer since Tuesday, and understands that replacing the summerhouse like for like may be acceptable.

Member debate:

PT: asked for a clear illustration of the building on the screen.

BF: surprised this application is at Committee at all. The site is in the conservation area, but Pittville Circus Road is only 6 feet away and the proposed summerhouse cannot be seen from there. There would be concerns if the hedge or wall was taken down, but the reality is that there is currently a dilapidated summerhouse which has been there a long time and has planning permission by default, and it would be OK to replace this like for like. Is minded to approve – has a summerhouse himself, and enjoys sitting out in it on a summer evening. It is not a dwelling, but will allow the applicant to spend quiet hours in his garden, which is very large. The summerhouse will not do anyone any harm. Agrees with the applicant – this is making something out of nothing – and moves to approve.

KS: did not go on Planning View, but has looked at the site since, and couldn't see the existing summerhouse from the road. Suggests that the parked cars outside do more harm to the conservation area. Supports BF's move to approve.

AM: cannot understand why the recommendation is for refusal. The reasons suggested in the report are very thin. Would like the officer to justify her recommendation.

BD: this is a good example of why it is so important to go on Planning View. The proposal is huge; the existing summerhouse is small. The proposed summerhouse is like a train going along the bottom of the garden, and you could hold a dance in there.

LG: when is a summerhouse not a summerhouse? When it looks like a cricket pavilion. The proposal is out of proportion. Has seen a lot of summerhouses, but it is over-use of the English language to describe the proposal as one.

SW: agrees with both sides of the argument. Yes, the proposal is large. Was not on Planning View, but has looked on Google Earth and cannot see the existing summerhouse. The proposal is larger,

but still won't be seen from outside, being lost behind the hedge. Will be happy to approve the application.

CC: a lot of Members are still wanting to speak, and there has been a lot of mention of the hedge. If the proposal is permitted, can a condition be added to ensure the retention of the hedge?

BF: LG said the proposal is like a cricket pavilion, but he has played all over Gloucestershire, and you wouldn't get 11 men inside this summerhouse.

PT: it is a big building; the hedge is old and sparse, and the summerhouse may well be seen through it. If it was reduced in size by a third, could say yes to it, but not at its current size – it is too big.

MS: agrees with PT. Would vote in support for a smaller summerhouse, but why set a precedent for such a large one? We should adhere to our own policies.

AC: there have been no objections to the proposal other than from ourselves. No-one can see it from outside. Agrees with a condition to maintain the hedge, then the only person to see it will be the applicant.

BF: notes that the refusal reason refers to the application site being located in the conservation area, but that there is no comment from the Conservation and Heritage Officer and that she is not present at the meeting.

MJC, in response:

- regarding comments from the Conservation and Heritage Manager, said the application had been discussed with her, and the main consideration from her point of view is always whether a proposal will preserve or enhance the conservation area. Having consulted with the Central Conservation Area character appraisal, this states that Pittville Circus Road has a sense of spaciousness, openness, historic building line, and properties set back from the road. Hayes Road enhances this;
- officers can accept the existing summerhouse in situ, and if the application was to replace like for like, would have no objection. It is a discreet building in the garden, but the proposal goes beyond what is acceptable and compromises the spaciousness;
- there is currently a hedge in situ which screens the summerhouse from the street, but the concern is with the view from the south east, across the neighbouring property, Ballaghy. From here, there will be clear views of the structure, in a prominent position in the public realm;
- the proposal will not preserve the openness and spaciousness of the conservation area, and is therefore contrary to policy;
- regarding a condition to retain the hedge, this is possible but there will need to be specific wording in terms of height, replacement of failing parts of the hedge etc. If Members permit the proposal, officers will formulate an appropriate condition to be agreed by the Chair and Vice Chair, with Members' approval. This would be reasonable, but does not mitigate all aspects.

LG: how long would such a condition last? A hedge doesn't last for ever.

AM: on the point of being able to see the building from the south west, can't the existing summerhouse be seen now?

MJC, in response:

- to AM, the existing summerhouse cannot be seen as the hedge has grown up and around it, practically 'consuming' it. The proposal is wider and there is more of it to see – it will be visible where the existing structure is not;

- a condition for a hedge is not one we regularly include and there is no standard condition here. Landscaping conditions usually last for five years to allow a scheme to become established, but this is different – the hedge is already established, but what Members are asking is that we ensure that it stays or is replaced. As a screen to the summerhouse, it could possibly be reasonable to require the hedge to stay as long as the summerhouse. Can put together a condition and report back via the Chair and Vice-Chair.

KS: the hedge is quite tall. Is the outbuilding higher than the existing hedge? Hayes Road is not quite as significant as Pittville Circus Road in the conservation area – could the summerhouse be erected in a different part of the garden? Has this been discussed with the applicant?

RW: there is a lot of concern about the conservation area, which is right and proper, but it is there to be our servant, not our master, and applications such as this are the reason why we need a planning committee – so that decisions are not simply mechanical. It is up to the Committee to decide and how much weight to give to the proposal being in the conservation area. Does not see why it can't be conditioned that a hedge must be there as long as the summerhouse is – if it dies, another hedge can be planted.

MJC, in response:

- the hedge is taller is taller than the current and the proposed summerhouse – it would take a long time to grow to this size if replaced.

Vote on BF's move to permit, with a condition to retain the hedge

6 in support

9 in objection

REFUSE

| | |
|-------------------------|--|
| Application Number: | 13/01500/CONDIT |
| Location: | Car Park, North Place, Cheltenham |
| Proposal: | Variation of condition 28 on planning permission ref: 12/01612/FUL - Insert word 'Superstructure' after the words "Prior to the commencement of" at the start of the condition |
| View: | Yes |
| Officer Recommendation: | Delegate Authority To Officers |
| Committee Decision: | Delegate Authority To Officers in consultation with Chair and Vice-Chair |
| Letters of Rep: | 0 |
| Update Report: | Officer comments |

Councillor McKinlay declared a personal but not prejudicial interest, as Cabinet Member for the Built Environment.

MJC told Members that this application to vary a condition on the consent granted for North Place and Portland Street Car Park relates to the provision of large-scale drawings prior to the commencement of works. The application seeks to amend the condition to allow some groundwork before the drawings are complete. If Members agree, a new planning permission will be issued, reiterating all conditions and S106. It is a technical and procedural matter, and it is suggested that Members should delegate authority back to Officers to ensure a suitable planning permission. The application is at Planning Committee because the council still owns the land.

Public Speaking:

None.

Member debate:

JF: does this mean the detailed plans will be seen later?

MJC, in response:

- planners will not be asked to consider a new planning application. If this condition is varied, they will issue a revised planning consent, and the applicant can then decide which one to implement.

PT: will this be done with the Chair and Vice-Chair or just by Officers?

MJC, in response:

- this depends on the view of the Chairman, but Officers are not suggesting that the chair and Vice-Chair need to be involved.

CC: is happy with this.

PH: also keen.

Vote on officer recommendation to delegate authority back to officers in consultation with Chair and Vice-Chair

15 in support – unanimous

Delegate authority back to officers in consultation with Chair and Vice-Chair

| | |
|-------------------------|--|
| Application Number: | 13/01767/ADV |
| Location: | Car Park, North Place, Cheltenham |
| Proposal: | Various illuminated signs to the store and car park |
| View: | Yes |
| Officer Recommendation: | Grant |
| Committee Decision: | Grant |
| Letters of Rep: | 5 |
| Update Report: | Officer comments; conditions |

Cllr McKinlay declared personal but not prejudicial interest, as Cabinet Member for the Built Environment.

MJC said this application concerns advertisement signs for the foodstore, and following negotiations, officers are comfortable with the revised drawings and proposal. This application is also before committee as the council owns the land.

Public Speaking:

None.

Member debate:

BD: hasn't seen the drawings – is the revised proposal smaller?

CC: the totem sign has been reduced from 5.5m to 4m – there are drawings on the wall to illustrate this.

BF: has looked at the drawings on the wall, but the intensity of the illumination means nothing – it could be Eddystone Lighthouse or a candle in the wind for all he knew. Can the officer provide some more clarity?

MJC, in response;

- we deal with these signs quite routinely - there were similar applications for ASDA – and this level of detail is not considered necessary. These are quite modest signs in large buildings, and the illumination is usually quite modest as well;
- regarding the height of the sign, this has been reduced to 4m, following discussion with the Conservation and Heritage Manager. The highest sign she could support here was 4m, which is where this particular height has come from.

Vote on officer recommendation to permit

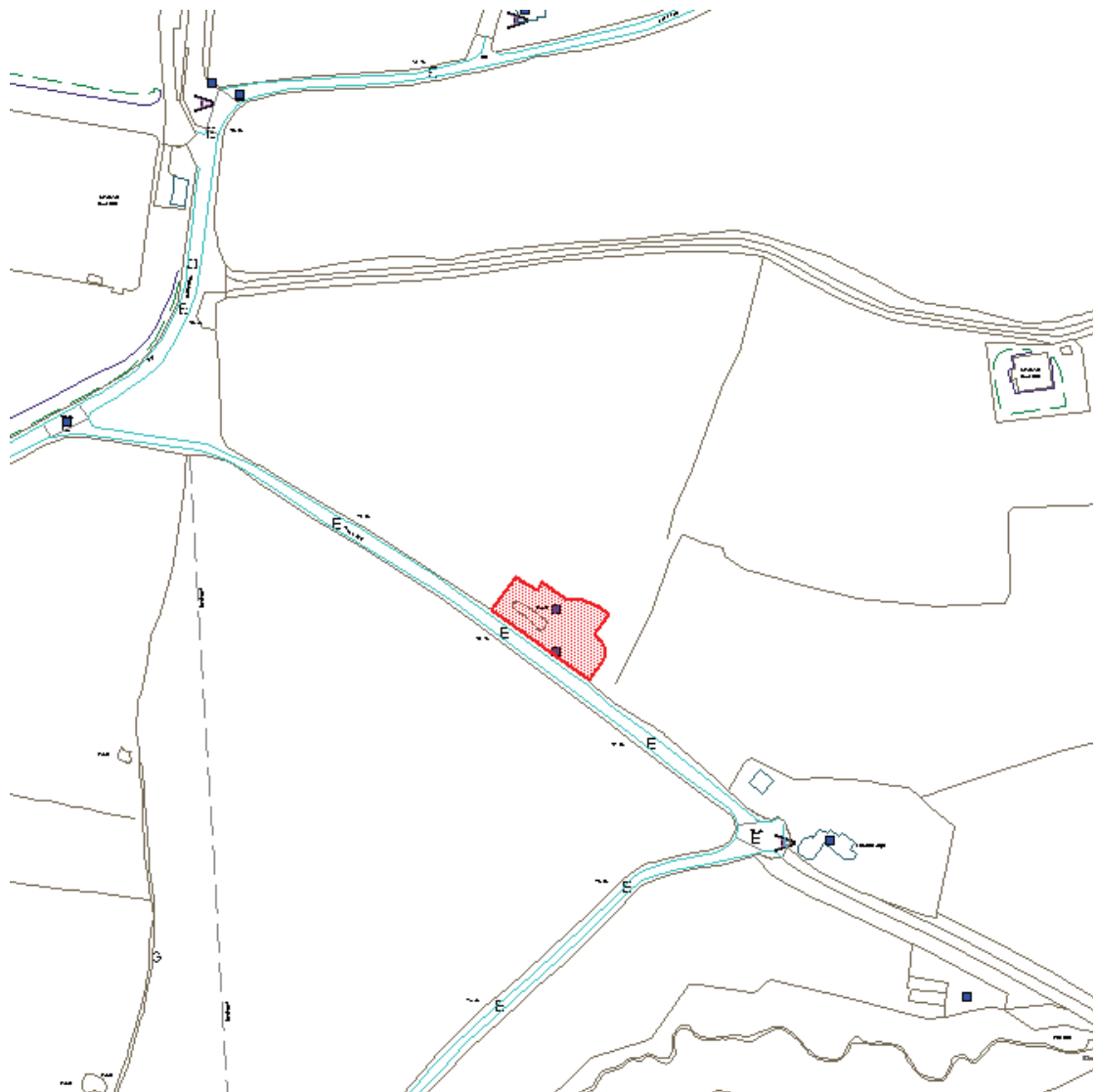
15 in support – unanimous

PERMIT

The meeting ended at 9.10pm.

| | |
|--|---|
| APPLICATION NO: 13/01459/COU | OFFICER: Mrs Wendy Hopkins |
| DATE REGISTERED: 22nd August 2013 | DATE OF EXPIRY: 17th October 2013 |
| WARD: Battledown | PARISH: Charlton Kings |
| APPLICANT: | Ms J Cox |
| AGENT: | Mr Adam Gatier |
| LOCATION: | Castle Dream Stud, Mill Lane, Charlton Kings |
| PROPOSAL: | Change of use of land for the permanent residential occupation by a traveller family. retention of day room, hard standing, access, fencing, stables and use of associated land for keeping of horses |

RECOMMENDATION: Permit (subject to a temporary personal permission)



This site map is for reference purposes only. OS Crown Copyright. All rights reserved Cheltenham Borough Council 100024384 2007

1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is located to the north east side of Mill Lane, Ham Hill and forms the southwest corner of a wider field which is within the applicants' ownership. The site is occupied on a temporary basis (3 year personal permission) by the applicant who is of established gypsy origin and comprises two stable buildings, a static caravan, hardstanding and associated hard and soft landscaping. An extant permission further allows for the addition of a touring caravan and the erection of a detached 'day room' building. To date, the erection of a 'day room' has not been implemented and a touring caravan has since been removed from the site.
- 1.2 The site lies outside the principle urban area (PUA) of Cheltenham and wholly within the Cotswold Area of Outstanding Natural Beauty (AONB).
- 1.3 The proposal seeks a change of use from a personal temporary permission for the "residential occupation by a gypsy family and the keeping of horses" (10/01839/COU) to the "permanent residential occupation by a traveller family" (13/01459/COU). To increase the number of static caravans on-site from 1 to 3 and retrospective permission for unauthorised works to extend the southern stable building from 3 to a 4 bay building.
- 1.4 The application has been brought to Committee at the request of the Chair and Vice Chair.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Ancient Woodland
Area of Outstanding Natural Beauty
Landfill Sites boundary

Relevant Planning History:

10/01839/COU 10th February 2011 REFUSED – ALLOWED AT APPEAL reference APP/ B1605/A/11/2149169

Change of use from agricultural to residential occupation by a gypsy family with the stationing of two caravans and erection of an ancillary "day room" building and construction of new access, hard standing and associated landscaping. Retention of stable building for the purpose of keeping horses

12/00271/CLPUD 29th March 2012 CERTPU
Vehicular access and permeable hard standing

12/01160/FUL Pending Consideration
Stationing of one additional caravan (Retrospective)

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development
CP 3 Sustainable environment
CP 5 Sustainable transport
CP 7 Design
CO 1 Landscape character
CO 2 Development within or affecting the AONB
UI 2 Development and flooding

National Guidance

National Planning Policy Framework (2012)

National Planning Policy for Traveller Sites (2012)

4. CONSULTATIONS

Landscape Architect

24th October 2013

The application site lies within the Cotswold Area of Outstanding Natural Beauty (AONB). The primary purpose of the AONB designation is to conserve and enhance the natural beauty of the landscape.

Planning Policy Context

Local authorities have a statutory duty under the Countryside and Rights of Way Act 2000 (Section 85) to 'have regard to the purpose of conserving and enhancing the natural beauty of AONB'. The planning policy context within which Cheltenham Borough Council carries out its statutory duty with regard to the Cotswold AONB includes:

National Planning Policy Framework (NPPF)

Para 115: 'Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to landscape and scenic beauty' Para 116 gives clear protection against major development in these areas.

Joint Core Strategy (JCS)

The emerging Gloucester, Cheltenham and Tewkesbury Joint Core Strategy sets out a more local policy in relation to the Cotswold AONB which covers smaller scale developments.

Policy S7: Cotswold AONB

Development proposals within or adjacent to the AONB will be required to conserve and enhance landscape, scenic beauty, wildlife, cultural heritage and other special qualities of the Cotswold AONB and be consistent with the policies set out in the Cotswold AONB Management Plan.

Cheltenham Borough Council Local Plan Second Review 2006

Policy CO1 - Landscape Character

Policy CO2 - Development Within or Affecting the AONB

Planning History of Proposal Site

A previous, similar application (10/01839/COU) was allowed at appeal in 2011 (Appeal Ref: 11/00016/PP1).

The Inspector recognised that the proposed change of use would not conserve and enhance the natural beauty of the AONB and would therefore be in conflict with the primary purpose of the designation. It was for this reason that the permission granted was only temporary, for a period of three years. A condition was set requiring the removal of any development and the return of the site to its original state on expiry of the planning permission. In addition, the temporary permission was granted only to the applicants.

If the current application were permitted it would be a consent for anyone to develop the site on a permanent basis. This should be resisted.

The Proposal

The planning application is for: change of use of land for the permanent residential occupation by a traveller family, retention of day room, hardstanding, access, fencing, stables and use of associated land for keeping of horses.

In terms of its effect on the landscape, the main concerns with this application are:

The visual impact of the proposal

The site is clearly visible from the public footpath to the north of the proposed development and when no leaves are on the trees, from Aggs Hill to the west. From these vantage points, the proposal site would be clearly visible as an encroachment into the countryside.

Intensification of development on the proposal site

The proposal is for change of use to residential and includes the retention of development proposed in the original application (10/01839/COU). The change of use is likely to bring with it residential paraphernalia and the associated building, storage and construction work constitute an intensification of development on a site within the AONB.

The intensification of development and the resulting visual impact would not conserve or enhance the scenic beauty of the AONB. The proposal is therefore in conflict with the primary purpose of the AONB and I would recommend it be refused.

Strategic Land Use Team

20th November 2013

Change of use of land for the permanent residential occupation by a traveller family, retention of day room, hard standing, access, fencing, stables and use of associated land for keeping of horses.

1. Comments

- 1.1 *The proposal has been assessed at a strategic level in relation to the Government's Planning Policy for Traveller Sites 2012, the National Planning Policy Framework, adopted policies in the Cheltenham Local Plan Second Review 2006, emerging policies in the Draft Joint Core Strategy (JCS) October 2013 and the associated evidence base. It briefly considers the recent temporary planning consent that was granted at appeal on 6 September 2011 (application number 10/01839/COU, council's appeal ref 11/00016/PPI). It does not assess the design or landscaping of the development in relation to its surroundings.*
- 1.2 *The case will need to be determined on its merits and within today's policy context, recognising that the context was different in 2011 and will be different a year from now as the JCS and Cheltenham Plan progress towards adoption.*

2. National Planning Policy for Traveller Sites, March 2012

- 2.1 *The Government's Planning Policy for Traveller Sites was released in 2012 alongside the National Planning Policy Framework and is a material consideration in planning decisions. This is a new piece of national policy which alters the context for decision making and is frequently afforded a high status in decisions on planning applications and appeals. This change of context will therefore be a very significant consideration in relation to the application proposal.*
- 2.2 *Planning Policy for Traveller Sites contains 9 policies (A-I) of which the key relevant sections are summarised below.*

- 2.3 *Policy A relates to the use of evidence to plan positively and manage development. This includes a requirement (c) that local planning authorities should 'use a robust evidence base to establish accommodation needs to inform the preparation of local plans and make planning decisions'. To this end, the Gloucestershire local authorities commissioned an independent assessment which is due to report in autumn 2013 while further work is ongoing to identify a supply of future gypsy, traveller and travelling showpeople sites. Further details of the evidence base are provided later in this document.*
- 2.4 *Policy B sets out the ways in which local authorities should plan for traveller sites through their local plans. It requires local planning authorities to set pitch targets to address likely accommodation needs, and to 'identify and update annually, a supply of specific deliverable sites sufficient to provide five years' worth of sites against their locally set targets'. Cheltenham Borough Council does not yet have an adopted pitch target although a requirement for the plan period has been identified by the independent assessment. As discussed, work is ongoing to identify a future supply of sites. These issues are also discussed later in these comments.*
- 2.5 *Policy C requires local authorities to ensure that in the countryside the scale of sites 'does not dominate the nearest settled community'. The application proposal is a minor development and of a limited physical scale and will not therefore dominate the nearest settled community.*
- 2.6 *Policy E states clearly that 'traveller sites (temporary or permanent) in the Green Belt are inappropriate development' and should not therefore be approved unless there are very special circumstances. At present the urban area of Cheltenham has Green Belt land to the north, south and west. The application site is not within the Green Belt, but this policy is relevant in so far as the existing Green Belt poses a significant constraint on the identification of new or alternative locations for gypsy and traveller accommodation. It should be noted that the Draft JCS proposes to revise the Green Belt boundary and it may therefore be possible in future to provide additional traveller accommodation in association with urban extensions to Cheltenham. This potential is reflected in draft policy C4 of the Draft JCS which is discussed later in these comments.*
- 2.7 *Policy H is a relatively detailed policy, setting out the way in which planning applications should be determined. Paragraph 22 requires local planning authorities to take account of the following issues (amongst other things):*
- a) the existing level of local provision and need for sites*
 - b) the availability (or lack) of alternative accommodation for the applicants*
 - c) other personal circumstances of the applicant*

In the case being considered, the applicant's need for accommodation is to some extent established by the current temporary consent which was granted on appeal. This need is also reflected in the pitch requirement for Cheltenham Borough identified in the Gloucestershire-wide assessment (discussed later). Work is ongoing to identify a future supply of sites within Gloucestershire local authorities, but as yet specific deliverable sites that may allow for alternative accommodation within Cheltenham Borough have not been identified by the Council. The personal circumstances of the applicant should also be taken into account.

Paragraph 23 states that 'local planning authorities should strictly limit new traveller site development in open countryside that is away from existing settlements' and reiterates that sites in rural areas should respect the scale of, and not dominate, the nearest settled community. It is noted that the application site is outside of the

Principal Urban Area of Cheltenham but is close to the settlement area. It is also of a relatively small scale.

Paragraph 24 requires local planning authorities, in making decisions, to attach weight to a number of matters including effective use of previously developed, untidy or derelict land; planning and landscaping of the site; and opportunities for healthy lifestyles. The landscaping of the development in relation to its surroundings is therefore an important consideration. In assessing the landscaping and maintenance of the development, any significant improvement on the previous condition of the site is also relevant.

3. National Planning Policy Framework (NPPF)

- 3.1 *The NPPF contains provisions relating to Areas of Outstanding Natural Beauty (AONB). The application site is located within the Cotswolds AONB so paragraphs 115 and 116 of the NPPF are relevant. It should be noted that AONB is a landscape designation and there is no statement in the NPPF or Planning Policy for Traveller Sites indicating that traveller sites are 'inappropriate development', as there is for the Green Belt.*
- 3.2 *Paragraph 115 states that local planning authorities should give great weight to conserving landscape and scenic beauty in the AONB, including consideration of wildlife and cultural heritage. Any potential impact of the development on the landscape and scenic beauty of the AONB must therefore be carefully considered. Local policies relating to the AONB are discussed later in this response.*
- 3.3 *Paragraph 116 states that planning permission should be refused for major development in the AONB except in exceptional circumstances. This is not a major development so paragraph 116 does not apply.*
- 3.4 *The key question relating to policies in the NPPF is therefore whether any potential impact of the development on the landscape and scenic beauty of the AONB would outweigh the benefits, when assessed against national and local policy requirements.*

1. Cheltenham Local Plan Second Review 2006

- 4.1 *The adopted Local Plan does not contain a policy relating to provision of accommodation for gypsies and travellers, although there is some commentary on page 86. In this regard the plan is considered to be out-of-date in the context of national planning policy which requires local planning authorities to have targets, land allocations and/or criteria-based policies on which to base their decisions. The Draft JCS for Gloucester, Cheltenham and Tewkesbury seeks to address this issue through Core Policy C4 on Gypsy, Traveller and Travelling Showpeople Sites which is discussed later in this response.*
- 4.2 *The Local Plan does however contain policies CO1 'Landscape Character', and CO2 'Development Within or Affecting the AONB' which are relevant to this application.*
- 4.3 *Policy CO1 'Landscape Character' states that:*

Development will only be permitted where it would not harm:

- (a) attributes (note 1) and features (note 2) which make a significant contribution to the character, distinctiveness, quality and amenity value of the landscape; and*

(b) the visual amenity of the landscape.

- 4.4 *The relevant part of Policy CO2 'Development within or affecting the AONB' states that:*

Development which would harm the natural beauty of the landscape within the AONB will not be permitted.

- 4.5 *These are key local policies to assess the layout and design of the application proposal in relation to its context.*

- 4.6 *It is worth noting here that there are other Local Plan policies posing a constraint to gypsy and traveller development on land around the urban area that is not within the AONB. The Green Belt is protected by adopted Local Plan policies CO5, CO6, CO7 and CO8 as well as the national policies previously discussed. Land to the west of the Cheltenham urban area is further constrained by its proximity to Hayden sewage treatment works. Local Plan Policy UI6 and an associated Development Exclusion Zone guard against any development in this area that would be seriously affected by odours.*

2. Draft Joint Core Strategy

- 5.1 *Draft JCS Policy C4 relates to Gypsy and Traveller accommodation. The draft policy states that the potential for provision should be considered as part of urban extensions and strategic allocations. The supporting text expands on this, saying that 'it may be possible for traveller communities to be provided as part of well master planned strategic allocations and the potential for such provision will be fully considered through the planning process'. However, specific sites have not been identified at this stage, and any potential non-strategic allocations will need to be considered through the Cheltenham Plan process. Draft policy C4 also provides a set of criteria against which speculative applications for gypsy and traveller accommodation will need to be considered in future and which now carry some weight. Potential future site allocations will also be assessed against these criteria.*

- 5.2 *The draft JCS also contains policies S6 'Landscape Policy' and S7 'AONB' which may be considered alongside the relevant national and Local Plan policies. Draft Policy S7 'AONB' seeks to ensure that the special qualities of the Cotswold AONB are conserved and enhanced in a way that is consistent with the Cotswolds AONB Management Plan. The Management Plan is a material consideration in determining planning applications. It contains policies LP1 and LP2 relating to landscape and also policies DTP1-DTP7 on development and transport. Within the plan, the housing needs of gypsies, travellers and travelling show people are acknowledged amongst the key issues for development and transport in the AONB (p41).*

5. Gloucestershire County Gypsy, Traveller and Travelling Showpeople Accommodation Assessment

- 6.1 *National Planning Policy for Traveller Sites requires 'that local planning authorities should make their own assessment of need for the purposes of planning'. It also introduced the requirement for council's to demonstrate a five-year supply of pitches/plots against locally set targets based on robust evidence.*

- 6.2 *The Gloucestershire local authorities have commissioned a Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTTAA) which is shortly to be published alongside the Draft Joint Core Strategy. The GTTAA establishes that a majority of Gypsies and Travellers in the area have a long period of residence in*

Gloucestershire and have lived on their current site for more than five years - this would indicate a need to provide accommodation for permanent pitches.

- 6.3 *The report identifies one existing household in Cheltenham which has temporary permission. This is the household that currently occupies the application site. The report then establishes a future requirement for Cheltenham of one private pitch during the years 2012-2017, with a further requirement of one pitch to be met in 2028-31. The initial five-year requirement is based on addressing any future backlog of need where it arises. The requirement for Cheltenham is therefore generated by the existing temporary consent at Castle Dream Stud. A permanent consent for this site would effectively deliver this requirement. It should be noted that there are significant additional needs within Tewkesbury Borough, and that Planning Policy for Traveller Sites states that local planning authorities should work collaboratively with neighbouring authorities to meet need.*
- 6.4 *The GTTAA identifies 'broad locations' for the identification of further gypsy and traveller residential sites which include land to the east of Cheltenham urban area in which the application site is located. The report re-iterates that 'AONBs are not absolute constraints, as national policy does not preclude development in these designated areas' (p106).*
- 6.5 *Cheltenham Borough Council (along with other Gloucestershire local authorities) is now undertaking work to identify a future supply of sites to meet need within the area. A 'call for sites' was recently completed which forms the first stage in carrying out a gypsy and traveller Strategic Housing Land Availability Assessment (SHLAA). It should be noted that within Cheltenham Borough only one site was submitted to the call for sites and that this was the application site. It is therefore accepted that at the current time Cheltenham Borough Council has not yet identified alternative sites to meet the five-year supply requirement for Cheltenham.*

7. Appeal decision on application 10/01839/COU

- 7.1 *The Inspectors decision on a recent appeal against refusal of application 10/01839/COU on the site suggests that identification by the Council of alternative sites should be a key consideration in this case:*

36. I recognise that the harm identified [to the AONB] is limited and localised and could be partially addressed by conditions relating to additional landscaping and external materials. In my judgment, the limited harm that would result from the development is outweighed by the current lack of alternative sites and the appellants' personal circumstances, including Human Rights considerations.

37. Consequently, I intend granting the appellants a personal permission for a period of 3 years. Subject also to other conditions discussed below, I consider this to be appropriate and reasonable until such times as less harmful, alternative sites may be identified and brought forward through the JCS process. The protection of the public interest cannot be achieved by means which are less interfering of the appellants' rights. They are proportionate and necessary in the circumstances and would not result in a violation of their rights under Article 8 of the ECHR.

- 7.2 *A critical question therefore remains as to whether the 'limited and localised harm' identified by the Inspector, along with any additional harm relating to further development of the site, has been (or could through the use of conditions be) adequately addressed through landscaping, design and materials to make the application for a permanent consent acceptable within the AONB. This must also be weighed against the current five-year land supply position and the desirability of meeting Cheltenham's identified pitch requirement in a timely manner to enable the*

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Council to determine future applications for Gypsy and Traveller accommodation from a strong position based on criteria-based planning policies and land allocations in the JCS and Cheltenham Plan.

Parish Council

2nd October 2013

OBJECTION - The permission to occupy the land granted at appeal still has one year until its expiry. In the intervening period it is hoped that Cheltenham Borough Council will provide permanent facilities for travellers outside the AONB.

The occupants have consistently disregarded the conditions that were imposed when the temporary permission was granted.

The temporary permission was a personal permission for Mr and Mrs Cox the application is for a traveller family and is hence generic

The proposal seeks to increase to 3 the number of trailers permitted on the site. The temporary permission limited the number of vehicles and trailers to reduce the negative impact on the AONB

Ham Residents Association

30th September 2013

When the Planning Inspector gave a temporary permission for Mr and Mrs Cox to live on this stable site, he was very aware that a permanent site would cause "visual harm to the AONBII, but there was also a need for alternative Gipsy sites which were not forthcoming. Consequently he gave permission from September 2011 to September 2014 and all his conditions were agreed to by the Cox's legal representative.

Since that time there have been several Governmental directives and the formation of a Joint Core Strategy concerning the release of land for housing, sometimes in the Green Belt, but the AONB remains sacrosanct and has the highest status of protection under the National Planning Policy Framework. The site in question is in the Cotswold AONB and any decision to make it permanent should not be taken lightly, especially as it goes directly against the decree of a Government appointed Inspector.

The original reason for the application was that the applicants could carry on the main gipsy occupation of breeding horses, which they did for a while, but circumstances changed and there have been no horses on the site for around 18 months. There has also been a lot of unauthorised work carried out on the site, including the removal of a pond and installation of a lot of concrete hard core in its place, causing a drain to overflow onto Mill lane. A large static caravan was installed on the site; it has since been removed, but there is a planning application still extant for this, and more worryingly, there are three large caravans shown on the site plan accompanying this latest application.

A lot of local concern has also been voiced about the size of the Day Room (8.3 x 6.6 x 4 meters), which is about the size of a bungalow and could now be built on a permanent basis if permission is granted. The JCS is currently investigating alternative permanent gipsy sites, and who is to know what will arise from this exercise.

It is widely believed by local residents that this application for permanency for an unnamed gipsy family (as opposed to the personal permission for Mrs Cox) should not be considered, and that the current situation of temporary permission until September 2014 should be adhered to, when perhaps alternative sites will have been found. It may be that when the

time comes to reconsider the temporary position in September 2014, a further three years is considered to be appropriate. That is far more preferable in the long term than removing all future manoeuvres by making the site permanent at this stage.

We urge you to refuse this application.

p.s See appeal decisions, condition 3, no change of ownership

Tree Officer

8th October 2013

As per the previous application the Tree Section has no objections to this application.

Cheltenham Civic Society

2nd October 2013

No comment

3. PUBLICITY AND REPRESENTATIONS

| | |
|-------------------------|-----------|
| Number of letters sent | |
| Total comments received | 35 |
| Number of objections | 26 |
| Number of supporting | 7 |
| General comment | 2 |

- a. All third party representations have been reproduced in full and are attached at the end of this report. Below summaries the planning matters expressed in the representations received:
- In appropriate development within the AONB;
 - The permanent occupation of the site along with the additional static caravans would cause further harm to the Cotswold AONB;
 - Objection to the generic use of “traveller family” as stated in the description. This would enable any gypsy family to occupy the site contrary to the personal permission granted to Mr & Mrs Cox;
 - Application is premature. The appeal Inspector considered that a temporary personal permission would be “appropriate and reasonable until such times as less harmful, alternative sites may be identified and brought forward through the JCS process”.
 - No objection to temporary personal permission (subject to no increase in static caravans) to allow the allocation of suitable sites through the emerging Joint Core Strategy (JCS). This approach would accord with the findings of the appeal Inspectors decision;
 - No horses have been on site for the past 18 months which contravenes the original permission allowed at appeal;
 - Since Mrs Cox has been in residence the visual appearance of the site has improved;

- Concerns relating to traffic increase and highway safety.

4. **OFFICER COMMENTS**

Determining issues

- a. The planning matters to be considered in the determination of this application relate to i) the planning history of this site and the intervening change in national planning policy; ii) the impact the development would have on the Cotswold AONB, iii) the requirement of gypsy/ traveller site provision within this District and adjoining Councils and iv) any other material considerations.

Planning history & planning policy context

- b. Firstly, a comprehensive response has been provided in respect of this proposal from the Local Plan Team. These comments review in detail the planning policy context and the planning history of this site which can be found Section 4 of this report.
- c. A similar application (reference 10/01839/COU) to this proposal was refused by this Authority on 10th February 2011. The description of the development is detailed in Section 2 of this report.
- d. The previous application was principally refused for the reason that the development would not conserve or enhance the Cotswold AONB. This decision was appealed and subject to a number of conditions, the development allowed on 6th September 2011. Of particular relevance to this application were the Inspectors findings and resulting requirement to restrict the development to a temporary personal permission only. The Inspectors reasoning for this was that the harm to the Cotswold AONB could not be mitigated by condition and whilst mindful of the applicants housing need and lack of an alternate site with this District, the Inspector concluded that the issue of a temporary personal permission would “be appropriate and reasonable until such times as less harmful, alternative sites may be identified and brought forward through the JCS process” (Para. 37, APP/B1605/A/11/2149169).
- e. Since this appeal decision there has been a significant change in national planning policy. The appeal was considered under the old regime of PPS's which in 2012 were revoked and replaced with the National Planning Policy Framework (NPPF). At the same time as the NPPF was published the Government produced separate document entitled Planning Policy for Traveller Sites (PPTS). Both these documents are material to the consideration of the current proposal at Mill Lane.
- f. The NPPF does not preclude development within the AONB but requires that “great weight should be given to conserving landscape and scenic beauty in... Areas of Outstanding National Beauty, which have the highest status of protection in relation to landscape and scenic beauty” (Para. 115, NPPF).

Impact on Cotswold AONB

- g. The Landscape Officer has provided comments on the application which are reproduced in Section 4 of this report.
- h. In summary these comments conclude that the visual impact and intensification of the use would further encroach on the countryside and shall for that reason be

detrimental to the character of the wider landscape. A landscape that is accorded the highest protection in terms of landscape designations and scenic beauty.

- i. It is worthy to note that a 'Landscape and Visual Assessment' which is used to assess the effects of change on the landscape has not been submitted to accompany this application. Officers have suggested the submission of this type of assessment in respect of the proposal because landscape impact is a principle matter for consideration in the determination of this application.
- j. The previous appeal as referred to in this report makes a clear distinction between the visual impact of the stable buildings and the use of the land as a Gypsy and Traveller site. The Inspector finds that that the stable buildings (albeit the southern stable building has now been further extended by a single bay) fit into "the landscape without causing any visual harm to, or conflicting with, the purposes of the AONB and serves an equestrian purpose which is well-suited, and provides an acknowledged economic benefit to the AONB".
- k. In respect of the use of the site the Inspector acknowledges "that the site can be seen from several vantage points including the public rights of way running along the northern and western boundaries... this is especially the case in winter... otherwise the site is relatively well screened".
- l. For the above reasons, the Inspector finds the development would result in "limited and localised" visual harm. 'Limited' in terms of the harm relating only the use of the land and not the stables and 'localised' in terms of the site being "relatively well screened". The Inspector then goes on to say that "Nevertheless, the development as carried out and, particularly, as proposed would not conserve or enhance the natural beauty of the AONB. Nor do I consider that these that these concerns could be satisfactorily addressed by conditions relating to landscaping or the use of external materials".
- m. Over-and-above the extant permission, the current proposal would introduce a permanent use of the site and increase the number of large static caravans from 1 to 3. With the Inspector comments in mind this current proposal would clearly result in an increased level of visual impact further compounding the detrimental impact the development has on this landscape and its scenic beauty. The proposal would therefore result in unacceptable harm and is contrary to Local Plan Policies CP1, CP3, CP7 and CO2 and the NPPF (Para. 115).

Gypsy and Traveller site provision

- n. Cheltenham Borough Council does not have any allocated Gypsy and Traveller sites.
- o. The NPPF and PPTS requires that local planning authorities have an up-to-date five-year supply of deliverable housing sites. This requirement holds significant weight in the consideration of planning decisions.
- p. In respect of Gypsy and Traveller site provision the PPTS requires "that local planning authorities should make their own assessment of need for the purposes of planning". This has been undertaken as part of the JCS evidence base through the 'Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTAA)'. This assessment establishes the need of one private pitch during the years 2012 – 2017 and a further pitch in the period 2028 – 2031. It should be noted that this level of pitch provision does not take account of our duty to cooperate with adjoining Districts to help them meet their need. It would be prudent to recognise that this pitch provision may increase as part of the JCS process.

- q. The Inspector in the previous appeal stated that “I give the lack of provision of any pitches in the borough, and the Council’s acknowledgement that there are no alternative site for the appellants to move to, substantial weight”.
- r. Paragraph 25 of the PPTS requires that “if a local planning authority cannot demonstrate an up-to-date five-year supply of deliverable site, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission”.
- s. Although the application seeks a permanent permission this paragraph remains relevant due to local planning authorities having the ability to restrict any permission by condition to allow a temporary permission only.
- t. The grant of a temporary permission for 3 further years would concur with national planning policy and allow this District a reasonable time period to identify and allocate a suitable site/s to meet the needs of this family. The Inspector in the previous appeal reached a similar conclusion by “granting the appellants a personal permission for a period of 3 years... I consider this to be appropriate and reasonable until such times as less harmful, alternative sites may be identified and brought forward through the JCS process”.

Other material considerations

- u. The personal circumstances of the applicant have changed since the previous permission and Mr Cox no longer resides at the site. Therefore should a temporary personal permission be supported by Members, this would be limited to Mrs Cox and her dependants.
- v. Although Members should consider the application as it is presented and on its own merits the applicant has advised Officers that normally only 1 of the 3 static caravans will be on-site. The applicant has sought permission for 3 static caravans so that she is not in breach of planning permission when her children come home. Of course the frequency and duration of these visits is unknown. Should Members consider the number of static caravans on-site and/or the duration of their siting necessary to restrict this matter could be secured by condition of any permission given.

5. CONCLUSION AND RECOMMENDATION

- a. For the above reasons and on-balance, Officers consider that the lack of an alternative site/s outweighs the recognised landscape harm resulting from the development. Therefore, Officers recommend a temporary personal permission is granted for 3 years to allow the JCS process to identify and allocate suitable Gypsy and Traveller residential sites within the District.

6. CONDITIONS / INFORMATIVES

- a. Recommended conditions and informatives shall be provided for Members in an update to this report.

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| APPLICATION NO: 13/01459/COU | | OFFICER: Mrs Wendy Hopkins |
| DATE REGISTERED: 22nd August 2013 | | DATE OF EXPIRY : 17th October 2013 |
| WARD: Battledown | | PARISH: CHARLK |
| APPLICANT: | Ms J Cox | |
| LOCATION: | Castle Dream Stud, Mill Lane, Charlton Kings | |
| PROPOSAL: | Change of use of land for the permanent residential occupation by a traveller family. retention of day room, hardstanding, access, fencing, stables and use of associated land for keeping of horses | |

REPRESENTATIONS

| | |
|---------------------------|-----------|
| Number of contributors | 35 |
| Number of objections | 26 |
| Number of representations | 2 |
| Number of supporting | 7 |

24 Home Farm Court
Greenway Lane
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LA

Comments: 15th October 2013
Letter attached.

Comments: 27th December 2013
Letter attached.

Ham Green Cottages
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6ND

Comments: 6th October 2013

We wish to object most strongly to the "Change of use of land for the permanent residential occupation by a traveller family".

There is still a year to run on the temporary occupation of the site as was granted on appeal. The conditions and restraints imposed by the appeal decision have not been met or adhered to and it is our view further planning approvals should not be considered or granted until all conditions of the appeal are met.

It is noted that one condition required the "immediate vacation" of the site if any condition was broken. This should be in forced accordingly, since it is apparent that conditions have not been complied with.

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The description "traveller family" is too vague as it could imply a vast number of members of the family, leading to a detrimental situation for the A.N.O.B. whereby the site utilisation could rapidly expand out of control.

Please reject this application in its entirety.

118 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LY

Comments: 16th October 2013

The AONB should be maintained for its agreed purpose and the benefit of all.

Development by anyone should be resisted and the fact that this application is for the benefit of a traveller family is irrelevant. The law and planning law should be applied consistently.

The proposal should be rejected as it contravenes the purpose of AONB status and the protection of the countryside and its amenities.

Entrance to the site already constitutes a traffic hazard at times - on a narrow and winding country lane - further development (which approval will lead to) will worsen this position.

The Council needs to consider the precedent which would be set if this proposal was agreed - since it would be required to apply the same principles when considering what will inevitably be further applications.

Comments: 1st January 2014

My objections to this application remain the same as those indicated to you on 16th October 2013 and reference should be made to these when officers/Councillors are considering this revised application.

I further object to the timing of this consultation - presented immediately prior to the Christmas holiday period (I received my letter from the Council on 23rd December) with a response deadline of the first working day following the New Year Bank Holiday. I doubt whether this timetable meets the requirements for an adequate period of consultation and would withstand what will be the inevitable external scrutiny should this application be allowed to proceed.

1 The Orchards
Glenfall Way
Charlton Kings
Cheltenham
Gloucestershire
GL52 6BJ

Comments: 9th October 2013

Letter attached.

Stonecrop
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NG

Comments: 3rd October 2013
Letter attached.

8 Ham Close
Cheltenham
Glos
GL52 6NP

Comments: 3rd October 2013
Letter attached.

Comments: 30th December 2013
Letter attached.

Millcroft
Mill Lane
Charlton Kings
Cheltenham
Gloucestershire
GL54 4EP

Comments: 8th October 2013

I am writing to object to the application 13/01459/COU, Castle Dream Stud, Mill Lane, GL54 4EP for permanent occupation. This site is in an AONB and the work done there during the temporary permission period has already significantly changed the landscape in a detrimental way. The rural feel of the property which enhanced the beauty of the countryside now appears quite urbanised. There are more caravans there than permitted and there are no longer any horses, nor have there been for about 18 months. I hope that the planners will reject the application for permanent residency in order to protect this property in the AONB in keeping with the National Planning Policy.

Court Barn
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6ND

Comments: 8th October 2013

We object to the change of use of the land for permanent residential occupation at Castle Dream Stud, Mill Lane, Charlton Kings for the following reasons:

1. The Appeal Inspector's Conclusions have been disregarded

Most importantly, the current application questions the Appeal Inspector's judgement (of 6th September 2011) on the fair treatment of gypsies. It also calls into question the Borough's environmental concerns. We would refer back to his arguments.

2. The adverse effects on the AONB

The Borough Council has a long record of consistently defending the AONB against planning applications likely to harm it. Why on earth should this change now. The Inspector commented on the adverse effects of the gypsy site on the AONB and if permanent permission is given now it will remove any chance of the site being returned to its original state as required by the Inspector. The AONB is still strongly protected in the new National Planning Policy Framework which has the highest status of protection in relation to landscape and scenic beauty. It is very difficult to see how the AONB can be anything but harmed if the application is allowed to go through.

3. Significant adverse changes are proposed to the Inspector's conditions

The current application is for a permanent residential occupation for a traveller family. Previously, the Inspector gave temporary permission specifically for Mr and Mrs Cox and any of their dependents. Moreover at the time of the Appeal the need to look after their horses was an important factor in the decision although I understand the horses are no longer there. So the current application will significantly widen the scope of who can occupy the land from one specific family to any traveller family who happens to fancy it. How is this justified??

We therefore trust that the application will be declined.

Comments: 27th December 2013

RE: Change of use of land etc at Castle Dream Stud Mill Lane Charlton Kings.

We are writing in response to Tracey Crew's letter of 19th December 2013. We object to the change of use of the land for permanent residential occupation at Castle Dream Stud, Mill Lane, Charlton Kings for the following reasons: (representation of 8th October – see above - repeated)

Old Ham House
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6ND

Comments: 8th October 2013

I am writing to object to the application to make the Mill Lane "Castle Dream Stud" site permanent. This area of outstanding natural beauty has become very urbanised since temporary permission for residential occupation was granted. Permission for a permanent site should not be given as it contravenes the new National Planning Policy Framework which states "great weight should be given conserving landscape and scenic beauty in areas of outstanding natural beauty". However tidy the site is, it is a far cry from the natural beautiful field which existed there before.

Temporary permission was granted to enable Mr and Mrs Cox to live alongside their horses. Mrs Cox now lives there alone and there have been no horses on the site for over a year.

Granting permanent permission will set another precedent, and it will become increasingly difficult to prevent similar developments in the fields in the Mill Lane and Ham area, thus slowly eroding the Area of Outstanding Natural Beauty.

The Bredons
Harp Hill
Charlton Kings
Cheltenham
Gloucestershire
GL52 6PR

Comments: 8th October 2013

I am writing with regard to the above Planning Application.

As far as I can see, all the arguments, both for and against the application, have already been well rehearsed.

The terms of the previous application are already in breach in that there is no evidence of horses being maintained on the site which was the reason for the family wanting to live there.

It would seem to me that the Council ultimately has to decide whether to stick to its already considered decision or to yield yet further ground in the face of persistent re-applications targeted at ever widening the scope of previously reached decisions.

With the last reached decision still having nearly a year still to run, during which time a JCS decision could well be reached on a more suitable long term site, this latest application is not appropriate at the moment.

Whatever the decision ultimately reached, it should be seen to be compatible with existing guidelines and to be fair by the general public, the vast majority of whom toe the line because the rule of the land is applied fairly.

14 Pembridge Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6XY

Comments: 8th October 2013

I am writing to object to the above application mainly because of the adverse effects on the Cotswold Area of Outstanding Natural Beauty in which it lies.

Areas of outstanding Natural Beauty are meant to be protected areas. There is not only no advantage to the AONB to have this made a residential site, there is evidence of its development in this way being detrimental to its surroundings. Mr and Mrs Cox have been granted permission to use the land for country pursuits including breeding horses. I see no evidence of horses but more hardstanding and a heavily boarded garden fence have recently been established, hiding the field that previously existed and creating an urban look to the lane.

One of the conditions of temporary permission was that the site be returned to its original state at the end of the 3 year period. The inspector acknowledged the change of use had already caused visual harm for the AONB. I cannot believe that the planning committee can in all seriousness accept further harm. There was mention in the appeal that while temporary permission was in place an alternative site less harmful to the green environment might be found for permanent residential use.

Other locations in the AONB nearby have been refused permission for residential development. I cannot see why this case should be given special treatment when nothing of benefit is to be contributed to the area. This would be riding roughshod over the planning laws and recommendations.

Regarding the Inspector's conditions of the last appeal, temporary permission was given to Mr and Mrs Cox and dependants solely, not to any traveller family.

The inspector stated: *'When the land ceases to be occupied by those named in the conditions, the use permitted shall hereby cease and the land shall be restored to its condition before the development took place.'*

This suggests to me that the status of the permission should remain temporary. Besides, the temporary permission is valid until September 2014, almost a year from now, so there is no hurry to renew it. A permanent residential building would negate this condition.

The current application shows 3 caravans. The original condition, number 4, allowed for 1 static caravan and 1 touring. This was seen as sufficient for one family and would minimise the visual damage to the site.

The day room allowed by the last permission has not been built but the new application shows a structure which looks like a bungalow so not only is permanent residence asked for but also, perhaps, a permanent home. I object to the site being given permanent residential status as historically it has not been allowed for very good reasons. The building agreed upon was for the upkeep of horses, not as a home.

I ask the Borough to dismiss the application and uphold the present conditions and temporary permission. To do the opposite would be to disregard the Appeal Inspector's conclusions of 6th September, 2011. I see no good reasons to do so.

Comments: 31st December 2013

I am writing to object to the above application mainly because of the adverse effects on the Cotswold Area of Outstanding Natural Beauty in which it lies. The Cotswold A. O. N. B. is Gloucestershire's greatest asset attracting people to the area for recreation and to live. Protection of the A. O. N. B. is vital to maintain the character of this beautiful part of the country, and for the maintenance of Cheltenham's economy.

[Areas of outstanding Natural Beauty are meant to be protected areas...The building agreed upon was for the upkeep of horses, not as a home – as above]

I ask the Borough to dismiss the application and uphold the present conditions prescribed by the Inspector, two caravans, for the Cox family only and a temporary day room, with temporary permission to remain on the land, using it for agricultural purposes. I object to retrospective permission being given to the urban fencing or any other change which harms the natural beauty of the land. I also oppose any structure being given permanent permission as such development would not enhance the site. Development in the A.O.N.B. is to be of benefit to its location or it must not be allowed if we are to preserve the integrity of this very special region. The Appeal Inspector's conclusions of 6th September, 2011 do seem to recognise this and his recommendations should be followed.

Court Lodge
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6ND

Comments: 8th October 2013

Letter attached.

Comments: 19th November 2013
Letter attached.

Comments: 23rd December 2013

Castle Dream Stud, Mill Lane, Charlton Kings: Change of use of the land for permanent residential occupation Planning Ref 13/01459/COU

I have received Tracey Crews' letter of 19th December 2013 with information about revised drawings relating to unauthorised changes to the stable blocks at Mill Lane.

IF these changes were installed in lieu of constructing a permanent day room, and IF the plumbing arrangements are to Building Regs approval, - and only IF - it might be reasonable to permit the developments as part of the temporary permission even although they are in breach of the Inspectors Conditions.

I note from a communication with Councillor Wall that the Borough may be minded to extend the temporary permission rather than grant a permanent permission while the JCS evolves. I would support this IF the Inspector's original conditions are carried forward intact (with the possible variation noted in paragraph 2) and that the permission continues to be a personal permission to Mrs Cox for a maximum of 2 caravans allowed on the site.

As I note from the letter of the 19th that the wording of the application has not changed I repeat my earlier objections in case they will be discounted if I do not respond fully to the revised application.

I still object to the above application on the following grounds.

1 Disregard of Appeal Inspector's conclusions: decision dated 6 September 2011

The current application calls into question the Appeal Inspector's expert balanced judgment on fair treatment of the gypsies and of the Borough's environmental concerns. After all the work and time involved I object to the fact that his decision may be about to be ignored surely a serious matter - and would draw his arguments back to your attention.

2 Change of use is premature

I believe that the current application is premature. Mrs Cox has temporary permission until September 2014 and so is secure until then. The Inspector in his paragraph 37 considered this to be 'appropriate and reasonable until such times as less harmful, alternative sites may be identified and brought forward through the JCS process'. This process is ongoing at this very moment but has not yet gone out either to informal or to formal consultation.

3 Adverse effects on AONB

I object to a permanent permission being granted now, as Cheltenham will lose any chance that the site may be returned to its original state at the end of the three year period as conditioned by the Inspector (his Conditions 2 & 3).

It also seems incomprehensible to me for the Borough to throw in the sponge at this late stage after all its efforts to give the 'great weight to conserving landscape and scenic beauty in . . . Areas of Outstanding Natural Beauty, which have the highest status of protection . . .' (NPPF Paragraph 115.)

You will recall that the Borough Council over the years and at considerable cost has consistently defended the field in question against planning applications likely to harm the natural beauty of this part of the Borough's green setting, even going to Appeal twice.

At the first Appeal a member of the settled community with apparently with no special Human Rights was refused permission on AONB grounds for a similar development on the land.

At the second, though granting a temporary retrospective permission to Mr and Mrs Cox as travellers with special Human Rights, our Inspector recognised the adverse effects of the gypsy site upon the AONB in his Overall Conclusion:

Paragraph 35: . . . *'I have also found that the change of use to Gypsy and Traveller site has resulted in, and would cause further visual harm, to the AONB'.*

This harm is denied by the Applicant's agent, but it seems to me that caravans, large areas of sterile hardstanding, garden fencing and suburban entrance features are not an adequate replacement for the pond, willow trees and green grass that pre-existed the encampment.

4 Proposed adverse changes to Inspector's conditions

As mentioned, to limit the harm, conditions were placed on the temporary permission. I object to the fact that the current application would appear to do away with the following.

- a) The current application wording is for permanent residential occupation by a (therefore non-specific) traveller family. The temporary permission given by the Inspector was a PERSONAL permission to Mr & Mrs Cox and 'any resident dependants' then, two teenage sons. (Inspector's Condition 2). At the time of the Appeal their need to look after their horses on their land played a large part in influencing the decision though the 24/7 horse care seems to have come to an end some 18 months ago with the departure of the horses.

A traveller family leaves interpretation wide open for it to apply to any old family who would not necessarily have the urgent valid reason for living here as the Coxes did initially.

I object that it also supersedes the Inspector's Condition 3:

'When the land ceases to be occupied by those named in condition 2 the use permitted shall hereby cease . . . and the land shall be restored to its condition before the development took place.'

- b) The current application drawing shows three caravans (unspecified but drawn all the same size). The Inspector's Condition 4 states that only two caravans, one static caravan and one touring, *'shall be stationed on the site at any one time'*, this to reduce the adverse visual impact and considered adequate to house the dependent family. (I note that, according to the Office for National Statistics, 'dependant family' means children under 16, or those 16-18 in full-time education. A 'child' with a partner and/or offspring is not a dependant.)

5 Objection to a permanent day room at this stage

The current application mentions 'retention' of the dayroom. I do not believe that it has been constructed yet. There is a claim that the Borough has approved the design and materials - again I do not believe this to be the case, though, in approving the application as a whole, the very permanent almost bungalow-sized render-and-tile structure shown in the drawing will presumably also be permitted (8.3m x 6.6m x 4m high). I object to this permanent feature being allowed while there is any question about the site's permanence.

The Inspector, while suggesting a timber construction to match the stables, recognised the problem and stated that *'the proposal would add to the overall quantum of development on site. It would also formalise its use for residential purposes and result in the introduction of domestic paraphernalia . . .'*

Conclusion

I do hope that the Borough will dismiss the application, honour the Inspector's decision (and conditions) and reaffirm the temporary permission until September 2014. *

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*I should be anxious in the extreme if I thought that permanent permission might be given just to boost the JCS supply of sites: I hope that you can confirm that this is not the case.

3 Natton Cottages
Ham Lane
Cheltenham
Gloucestershire
GL52 6NJ

Comments: 8th October 2013
Letter attached.

Comments: 6th January 2014
Letter attached.

69 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LS

Comments: 8th October 2013
Letter attached.

Piccadilly Farm
Agg Hill
Cheltenham
Glos
GL54 4ET

Comments: 8th October 2013
Letter attached.

67B Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LS

Comments: 8th October 2013
Letter attached.

20 Ham Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NP

Comments: 8th October 2013
Letter attached.

Ryeworth Inn
60 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LT

Comments: 8th October 2013

Letter attached.

5 Ham Close
Cheltenham
GL52 6NP

Comments: 25th September 2013

I would like to make a few points about this application. My address is 5 Ham Close, GL52 6NP.

My main concern is for the AONB and that any application for a house or bungalow would properly be refused and I believe a permanent traveller occupation would have the same effect on the AONB. No doubt we all 'saw this coming' and I feel that travellers have an equal right to somewhere to live just as we all do - but this is the point - we should all be subject to the same rules and give the same care to our threatened natural environment. Surely this is an attempt to build now and possibly more in the future on an unspoilt part of a beautiful land and fields area.

I believe the application is for any traveller family, not just for Mr and Mrs Cox as in the original grant - a subtle but very important new aspect.

Regarding 'stables' I think there have been no horses there for the last 18 months!! This suggests the main application is for permanent occupation in which case the amount of land, in absence of horses, need not be so large and not be on the AONB! Perhaps a more suitable site can be found. Again, the application is for 3 trailers - a significant increase on the original - and would have greater impact on the environment, access traffic and road usage. The application for a day room, a permanent bungalow structure, would surely be refused if part of a normal bungalow on this site. The 3-bay stable proposed is also unclear. Past experiences might be a guide as to what might happen some few years into the future if permission were granted.

Please protect the AONB.

16 Ham Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NP

Comments: 25th September 2013

I wish to oppose in the strongest possible terms the above application.

The previous temporary permission, was given on the basis of the owners needing a day room and other facilities to be on the site all day on account of their horse breeding activities, which purported to be their main source of income.

I understand that there have been no horses of the site for the past 18 months.

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It follows that all justification for the special privileges afforded to date has evaporated, not to speak of the attempts to further extend and make permanent with the fresh Application the exceptional and advantageous treatment accorded the Coxes.

The raison d'être for the original temporary concessions having been proven to be absent during the last 18 months, far from their being any justification for extending the exceptional privileges as per the new application, there would be every reason to terminate forthwith the current temporary permission.

It is fundamentally undemocratic that a section of society can ride roughshod (quite literally) over the planning regulations by playing up "a traditional way of life", which they are not exercising and which in all probability has lost its economic basis for the foreseeable future. I have every sympathy for preserving a traditional Romany life-style, where this is genuine and sustainable, but no sympathy whatsoever for it being used as a pretext to obtain quite exceptional advantages, without the posited life-style subsequently being exercised.

Furthermore, I wish to state that I unreservedly support the other arguments being submitted by other members of the Ham Residents Association.

23 Ham Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NP

Comments: 1st October 2013

I wish to raise my objection to the premature application by Mrs Cox to have the temporary site changed to a permanent site. The original application was granted because Mr & Mrs Cox had nowhere else to go and wished to be by their horses, which were for breeding purposes. To my knowledge there have been no horses there for 12 months. The temporary permission was for Mr & Mrs Cox, not for a whole gypsy family, which is the case now. The AONB has already been invaded by this original application. On completion of the temporary permission - September 2014 - the site should be returned to its natural state. I fear however with the weak planning office we have in Cheltenham that the Cox family will once again overrule the AONB regulations.

I would appreciate your comments.

Comments: 27th December 2013

Letter attached.

1 The Orchards
Glenfall Way
Charlton Kings Cheltenham
Gloucestershire
GL52 6BJ

Comments: 23rd December 2013

I have previously objected to the approval granted, and object to this change. The comments supplied by the residents of Court Lodge (Ham Road) and 14 Pembridge Close perfectly summarise the many reasons for refusing the original application. Given the unauthorised changes already reported and the need to protect the AONB, the change of use should not be approved.

Wadleys Farm
Ham Lane
Charlton Kings
GL52 6NJ

Comments: 2nd October 2013
Letter attached.

Comments: 3rd January 2014
Letter attached.

Wadleys Farm
Ham Lane
Charlton Kings
Cheltenham
GL52 6NJ

Comments: 2nd October 2013
Letter attached.

Comments: 2nd January 2014
Letter attached.

2 Nursery Cottages
Ham Lane
Charlton Kings
Cheltenham
GL52 6NJ

Comments: 2nd October 2013
Letter attached.

Hamfield House
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NG

Comments: 7th October 2013
Letter attached.

Comments: 2nd January 2014
Letter attached.

Ham Hill South
Ham Road
Cheltenham
GL54 4EZ

Comments: 26th September 2013
Letter attached.

Hamfield House
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NG

Comments: 7th October 2013

Letter attached.

Comments: 30th December 2013

I am sending this letter in response to the revised plans advised in Tracey Crews' letter of 19th December 2013.

There is a long history of attempts to change the use of this site away from agricultural use, most recently after Mr and Mrs Cox started residing at the site. Following an Appeal which was decided in 2011, they were given temporary permission to continue residence at the site until September 2014, as set out in APP/B1605/C/11/2149107 and 2149171 dated 6 September 2011. In reaching his decision, the Planning Inspector concluded that: the change of use to a Gypsy and Traveller site has resulted in, and would cause further visual harm, to the AONB. This is contrary to established local development plan policies and national planning policy advice and guidance and is sufficient reason not to grant a permanent permission. His reason for giving permission on a temporary basis was the lack of sites allocated for gypsies and travellers. Permission was given, therefore, until such times as less harmful, alternative sites may be identified and brought forward through the JCS process. The Inspector imposed a number of conditions to ameliorate the harm, many of which have yet to be undertaken or fulfilled.

I am writing to Object to this present application, for the following reasons:

1. The fundamental reasons against change to residential use remain as follows:
 - a. The site lies in the Cotswold AONB. The National Planning Policy Framework. Paragraph 115 states: 'Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.' Although the site is screened from Mill Lane, it is highly visible from the public footpath from Hewletts Reservoir to Northfield farm, which I use on a frequent basis.
 - b. Although the location is near to Cheltenham, it is outside the principal urban area of the town and away from any area that has been either allocated or proposed for any urban extension.
 - c. The site is rural and isolated and not close to other dwellings.
 - d. There are several other areas of land in the AONB in the vicinity which are used for grazing horses and which have associated stabling similar to that at the present site. Should permission be given for permanent change of use in the present case, a precedent would have been set, making it difficult to resist proposals for change of use at any of these other sites, causing yet further damage to the AONB.
2. The reasons why the temporary change of use should not be made permanent are:
 - a. The underlying reasons at 1. above have not changed. The damage to the AONB is evident from an inspection of the site and would be made worse by the erection of a permanent building. These more than outweigh any 'improvements' made by the residents.

Page 50

- b. A principal reason for the Planning Inspector giving temporary permission was that he expected permanent sites for gypsies and travellers to be allocated under the Joint Core Strategy for Gloucester, Cheltenham and Tewkesbury. The JCS team are currently undertaking a consultation process to determine the availability of gypsy and traveller sites in area. Until this has been undertaken and an allocation made it would be premature and prejudicial to make the present site a permanent one.
- c. The circumstances under which the existing temporary permission was given have changed. In particular, Mr Cox is no longer in residence and the site is no longer being used for the keeping and breeding of horses. For at least the past 18 months, there have been no horses on the site, which is now mainly used for grazing sheep (not an established gypsy lifestyle).
- d. A precedent would have been set, encouraging further gypsy and traveller settlements in the AONB. There is currently a similar case in progress at Coberley in Cotswold District.

I therefore urge the Planning Authority to refuse this application. Please advise me of the outcome.

2 Ham Close
Cheltenham
Glos
GL52 6NP

Comments: 4th October 2013
Letter attached.

63 Kempton Grove
Cheltenham
Gloucestershire
GL51 0JU

Comments: 10th October 2013
Letter attached.

Glenfall Lodge
Mill Lane
Charlton Kings
Cheltenham
Gloucestershire
GL54 4EP

Comments: 30th September 2013

Dear Sirs, I have written in to you my view points regarding this planning application. I have just been informed that my letter has not arrived. I therefore would like to pass comments through this e-mail. I have no objections to this application. Since Mrs Cox moved to the site, she has improved every aspect of this field. The entrance, fencing and the overall appearance of this field has vastly improved since her arrival. She is also a good neighbour. Prior to her arrival the area was untidy and unsightly. From an AONB perspective I feel this area is now much improved.

Ham Stud
Ham Road
Charlton Kings Cheltenham
Gloucestershire
GL52 6ND

Comments: 3rd October 2013

I object to the application to make this a permanent site for travellers for the following reasons:

Since temporary planning permission for 3 years was granted, for the applicants' personal use only, some of the conditions of this planning have not been adhered to.

- a. There have not been any horses on the site for the past eighteen months. The application was originally granted so that someone was on site to look after the stock.
- b. A further static caravan was moved onto the site without permission, although this has now been removed.
- c. Domestic waste from an inefficient septic tank is still being discharged onto the highway.
- d. I am also lead to believe that criminal activities have been carried out from this site (as stated in the local press)

My other serious concern is the change of use from a temporary Traveller site to a permanent Traveller site in an Area of Outstanding Natural Beauty. This could have the potential for extension in the future, especially if the conditions of the applicants' personal use, and other conditions imposed by the Planning Inspector, were not adhered to.

Therefore, due to the blatant disregard of the planning conditions, the temporary permission should now be suspended and the site returned to its original condition, including the pond, land drainage ditches etc, which have been filled in without any consultation.

Comments: 2nd January 2014

Letter attached.

The Willows
Ham Square
Cheltenham
Gloucestershire
GL52 6NF

Comments: 7th October 2013

This is inappropriate development in the AONB and should not be allowed permanently. Note the application no longer refers to the Cox family which means the need to be on site for the horses(which are no longer there) is no longer a valid argument for the permanent or temporary need for caravans in the AONB. The temporary application still has another year to run, this application is premature perhaps because another more suitable site less harmful to the AONB may be found by Sept 2014. If this allowed the number of caravans should be restricted to one.

Comments: 2nd January 2014

Please refer to our previous comments in October, we object to the application as it is detrimental to the visual impact of the AONB & should not be allowed to become permanent. If any permission has to be granted it should be temporary only, & for less caravans. It is concerning that unauthorised work has already been carried out with disregard for the conditions, this should mean that the proposed original dayroom now should not be built. The application does not seem

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to be specific to the Coxes any more. Please refuse this application & maintain our precious AONB.

25 Home Farm Court
Greenway Lane
Charlton Kings
GL52 6LA

Comments: 7th October 2013
Letter attached.

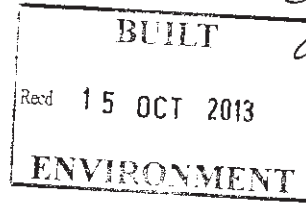
Comments: 27th December 2013
Letter attached.

21 Thames Road
Whaddon
Cheltenham
GL52 5PU

Comments: 7th October 2013
Letter attached.

THE PLANNING OFFICER
CHILTERNHAM BOROUGH COUNCIL
MUNICIPAL OFFICES
PROMENADE.
CHILTERNHAM.
GLOS. GL50 9SA.

24 HOME FARM COURT
GREENWAY LANE
CHARLTON KINGS
GLOS. GL52 6LA.



12-10-13.

DEAR SIR/MADAM,

RE PERMANENT PERMISSION TO ALLOW PRESENT
OCCUPIERS TO STAY ON LAND IN FIELD AT
MILL LANE. CHARLTON KINGS.

I DO FEEL THAT TO APPROVE CASTLE DREAM STUD,
CHARLTON KINGS TO STAY ON THAT SITE ON A PERMANENT BASIS
WILL OPEN GATES FOR MORE BUILDING ON THE AREA (40NB).

ALSO WHY SHOULD PEOPLE WHO HAVE BEEN LIVING
THERE FOR THREE YEARS WITHOUT PLANNING PERMISSION BE ALLOWED
TO RIDE ROUGH SHOD OVER THE SYSTEM?

I TRUST YOU WILL GIVE THIS CAREFUL CONSIDERATION.

Yours Faithfully



Recd 23 DEC 2013

TERRY CRENS
CHIEF, BOROUGH COUNCIL.
HEAD OF PLANNING.

24 HOME FARM COURT
CHARTON KINGS
GLDS 9LS2 6LA.

RE 13/01459/COU

21.12.13

DEAR MADAM.

I AM IN RECEIPT OF YOUR LETTER 19.12.13.
RE CHANGE OF USE OF LAND AT CASTLE DREAM STUD. MILL BANE.

I WISH TO REITERATE MY OBJECTIONS ON THIS
MATTER AS PER MY PREVIOUS LETTER.

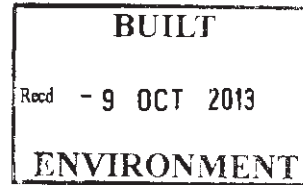
YOURS FAITHFULLY



[Handwritten flourish or signature mark]

Mrs. Wendy Hopkins,
Snr. Planning Officer Built Environment,
Cheltenham Borough Council Municipal Office,
Promenade,
Cheltenham,
GL50 1PP

1, The Orchards,
Glenfall Way,
Cheltenham,
GL52 6BJ



5 October 2013

Dear Mrs. Hopkins,

Castle Dream Stud: Planning Ref. 13/01459/COU

I am writing in connection with the subject application.

I believe that there are several reasons why I the application should be rejected:

- 1 There is a clear risk that the site would not be returned to the original state, essentially defined when the original, temporary approval was given. So far the Council has steadfastly defended the AONB, for good reason. It would be perverse to abandon the protection now.
- 2 The Appeal Inspector made his decision after considering the original application carefully, and balancing it against environmental concerns. Nothing has changed to invalidate that decision.
- 3 As I recall, the original approval was specific to [REDACTED] to address their needs, and indeed the wording required restoration of the site if the land ceased to be occupied by them. Why should it now become a generalised application? Is the same family in residence?
- 4 It is surely wrong to talk about retention of a dayroom which hasn't been constructed. In any event it would be premature to proceed with construction while there is doubt about permanent buildings being allowed.
- 5 The existing approval runs until September 2014. There is no need to grant approval now, since other, more favourable sites might be defined in the remaining 11 months.

In summary, I believe that the application should be dismissed: the temporary permission is still valid.

Yours sincerely

[REDACTED]

Stonecrop
Ham Road
Charlton Kings
Cheltenham

Mrs W. Hopkins
Senior Planning Officer
Cheltenham

30.9.13
Ref. 13/01459/cou.

Dear Mrs Hopkins,

I am writing in protest about the application for the site in Mill Lane Charlton Kings to become a permanent place for residential living for gypsies (or anyone).

The Inspector granted temporary permission until September 2014. I am sure you know what was in his report ^{regarding} the A.O.N.B.

Please do not let this beautiful place be encroached on by what amounts to urbanisation

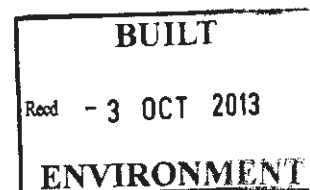
Yours sincerely



8 Ham Close
Cheltenham
Glos. GL52 6NP

30 September 2013

Mrs Wendy Hopkins
Senior Planning Officer
Built Environment
Cheltenham Borough Council
PO. Box 10, Municipal Offices
The Promenade
Cheltenham GL50 1PP



Your ref:- 13/01459/COU

Dear Mrs Hopkins,

We are writing to object to the proposed application in Mill Lane, Charlton Kings, to make the site permanent. The application is very different from the temporary permission already granted. We also believe that the location is in an Area of Outstanding Natural Beauty and feel strongly that it should be protected against any long term encroachment.

Yours sincerely,

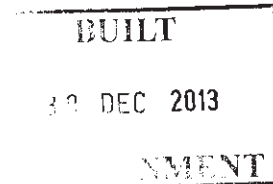
[Redacted signature block]

[Redacted signature block]

8 Ham Close
Cheltenham
Glos. GL52 6NP

23 December 2013

Ms Tracey Crews, Head of Planning
Built Environment
Cheltenham Borough Council
PO. Box 10, Municipal Offices
The Promenade
Cheltenham GL50 1PP



Your ref:- 13/01459/COU

Dear Ms Crews,

Thank you for your letter of the 10th December. We find it best to repeat what was said in our letter of the 30th September, 2013

We object to the proposed application in Mill Lane, Charlton Kings, to make the site permanent. This application is very different from the temporary permission already granted.

The location is in an Area of Outstanding Natural Beauty and feel strongly that it should be protected against any long term encroachment.

Yours sincerely,



Court Lodge
Ham Road
Charlton Kings
Cheltenham
Glos GL52 6ND
3 October 2013

Mrs Wendy Hopkins
Senior Planning Officer Built Environment
Cheltenham Borough Council Municipal Office
Promenade
Cheltenham
Glos GL 50 1PP

Dear Mrs Hopkins

Castle Dream Stud Mill Lane Charlton Kings: Change of use of the land for permanent residential occupation **Planning Ref 13/01459/COU**

I object to the above application on the following grounds.

1 Disregard of Appeal Inspector's conclusions: decision dated 6 September 2011

The current application calls into question the Appeal Inspector's expert balanced judgment on fair treatment of the gypsies and of the Borough's environmental concerns. After all the work and time involved I object to the fact that his decision may be about to be ignored – surely a serious matter - and would draw his arguments back to your attention.

2 Change of use is premature

I believe that the current application is premature.

Mrs Cox has temporary permission until September 2014 and so is secure until then.

The Inspector in his paragraph 37 considered this to be
'appropriate and reasonable until such times as less harmful, alternative sites may be identified and brought forward through the JCS process'.

This process is ongoing at this very moment but has not yet gone out either to informal or to formal consultation.

3 Adverse effects on AONB

I object to a permanent permission being granted now, as Cheltenham will lose any chance that the site may be returned to its original state at the end of the three year period as conditioned by the Inspector (his Conditions 2 & 3).

It also seems incomprehensible to me for the Borough to throw in the sponge at this late stage after all its efforts to give the

'great weight to conserving landscape and scenic beauty in . . . Areas of Outstanding Natural Beauty, which have the highest status of protection . . .' (NPPF Paragraph 115.)

You will recall that the Borough Council over the years and at considerable cost has consistently defended the field in question against planning applications likely to harm the natural beauty of this part of the Borough's green setting, even going to Appeal twice.

At the first Appeal a member of the settled community with apparently with no special Human Rights was refused permission on AONB grounds for a similar development on the land.

At the second, though granting a temporary retrospective permission to Mr and Mrs Cox as travellers with special Human Rights, our Inspector recognised the adverse effects of the gypsy site upon the AONB in his Overall Conclusion:

Paragraph 35: . . . 'I have also found that the change of use to Gypsy and Traveller site has resulted in, and would cause further visual harm, to the AONB'.

This harm is denied by the Applicant's agent, but it seems to me that caravans, large areas of sterile hardstanding, garden fencing and suburban entrance features are not an adequate replacement for the pond, willow trees and green grass that pre-existed the encampment.

4 Proposed adverse changes to Inspector's conditions

As mentioned, to limit the harm, conditions were placed on the temporary permission. I object to the fact that the current application would appear to do away with the following.

- a) The current application wording is for permanent residential occupation by a (therefore non-specific) traveller family.

The temporary permission given by the Inspector was a **PERSONAL** permission to Mr & Mrs Cox and 'any resident dependants' – then, two teenage sons. (Inspector's Condition 2). At the time of the Appeal their need to look after their horses on their land played a large part in influencing the decision – though the 24/7 horse care seems to have come to an end some 18 months ago with the departure of the horses.

A traveller family leaves interpretation wide open for it to apply to any old family who would not necessarily have the urgent valid reason for living here as the Coxes did initially. I object that it also supersedes the Inspector's Condition 3:

'When the land ceases to be occupied by those named in condition 2 the use permitted shall hereby cease . . . and the land shall be restored to its condition before the development took place.'

- b) The current application drawing shows three caravans (unspecified but drawn all the same size).

The Inspector's Condition 4 states that only two caravans, one static caravan and one touring, '*shall be stationed on the site at any one time*' – this to reduce the adverse visual impact and considered adequate to house the dependent family. (I note that, according to the Office for National Statistics, 'dependent family' means children under 16, or those 16-18 in full-time education. A 'child' with a partner and/or offspring is not a dependant.)

5 Objection to a permanent day room at this stage

The current application mentions 'retention' of the dayroom. I do not believe that it has been constructed yet. There is a claim that the Borough has approved the design and materials - again I do not believe this to be the case, though, in approving the application as a whole, the very permanent almost bungalow-sized render-and-tile structure shown in the drawing will presumably also be permitted. (8.3m x 6.6m x 4m high.) I object to this permanent feature being allowed while there is any question about the site's permanence.

The Inspector, while suggesting a timber construction to match the stables, recognised the problem and stated that

'the proposal would add to the overall quantum of development on site. It would also formalise its use for residential purposes and result in the introduction of domestic paraphernalia . . . '

Conclusion

I do hope that the Borough will dismiss the application, honour the Inspector's decision (and conditions) and reaffirm the temporary permission until September 2014. *

Yours sincerely

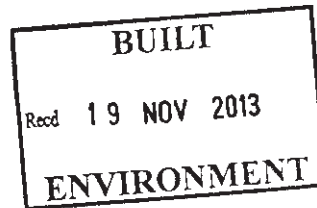


*I should be anxious in the extreme if I thought that permanent permission might be given just to boost the JCS supply of sites: I hope that you can confirm that this is not the case.

Court Lodge
Ham Road
Charlton Kings
Cheltenham
GL52 6ND

18 November 2013

FAO Mrs Wendy Hopkins
Senior Planning Officer
Built Environment
Cheltenham Borough Council



Dear Mrs Hopkins

Castle Dream Stud, Mill Lane Charlton Kings

Application Ref. 13/01459/FUL

I enclose for your information relevant pages from the current Gloucester, Cheltenham and Tewkesbury Draft Core Strategy now out at consultation.

Policy C4 deals with Gypsy and Traveller Accommodation.

Please note in particular bullet point 2 of the Policy's criteria for locating sites:

"The development is not within an area of sensitive landscape and in all other locations it will not have an unacceptable impact on the character and appearance of the landscape"

It would suggest to me that, if the Policy were to be adhered to, Castle Dream Stud in its AONB situation would not be acceptable – certainly not as a permanent site.

I hear from your colleagues in Planning Reception that you are currently 'negotiating with the applicant'. I hope to call you during the week and hope you will tell me if there are any changes to the application contents which would make a difference to the way it could be viewed.

I also understand that the application will be considered by the Borough Planning Committee in December.

~~Yours sincerely~~



Cc Andrew North Chief Executive

Gloucester, Cheltenham & Tewkesbury Draft Joint Core Strategy

Policy C4 - Gypsy and Traveller Accommodation

The potential for provision of new Gypsy, Traveller and Travelling Showpeople sites should be considered through urban extensions and strategic allocations.

All proposals for new Gypsy, Traveller and Travelling Showpeople sites will be assessed against the following criteria;

- There is a proven need for the development and the capacity of the site can be justified for further Gypsy, Traveller and Travelling Showpeople sites, or extensions to existing sites.
- The development is not within an area of sensitive landscape and in all other location it will not have an unacceptable impact on the character and appearance of the landscape and the amenity of neighbouring properties, and is sensitively designed to mitigate any impact on its surroundings.
- The site has safe and satisfactory vehicular and pedestrian access to the surrounding principal highway network.
- No significant barriers to development exist in terms of flooding, poor drainage, poor ground stability or proximity to other hazardous land or installation where other forms of housing would not be suitable.
- The site is situated in a suitable location in terms of access to local amenities, services and facilities, including schools, shops, health services, libraries and other community facilities.
- The site can be properly serviced and is supplied with essential services, such as water, power, sewerage and drainage, and waste disposal. The site should also be large enough to enable vehicle movements, parking and servicing to take place, having regard to the number of pitches/yards on site, as well as enabling access for service and emergency vehicles, including circulation space along with residential amenity and play areas.

The policy contributes towards achieving Objectives 8 and 9.

Justification

- 4.131 The recently completed Gloucestershire Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTTSAA) sets out the need for new pitches/plots resulting from existing traveller communities in Gloucestershire between 2013 and 2031. Within the JCS area the assessment sets out the requirement for provision of 152 permanent pitches for Gypsies and Travellers. Of these, 147 pitches relate to communities that currently reside in Tewkesbury Borough. The assessment further sets out a requirement for 36 permanent plots for Travelling Showpeople, relating to communities that currently reside in Gloucester City and Tewkesbury Borough.
- 4.132 The report also sets out that if transit pitches are considered necessary, around 10 should be provided within Gloucestershire, but in a location within the JCS area given the concentration of existing encampments and proximity to main road networks such as the M5 and A40.

Gloucester, Cheltenham & Tewkesbury Draft Joint Core Strategy

- 4.133 The nature of existing provision in Gloucestershire means that a very significant proportion of these needs arise in Tewkesbury Borough. However, 'Planning policy for traveller sites', further discussed in the GTTSAA sets out that where there are special or strict planning constraints across an area, local planning authorities should consider working together through the 'duty-to-cooperate' to provide for traveller needs, in order to provide more flexibility in the identification of sites, including the preparation of joint development plans. In this regard, efforts will be made to constructively engage with other Gloucestershire authorities to address this issue.
- 4.134 Further to this, the assessment confirms issues with the ability to bring forward sites for traveller communities in urban areas for reasons such as limited land availability and site viability. Depending on the availability of deliverable sites in Gloucester and Cheltenham, it may also be necessary for these authorities to work with other Gloucestershire authorities to address needs arising from their communities.
- 4.135 In terms of the JCS, a majority of development will be coming forward through the strategic allocations and urban extensions. It may be possible for sites for traveller communities to be provided as part of well masterplanned through these developments and the potential for such provision will be fully considered through the planning process. Further non-strategic site allocations will be made by each of the JCS authorities in district plans, in the context of locally set targets.
- 4.136 'Planning policy for traveller sites' requires that local planning authorities provide a criteria based policy in Local Plans. Where need is identified, this policy will form the criteria against which potential site allocations will be assessed. It will also form the policy against which other speculative applications that may come forward should be assessed.

Table C4

| Local Authority | 2013 - 2017 | | 2018 - 2022 | | 2023 - 2027 | | 2028 - 2031 | |
|-----------------|-------------|---------|-------------|---------|-------------|---------|-------------|---------|
| | Public | Private | Public | Private | Public | Private | Public | Private |
| Cheltenham | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 1 |
| Gloucester | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Tewkesbury | 20 | 44 | 12 | 15 | 13 | 16 | 12 | 15 |
| TOTAL | 20 | 47 | 12 | 15 | 13 | 16 | 12 | 17 |

POLICY C 5 - COMMUNITY FACILITIES

Background

- 4.137 Everyone living in the districts of Gloucester, Cheltenham and Tewkesbury deserves to have access to facilities that meet their everyday needs. Essential community facilities include schools, health services, community centres,

3, Natton Cottages,
Ham Lane,
Charlton Kings,
Cheltenham.
Gloucestershire.
GL52 6NJ

8th October 2013

Cheltenham Borough Council,
PO Box 12,
Municipal Offices,
The Promenade,
Cheltenham,
GL50 1PP

Attn:- **Mrs. W. Hopkins**

Dear Mrs. Hopkins,

Re:- Development Proposal:- 13/01459/COU – Mill Lane – Change of Use. - Objection

I refer to the above Planning Application which is totally unsuitable for the site and the AONB area.

The history of the site is well documented as is the refusals and temporary allowance for caravans. The fact that enforcement was carried out on the previous owners to remove a bungalow from the site would make the whole planning process a farce if this application were allowed.

It is about time for the sake of the AONB and for the reputation of both the council and the planning department, both of whom are guardians of the area, to enforce their previous decisions for clearing the site and return it to its original use of grazing and stables for horses. It would also be discourteous to all residents in the AONB who have gone through the planning process properly and for better or worse have accepted planning decisions, particularly when these decisions have gone against applications citing the AONB criteria as reason for refusal.

If enforcement is not carried out and refusal to this application is not made, then it will clearly send the wrong signal to all those that want to develop the AONB that anything goes.

The fields around the hard standing area have been tidied up and brought back into use. However, the hard standing when first put in was too large just for the use to which it is put to today. Some recent work done on the site seemed to further reinforce the hard standing and then the current application appears. The latest application supports the view that the original intention was and is to force a decision for permanency. If permission were given then other families could move onto the area and force the same fait accompli as originally happened in this case.

The current temporary planning is for the particular NAMED family with the new application for A family which seems a further attempt to make the site a transient one and not a permanent fixed residence.

In conclusion, both the Council and the Planning Authorities must refuse the current application and enforce the previous decisions made for this site.

Yours sincerely,



3, Natton Cottages,
Ham Lane,
Charlton Kings,
Cheltenham.
Gloucestershire.
GL52 6NJ

3rd January 2014

Cheltenham Borough Council,
PO Box 12,
Municipal Offices,
The Promenade,
Cheltenham,
GL50 1PP

Attn:- **Mrs. W. Hopkins**

Dear Mrs. Hopkins,

Re:- Development Proposal:- 13/01459/COU – Mill Lane – Change of Use. - Objection

I refer to the above Planning Application which I understand has been subject to change.

I confirm that my previous letter of objection on 8th October 2013 still stands.

I make the following additional observations:-

- 1) The objection to this application is all about the need to preserve and control development within the ANOB. It is clear that this particular application is not suitable for the area and in fact has become more of an application for general development rather than specific confined to one family.
- 2) The timing for submitting paperwork comments is once again far too short given the time of year and must be extended to allow all comments to be available.
- 3) It has been suggested that if previous comments have been made that unless the same people do not write in on this further amendment that previous documents are ignored. I trust this will not be the case and that all previous comments are taken into consideration.

In conclusion, both the Council and the Planning Authorities must refuse this application in total and enforce the previous decisions made for this site.

Yours sincerely,



Cheltenham Borough Council
Planning Dept.
Municipal Offices
Cheltenham
3.10.2013

Mrs Leata Cox has been a good friend for some time during the years I lived in Ryeworth Road and she is now trying to get permission to move into the area. As a resident of the area, I would have no objection to her proposal as she is well liked in Charlton Kings and would be welcome.

Yours faithfully

A large black rectangular box redacting the signature of the sender.A black rectangular box redacting the first line of the address.

69 Ryeworth Road
Charlton Kings
Cheltenham

Piccadilly Farm

Aggs Hill

Chetenham

Glos

GL54 4ET

Dear Sir/Madam

I am writing this letter in support of Mrs Leata Cox's application to obtain permission to live on the "Castle Dream Stud" site in Mill lane, Cheltenham.

She has been in ownership of this site for a number of years and has transformed a previously poorly maintained and managed stable yard and paddocks almost beyond recognition. This has taken sheer hard work and determination and the site is a credit to her.

I am fully aware of the concerns of a number of local residents of allowing someone with Romany status to have residential rights on this site and fears that it would turn into a full blown traveller's site have proved unfounded.

Over the past few years Mrs Cox has proved to be a kind and thoughtful neighbour and therefor as a near-by land owner and local resident I have no issues with Mr Cox herself being granted permission to live there.

Yours sincerely

A solid black rectangular box used to redact the signature of the sender.

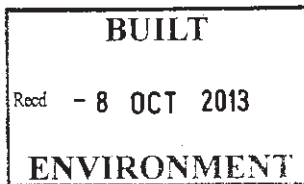
*Cheltenham Borough Council
Planning Dept.
Municipal Offices
Cheltenham
1/10/13*

Planning Officer

Mrs Leata Cox is known to me socially from various venues in Charlton Kings and has given me an impression of her interest in all things local and she is respected in this area . I have no objection to her application to become a resident in Charlton Kings.



*67B Ryeworth Road
Charlton Kings
Cheltenham*



Page 690 Ham Close

Cheltenham

GL52 6NP

07 10 13

Dear Mrs Hopkins

Re Gypsy App. Ref. 13/0459/004

further to the above site being made permanent. It would appear to have been obtained in a questionable way. The original owner not being allowed to develop the site.
A lot of work has been done on the site, with the added traffic, for what does seem to be quite a busy road with ^{many} residents at Glenfall House - I assume still in the various 'flats' also going up & down lane.

I do believe that observing the water that comes off that

Page 70
hill & the current 'open pipes' at
side of premises carry much
water & when raining the road
usually is awash in a few
places & thus drains into the
barmer's field - where there are
sheep - quite often.

I have no objection to
a ^(ONE) house being properly built
with efficient proper drainage,
but, with large nos. of people
- which would mean many cars
- again, as before - this could cause
a big problem.

Yours sincerely,



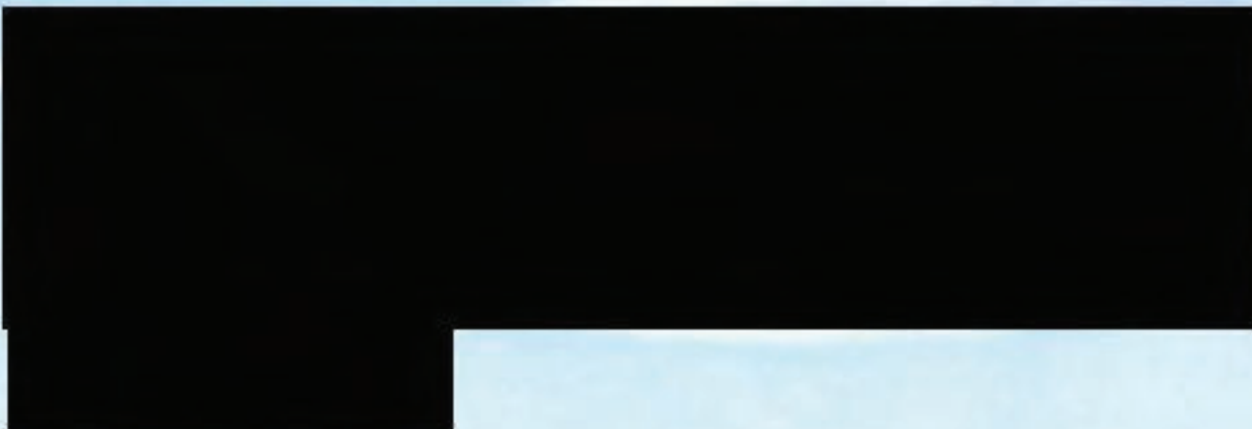
Cheltenham Borough Council
Planning Dept.
Municipal Offices
Cheltenham
30th September 2013

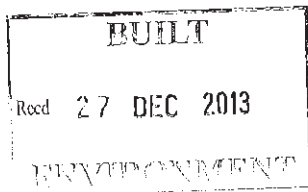
Dear Sir or Madam

Re: Planning Application by Mrs Leata Cox

I have known Mrs Leata Cox for a number of years as a customer of mine at The Ryeworth Inn and always found her to be a very genuine and respected person in Charlton Kings. She has an interest in local matters and is certainly an asset to the area. I would have no objection to her proposed Planning Application with a view to her becoming a resident in Charlton Kings.

Regards,

A large black rectangular redaction box covering the signature and name of the official.



Stonor House
23, Ham Close
Charlton Kings
Cheltenham
GL52 6NP

December 23, 2013

Dear Mss Crews,

Furthert to your letter of the 19th Dec I object to the following

- 1/Only allow for the lavatory if Mrs Cox gives up the dayroom,
- 2/The inspectors original conditions should be adhered too.
- 3/No third caravan should be allowed

Permission should never have been allowed in the first instant. To now even to suggest further extension after the inspectors report makes the "planning dept" look even more inept

Yours sincerely



Tracey Crews
Head of PLAN NING

Ref: 13/01459/COU

| | |
|------------------|--|
| Page 73 | |
| - 2 OCT 2013 | |
| Date of Response | |
| Initials | |
| Response | |

Wadley's Farm,
Ham Lane,
Charlton Kings.
GL52 6NT
30th Sept. 13.

Dear Madam,

I hope you will reject
Ms Cox's application to make her temporary
permission into a permanent one.

I was present at The Enquiry
when the temporary siting of a mobile home
and touring caravan were given permission.
Mr. or Mrs. Cox's representative was in full
agreement with all the conditions
negotiated by her and The Borough Council,
many of which have not been adhered to.

The permission was granted
until September 2014 and I see no reason
why this should be preempted with the
'permanent' application before that time.

The Joint Core Strategy is
at present trying to find potential gypsy
sites and may come up with one (or more)
by 2014. This would negate the reason

for this site in Middle Lane becoming permanent, positioned as it is in the Cotswolds AONB, which is totally protected from development in this area, at the present time.

It would seem appropriate that if no gypsy site is forthcoming from the JCS, Mr. & Mrs. Cox should be allowed a second term of 3 years, but as the named occupants only, as in the original permission and not using the site for 'A Gypsy Family' with the prospect of 3 mobile homes as shown on the site plan.

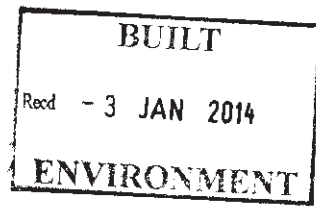
There has been a precedent for this in past years when a local farmer wanted to put a mobile home on the farm for his worker. Temporary permission was granted for 3 years & had to be re-applied for every 3 years subsequently.

I hope you will refuse to grant permanent permission for the site here within the AONB, where it would be totally detrimental to the local environment.

Yours faithfully,



Ref. 13/01459/cou



Wadleys Farm,
Ham Lane,
Charlton Kings
Cheltenham.
GL52 6NJ
1st Jan. 14.

Dear Madam,

I have previously written at great length about The Planning Application to make 'Castle Dream Stud' Mill Lane, into a permanent site for a traveller family, and the comments I made then are relevant here too, and I hope you will consider them.

This latest application for retention of day room, hardstanding, access etc. etc. are all changes to the site which have been done prior to planning permission being applied for - although the applicant is seeking to regularise this, no where does the word RETROSPECTIVE appear on the application which I believe it should. Similarly a 2nd mobile home appeared on site on 2nd July 2011, again without a prior application for planning permission being sought. If this site were to become permanent, how many more alterations would take place first before permission is applied for?

I assume the extension to a stable block to include a toilet and sink is the "day room" referred to, on the latest application and must be the one the Inspector permitted at the

Enquiry in 2011, so ~~Page 76~~ Further structure should be required.

The Inspector made it abundantly clear the site was to be used solely by Mr. & Mrs. Cox and their dependents. Although their circumstances have sadly changed, I think Mrs. Cox has the right to occupy the site on a Temporary basis (there being no dependents) and NOT the nebulous TRAVELLER FAMILY on a permanent basis as mentioned in the application.

I have no objection to a TEMPORARY permission being granted for another 3 years to Mrs. Cox, with the same conditions applicable as the Inspector and Mrs. Cox's Representative agreed to at the Enquiry in 2011 - i.e. one mobile home and one touring caravan on a temporary basis only, and not the Three Mobile Homes shown on the original map.

This Temporary permission for a further 3 years would give Mrs. Cox a settled home until the 'Traveller and Gypsy Site' part of the J.C.S. is clarified, especially with regard to the AONB.

Yours faithfully,



13/01459/COU

| | | | |
|--|--------------|------------------|--|
| Chester Borough Council Environment Group Page 77 USED TO | | | |
| REC D | - 2 OCT 2013 | | |
| Date of Response | | Type of Response | |
| Initials of Responder | | File Ref. | |

WADLEYS FARM,
HAM LANE,
CHARLTON KINGS,
CHELTENHAM,
GL52 6NJ
30-9-13.

Dear Mrs Hopkins,

With regard to the above application, if Cheltenham Borough Council pay any regard whatsoever to the decision of a Planning Inspector at an appeal funded by local taxpayers, then the decision in the present application must be to refuse it.

The stables are to be occupied by the owners, Mr. & Mrs. Cox, only, on a 3-year temporary basis, to be re-applied for in September 2014.

This application turns the decision of the Planning Inspector on its head by removing the temporary basis and changing the named occupants, Mr. & Mrs. Cox, for an anonymous gypsy family.

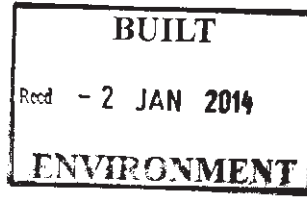
The original terms of the Inspector must be adhered to, and the application must be refused.

Yours sincerely,

Garry Humphris.

C. G. HUMPHRIS

WADLEY'S FARM,
HAM LANE,
CHARLTON KINGS,
CHELTENHAM,
GL52 6NJ.
30-12-13.



13/0459/COU.

Dear Mr Clowes,

I write again with reference to the above application for change of use of Castle Stream Stud.

Many local residents are concerned by the wording of this application, as it states 'occupation by a Traveller family' and not by the applicant. This is the crux of the matter, because if permanent permission is granted, the site could be sold to any traveller family with totally unknown results.

The temporary permission granted to Mrs Cox expires in Sept. 2014, and it would seem expedient because of the moves within the TCS to continue this permission as to enable them to rethink the situation when the time comes. To grant a permanent permission at this stage seems to be losing whatever control CRC has over the site at present.

The application also calls to legitimise retrospectively several changes which have occurred to the site, namely large access, removal of pond, replaced by hardcore, stable extension including toilet facilities, trailer caravan which came and went, and on the drawing are shown 3 large caravans which is totally contrary to the Planning Department's stipulation of one permanent caravan and 1 touring caravan.

I would think that a fair conclusion to all these activities would be to say that CRC accepts all these unauthorised 'improvements' on condition that the idea of a 'day room' is dropped, particularly as toilet facilities have already been installed.

I would urge you to reject this application and maintain the status quo until such time as the situation regarding traveller sites and the JCS. has been clarified.

Yours sincerely,



| | | | |
|---|--------------|------------------|--|
| Cheltenham Borough Council Environment Group | | | |
| FORWARDED TO | | Page 80 | |
| REC'D | - 2 OCT 2013 | | |
| Date of Response | | Type of Response | |
| Initials of Responder | | File Ref. | |

2 Nursery Cottages,
Ham Lane,
Charlton Kings,
Cheltenham,
GL52 6NJ.

Dear Mrs Hopkins,

We feel compelled to write to oppose the application to make Castle Dream Shd, Mill Lane, Charlton Kings, a permanent residential site for travellers. We are aware of the current situation and the fact that the occupants have changed and we are extremely concerned that should the site become a permanent one it ^{could} ~~will~~ be sold and passed on to ^{other} traveller families who may not be as considerate. At least if it stays temporary, then if there are problems in the future something can be done about it.

Please add our names to the list of Ham residents completely opposed to such a site becoming a permanent traveller site.

Yours sincerely

[Redacted Signature]

Hamfield House
Ham Road
Charlton Kings
Cheltenham, GL52 6NG
[REDACTED]

7 October 2013

Mrs Wendy Hopkins,
Senior Planning Officer, Built Environment,
Cheltenham Borough Council,
P O Box 12, Municipal Offices,
Promenade, Cheltenham, GL50 1PP

Dear Mrs Hopkins,

Planning Application 13/01459/COU. Change of use of land for the permanent residential occupation by a traveller family, retention of day room, hardstanding, access, fencing, stables and use of associated land for keeping of horses, Castle Dream Stud Mill Lane Charlton Kings Cheltenham Gloucestershire GL54 4EP

When permission was given for a temporary change of this site to residential use by a traveller family, it was recognised that this would damage the Cotswold AONB. It was only permitted on a temporary basis because Cheltenham Borough Council was unable to demonstrate that it could identify alternative suitable sites for gypsies and travellers.

At the Appeal two years ago, the Inspector acknowledged that there would be harm to the AONB. He therefore imposed conditions when giving temporary permission that would reduce this harm. If the site were made permanent, with the introduction on permanent facilities, the damage to the AONB would increase. Notwithstanding the claims made by the applicant, the way the site has been changed as a result of temporary residence has already cause considerable damage through the introduction of suburban features like hardstanding, mobile homes and out-of-place shrubs, fencing and other features.

I understand that an exercise is currently under way as part of the Joint Core Strategy to identify sites to be allocated for gypsies and travellers in the JCS area. Since the reason temporary permission was given was due to the lack of suitable allocated sites, it would be premature and illogical to make residency on this site permanent at least before this work has been completed. Should adequate provision of alternative permanent sites be made under the JCS, the presumption must be that the present site would revert to agricultural use.

In other contexts, planning applications for new residential development in the AONB on the edge of Cheltenham have consistently been refused and any resultant appeals have been dismissed. To allow permanent change of use in this case would create a most worrying precedent, as there are other sites in the neighbourhood where horses are kept which might then be successful in applying for residential occupation.

I therefore urge the Borough Council to refuse the current application.

Yours sincerely

[REDACTED]

Hamfield House
Ham Road
Charlton Kings
Cheltenham,
GL52 6NG



1 January 2014

Mrs Wendy Hopkins,
Planning Officer, Built Environment,
Cheltenham Borough Council,
P O Box 12, Municipal Offices,
Promenade, Cheltenham, GL50 9SA.

Dear Mrs Hopkins,

Planning Application 10/01839/COU

**Change of use from agricultural to residential occupation by a gypsy family with the stationing of two caravans and erection of an ancillary "day room" building and construction of new access, hardstanding and associated landscaping.
Retention of stable building for the purpose of keeping horses at Stables at Mill Lane Charlton Kings**

This letter is sent in response to Tracy Crews' letter of 19th December 2013 which notified me of the revised plans for this application.


This application seeks to change what is currently a greenfield site within the Cotswold AONB into a residential dwelling. Such a development within the AONB would be against both national and local planning policy since it would damage the natural beauty of the locality which the AONB status is there to protect. Moreover it would create a most worrying precedent, as there are other sites in the neighbourhood where horses are kept which might then be successful in applying for residential occupation.

As you will be aware, there have been previous attempts to change the usage of this land. Since the current stabling was built there was a period when people lived illegally on the site. This led to an application for the site to be used for the keeping horses for recreational purposes which was refused on appeal. The present application goes further in seeking to change the use to residential occupation.

Over many years, planning applications for new residential development in the AONB on the edge of Cheltenham have consistently been refused and any resultant appeals have been dismissed.

I therefore urge the Borough Council to refuse the current application.

Yours sincerely



| | | | |
|---|-------------|------------------|--|
| Cheltenham Borough Council Environment Group | | | |
| PASSEL | | | |
| REC'D | 25 SEP 2013 | | |
| Date of Response | | Type of Response | |
| Initials of Responder | | File Ref. | |

| |
|--------------------|
| BUILT |
| Recd 26 SEP 2013 |
| ENVIRONMENT |

Ham Hill South
Ham Road
Cheltenham
GL54 4EZ
22.09.13

Dear Sir / Madam,

I write in support of the current planning proposal at Castle Dream, Mill Lane Cheltenham.

Since the occupants have lived here the grounds have improved considerably and are very well kept.

Yours Sincerely,



7 October 2013

App No: 13/01459/COU

Mrs Wendy Hopkins,
Senior Planning Officer, Built Environment,
Cheltenham Borough Council,
P O Box 12, Municipal Offices,
Promenade, Cheltenham, GL50 1PP.

Dear Mrs Hopkins,

Planning Application 13/01459/COU

Proposal: Change of use of land for the permanent residential occupation by a traveller family. retention of day room, hardstanding, access, fencing, stables and use of associated land for keeping of horses at Castle Dream Stud Mill Lane Charlton Kings Cheltenham Gloucestershire GL54 4EP

There is a long history of attempts to change the use of this site away from agricultural use. Most recently after, Mr and Mrs Cox started residing at the site. Following an Appeal which was decided in 2011, they were given temporary permission to continue residence at the site until September 2014, as set out in **APP/B1605/C/11/2149107 and 2149171** dated 6 September 2011.

In reaching his decision, the Planning Inspector concluded that: "the change of use to a Gypsy and Traveller site has resulted in, and would cause further visual harm, to the AONB. This is contrary to established local development plan policies and national planning policy advice and guidance and is sufficient reason not to grant a permanent permission." His reason for giving permission on a temporary basis was the lack of sites allocated for gypsies and travelers. Permission was given, therefore, "until such times as less harmful, alternative sites may be identified and brought forward through the JCS process". The Inspector imposed a number of conditions to ameliorate the harm, many of which have yet to be undertaken or fulfilled.

I am writing to **Object** to this present application, for the following reasons:

1. The fundamental reasons against change to residential use remain as follows:
 - a. The site lies in the Cotswold AONB. The National Planning Policy Framework. Paragraph 115 states: 'Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.' Although the site is screened from Mill Lane, it is highly visible from the public footpath from Hewletts Reservoir to Northfield farm, which I use on a frequent basis.
 - b. Although the location is near to Cheltenham, it is outside the principal urban area of the town and away from any area that has been either allocated or proposed for any urban extension.
 - c. The site is rural and isolated and not close to other dwellings.
 - d. There are several other areas of land in the AONB in the vicinity which are used for grazing horses and which have associated stabling similar to that

at the present site. Should permission be given for permanent change of use in the present case, a precedent would have been set, making it difficult to resist proposals for change of use at any of these other sites, causing yet further damage to the AONB.

2. The reasons why the temporary change of use should not be made permanent are:
 - a. The underlying reasons at 1. above have not changed. The damage to the AONB is evident from an inspection of the site and would be made worse by the erection of a permanent building. These more than outway any 'improvements' made by the residents.
 - b. A principal reason for the Planning Inspector giving temporary permission was that he expected permanent sites for gypsies and travellers to be allocated under the Joint Core Strategy for Gloucester, Cheltenham and Tewkesbury. The JCS team are currently undertaking a consultation process to determine the availability of gypsy and traveller sites in area. Until this has been undertaken and an allocation made it would be premature and prejudicial to make the present site a permanent one.
 - c. The circumstances under which the existing temporary permission was given have changed. In particular, Mr Cox is no longer in residence and the site is no longer being used for the keeping and breeding of horses. For at least the past 18 months, there have been no horses on the site, which is now mainly used for grazing sheep (not an established gypsy lifestyle).
 - d. A precedent would have been set, encouraging further gypsy and traveller settlements in the AONB. There is currently a similar case in progress at Coberley in Cotswold District.

I therefore urge the Planning Authority to refuse this application. Please advise me of the outcome.

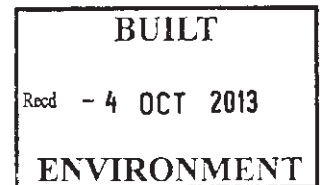
Yours sincerely,



2 Ham Close
Cheltenham
Glos
GL52 6NP
3/10/13

Mrs Wendy Hopkins
Senior Planning Officer
Cheltenham Borough Council
Municipal Office
Promenade
Cheltenham GL50 1PP

Application Ref 13/01459/COU
Application to make the Mill Lane Site Permanent



Dear Mrs Hopkins,

I was disappointed, but not surprised, to learn of the application that the Mill Lane development be made permanent.

The temporary permission granted in September 2011 for the continued use of this part of the ANOB for a further period of 3 years (till September 2014) was very generous.

Unfortunately, some applicants see any move in their direction, such a move made in an effort to be reasonable, as a sign of weakness. The phrase "thin end of the wedge" springs immediately to mind. While the vast majority of citizens are content to accept that it is by cooperation and fair dealing that we can coexist and not degenerate into anarchy, others see only their own "rights" (generally at the cost of others "rights").

Such applicants see any weakness as a signal that they can push even further and obtain more and more personal advantage. The granting of the initial temporary permission struck me as just such a "thin end of the wedge". It is completely clear that any further permission (either temporary or otherwise) will be met with greater future demands.

Please note the following:

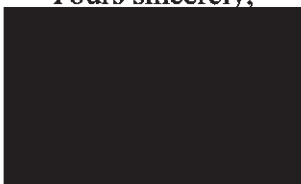
The original permission was granted to Mrs Cox until September 2014 – not for some unspecified individual or family.

Any claimed improvement to the AONB is completely ruined by the addition of caravans, dayroom, and hardstanding, together with the loss of natural features.

This premature application should be rejected and this whole matter brought to a close once the temporary permission has lapsed.

Thank you.

Yours sincerely,



| | |
|---|------------------|
| Chatterham Borough Council Environment Group | |
| YES/NO TO | |
| REC'D | - 9 SEP 2013 |
| Date of Response | Type of Response |
| Respond | |

To Whom it Concerns.


This letter is in support of a planning application submitted by [REDACTED] of Castle Dream Stud dated 16/8/13.

I have been a Charlton Kings resident since 1970 so have known this parcel of land for many years. In the last two years it has been improved, the old neglected stable block has been transformed, everything is now well cared for, very tidy and looks fantastic.

The application to build a small bungalow near to the stable blocks would hardly be visible from the road and would have no negative impact on any person, building or land near by. All building materials required would be stored on private land so would not pose a danger to anyone. There are no pavements or grass verges to be damaged while turning or delivering these materials. With no immediate neighbours the inconvenience of building activity would not be a problem. All materials and colours of them, used have been chosen to blend in well with their surroundings.

In addition to this Mrs Cox has become a well liked and helpful member of the local community and she deserves to be able to have a home to call her own.

So I am in full support of her building application.



63 Kempton Grove
Cheltenham
GL51 0JU.

Ham Stud,

Ham Road

Charlton Kings,

Cheltenham

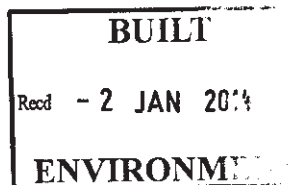
GL52 6ND

31/12/13

To. Tracey Crews: Head of Planning

Cheltenham Borough Council

Your ref 13/01459/COU



Dear Madam

Re: Change of use of land for the permanent residential occupation by a traveller family, retention of day room, hardstanding, access, fencing, stables and use of associated land for keeping of horses at Castle Dream Stud, Mill Lane, Charlton Kings

Further to my comments on 22nd August 2013 I am objecting to any further retrospective application on the above site, as this is another clear example of disregard of the planning conditions put on the site when the temporary planning was granted.

Obviously the bathroom in the stable block was installed without any consultation with the Planning Department whatsoever. Therefore I feel that this retrospective plan should not be allowed and the site should be returned to its original condition, including the removal of all backfill materials contained in the hardstanding area.

I also feel that any change of use being considered by the Planning Department should be for the use of the sole current owner, Mrs J Cox, and not a traveller family as stated above, and for one large caravan only.

Yours faithfully

A large black rectangular redaction box covering the signature and any accompanying text.

I object to the application to make this a permanent site for travellers for the following reasons:

Since temporary planning permission for 3 years was granted, for the applicant's personal use only, some of the conditions of this planning have not been adhered to.

- There have not been any horses on the site for the past eighteen months. The application was originally granted so that someone was on site to look after the stock.
- A further static caravan has been moved onto the site without permission, although this has now been removed.
- I am also lead to believe that criminal activities have been carried out from this site [as stated in the local press]
- Domestic waste from an inefficient sceptoric tank is still being discharged onto the highway.

My other serious concern is the change of use from a temporary Traveller site to a permanent Traveller site in an Area of Outstanding Natural Beauty. This could have the potential for extension in the future, especially if the conditions of the applicants personal use, and other conditions imposed by the Planning Inspector, were not adhered to.

Therefore, due to the blatant disregard of the planning conditions, the temporary permission should now be suspended and the site returned to its original condition, including the pond, land drainage ditches etc, which have been filled in without any consultation.

| | | | |
|------------------|--------------|------------------|--|
| Name | | [REDACTED] | |
| Y-USED TO | | Page 9 | |
| REC'D | - 7 OCT 2013 | | |
| Date of Response | | Type of Response | |
| Initials or Ref | | File Ref | |

25, Home Farm Court
 Greenway Lane
 Charlton Kings
 GL 52 6LA
 4.10.2013

The Planning Officer
 Cheltenham Borough Council.

Dear Sir or Madam,

Re a plot of land adjoining The Northern side of Mill Lane between the Junction with Harp Hill and the driveway to Glenfall House : see square S8 in the A-Z street-map of Cheltenham.

N.B. I am not referring to the grassy field which adjoins the Western side of Mill Lane after it has turned sharply Southwards. This has or had a notice on the gate saying it has got planning permission to build a Stables + is or was for sale.

As I live in a small flat, I go for walks in this lovely area, but have never got as far as Glenfall House, so last Sunday, I asked my daughter who was visiting me, to drive us up Greenway Lane, turn right at its junction with Harp Hill ^{and} park the car at the convenient triangular space just beyond, so we could walk down Mill Lane as far as the driveway to

Glenfall House - then try to find the footpath across their fields, which we did.

As we retraced our steps back to the car, along this top part of Mill Lane, my daughter noticed something that had not caught our eyes previously. Among the greenery + bushes beside the road, on our right, was a nicely made notice stating that Permission has been requested to develop this land, so that a Family of Travellers can keep a static caravan here permanently - or words to that effect. I'm sorry I can't walk up there now to copy it exactly. It wasn't one of your department's usual notices, and I thought you would be interested. My daughter said that the date on the notice was very recent. She had to climb up a bit of a bank to read it, so I didn't scrutinise it, myself. Instead, I peered through a space in the fence and saw a large area of brand-new "hardstanding" and a small, white caravan. Then I realised that the fence was new, made out of strong wooden planks, and there was a solid wooden gate, + beside that,

there was a little block of older-looking wood with two words on it - like the name of a house; I think the first word was the name of a flower. The second word was "STUD" - but there is no house marked there on the A-Z map.

I have been watching the Public Notices in the Echo all week, and this "application" has not been mentioned. I just wonder if that notice we saw was intended to put people's mind at rest, + they haven't actually applied.

I think that car-drivers would not notice this development as it is screened by the roadside greenery. We didn't notice it on our walk past it - only my daughter's sharp eyes spotted it on our return. There were some newly sawn tree-trunks in a neat pile, nearby, I then noticed. But why does this "Family" need such a large area of hardstanding to put ONE caravan on? If they have a stud-horse, I'm sure he would prefer to be in a grassy field.

I expect there is plenty of water, up there, but what about the drains? It is not near any other houses, + I fear the "hard-

standing" area is intended for more caravans, which will come and go, + therefore do not need permission, except that of the resident of the "one static caravan" mentioned in the notice we saw.

I thought that "Anchor" who own the leasehold of the land on which these flats are built, would be interested in this proposed development, but the Manager here said they wouldn't, so I am writing to you to ask what your department knows about it - + I can then tell any other residents here any information you can supply. It is such a lovely, unspoilt area, free for everyone to enjoy - but the roads are very narrow with no pavements, + Mill Lane has a notice saying "Unsuitable for HGVs." It is also used a lot by horse-riders.

So please send someone up to have a look, if this is news to you. It would be advisable to park on the grassy triangle which I mentioned earlier, and then walk towards Glenfall House - the development will then be on the left.

Yours sincerely



21.12.2013

19 DEC 2013

Mrs Wendy Hopkins

Re your letter of 19 Dec - your ref

13/01459/COU

Dear Madam

What a time to choose to send this letter!

I wrote to you some time ago on the subject, stating my fears about this development. As I have no time to write at all again. Please refer back to it

Yours faithfully



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|----------------------------|--------------|------------------|--|
| Cheltenham Borough Council | | Page 96 | |
| Environment Group | | USED TO | |
| REC'D | - 7 OCT 2013 | | |
| Date of Response | | Type of Response | |
| Initials of Respondent | | Ref | |

21 Thames Road,
Whaddon.

Cheltenham.

GL52 5PU

5 Oct. '13.

Mrs Wendy Hopkins,
Senior Planning Officer,
Built Environment,
Cheltenham Borough Council,
Municipal Offices
Promenade, Cheltenham. GL50 1PP.

Dear Mrs Hopkins,

Re: - 'Castle Dream Stud', Mill Lane, Charlton
Kings, GL54 4EP. Change of use of land for the
permanent residential occupation by a traveller
family etc:

No! No! No! No! The AONB is supposed to be
a protected area. It is not a place to allow humans
to reside willy nilly, travellers or not.

The inspector had to give temporary permission
to the Coxes because being 'travellers' and Cheltenham
having no place to put travellers, he was unable to
move them off this site. However when the J.E.S. happens,
there should then be a place for 'travellers' to go. They
have permission to stay, providing they follow certain

Criteria, until Sept. 2014.

Since then Mrs Cox's husband has travelled on and taken the horses with him. The horses were a by reason why they were able to stay at 'Castle Dream Stud'. So now Mrs Cox has no reason to be there.

No permanent permission please. The terms of this agreement to stay temporarily have been broken many times. i.e. They are both there with the horses. Only 2 caravans. There is now unversable damage to this precious piece of the AONB.

If we don't protect the Turpes of the AONB, then in future there will be no AONB. We must stand firm and safeguard our planning laws.

Yours sincerely,



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Page 98

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|--|--|--|--|
| APPLICATION NO: 13/01459/COU | | OFFICER: Mrs Wendy Hopkins | |
| DATE REGISTERED: 22nd August 2013 | | DATE OF EXPIRY: 17th October 2013 | |
| WARD: Battledown | | PARISH: Charlton Kings | |
| APPLICANT: | Ms J Cox | | |
| AGENT: | Mr Adam Gatier | | |
| LOCATION: | Castle Dream Stud, Mill Lane, Charlton Kings | | |
| PROPOSAL: | Change of use of land for the permanent residential occupation by a traveller family. retention of day room, hardstanding, access, fencing, stables and use of associated land for keeping of horses | | |

Update to Officer Report

8. CONDITIONS

1. The occupation of the site hereby permitted shall be carried on only by Mrs Cox and any resident dependants for a period of 3 years from the date of this permission.
Reason: A personal temporary permission is given only to meet the specific needs of the applicant in accordance with the National Planning Policy Framework, Planning Policy for Traveller Sites and Circular 11/95.
2. When the land ceases to be occupied by those named in condition 1 above the use hereby permitted shall cease and all caravans, structure, materials and equipment brought onto or erected on the land, or works undertaken in connection with the use, shall be removed and the land should be restored to its condition before the development took place.
Reason: Permanent development of this type would detract from the amenity of the area and permission is given only to meet the special temporary needs of the applicant in accordance with the National Planning Policy Framework, Planning Policy for Traveller Sites and Circular 11/95.
3. No more than 3 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and Caravan Sites Act 1968, shall be stationed on the site at any time.
Reason: Development of this type would detract from the amenity of the area and permission is given only to meet the special temporary needs of the applicant in accordance with the National Planning Policy Framework, Planning Policy for Traveller Sites and Circular 11/95.
4. The stable buildings hereby permitted shall not be used for any other purposes other than for agriculture and non commercial equine uses.
Reason: The development hereby approved is given only to meet the specific needs of the applicant and the Local Planning authority wishes to have the opportunity of exercising control over any subsequent use in accordance with the National Planning Policy Framework, Planning Policy for Traveller Sites and Circular 11/95.
5. No more than one commercial vehicle shall be kept on the land for use by the occupiers of the caravans hereby permitted, and shall not exceed 7.5 tonnes in weight.
Reason: The parking of large vehicles would detract from the amenity of the area and permission is given only to meet the special temporary needs of the applicant in accordance with the National Planning Policy Framework, Planning Policy for Traveller Sites and Circular 11/95.

Informative – to follow

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Page 100

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|--|--|--|--|
| APPLICATION NO: 13/01459/COU | | OFFICER: Mrs Wendy Hopkins | |
| DATE REGISTERED: 22nd August 2013 | | DATE OF EXPIRY: 17th October 2013 | |
| WARD: Battledown | | PARISH: Charlton Kings | |
| APPLICANT: | Ms J Cox | | |
| AGENT: | Mr Adam Gatier | | |
| LOCATION: | Castle Dream Stud, Mill Lane, Charlton Kings | | |
| PROPOSAL: | Change of use of land for the permanent residential occupation by a traveller family. retention of day room, hardstanding, access, fencing, stables and use of associated land for keeping of horses | | |

Update to Officer Report

Should Members resolve to permit this application, the following standard NPPF informative will need to be attached:

INFORMATIVE:

In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 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.

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Page 102

RECOMMENDATION: Permit



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This is a full application for the provision of residential accommodation for people with disabilities, together with associated care, learning and activity facilities (Use Class C2) on a vacant parcel of land located between Dunalley Primary School on West Drive and Pittville Park. The application has been submitted by the National Star Foundation.
- 1.2 Planning permission was previously granted on this site by Members in August 2009 for the erection of a residential facility for 12 adults with complex disabilities (Use Class C2) and a non residential therapeutic activities centre. Subsequently, an extension of time was granted in February 2013, and the planning permission remains extant. The fundamental principle of developing this important site has therefore been established.
- 1.3 The previously approved scheme proposed two large single storey buildings which were contemporary in appearance and incorporated a pallet of materials including Cedar boarding, metal cladding, and powder coated aluminium windows, together with a green roofing system to the large expanses of flat roof. The scheme provided for a new vehicular access from West Drive, alongside eight car parking spaces on a small area of hardstanding to the front of the development.
- 1.4 At the time of granting the previous permission, the site was used as a Wildlife Garden by Dunalley Primary School although the land was owned by the County Council. Since this time, a replacement Wildlife Garden has been constructed within the school grounds.
- 1.5 The current application now proposes the erection of five buildings throughout the site, two of which at the front of the site, would be two storeys in height. Again the buildings are contemporary in appearance and would incorporate the use of vertical and horizontal timber cladding, white and through coloured render, powder coated aluminium windows, standing seam metal roofs, and sedum roofs. Access would again be provided from West Drive, with 14 car parking spaces within the site.
- 1.6 The current proposal has been the subject of pre-application consultations and discussion, including public consultation before the submission of this application, and has been amended to address the key concerns. Further, minor revisions have been made during the course of the application.
- 1.7 The application is before Planning Committee because of the history on the site and the extensive public interest in the application, both for and against. Members will visit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Central Conservation Area
Landfill site boundary

Relevant Planning History:

08/01342/FUL PERMIT 20th August 2009

Erection of a residential facility for 12 adults with complex disabilities (Use Class C2) and a non-residential therapeutic activities centre and associated landscaping

12/00422/TIME PERMIT 4th February 2013

Extension of time limit for implementation of planning permission ref: 08/01342/FUL, erection of a residential facility for 12 adults with complex disabilities (Use Class C2) and a non-residential therapeutic activities centre and associated landscaping

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development
CP 3 Sustainable environment
CP 4 Safe and sustainable living
CP 5 Sustainable transport
CP 7 Design
CP 8 Provision of necessary infrastructure and facilities
BE 1 Open space in conservation areas
GE 2 Private green space
GE 4 Pittville park and bouncers lane cemetery
GE 5 Protection and replacement of trees
GE 6 Trees and development
GE 7 Accommodation and protection of natural features
NE 3 Biodiversity and geodiversity of local importance
UI 1 Development in flood zones
UI 2 Development and flooding
UI 3 Sustainable Drainage Systems
UI 7 Renewable energy
TP 1 Development and highway safety

Supplementary Planning Guidance/Documents

Flooding and sustainable drainage systems (2003)
Sustainable buildings (2003)
Sustainable developments (2003)
Landscaping in new development (2004)
Pittville character area appraisal and management plan (2008)
Development on Garden land and infill sites in Cheltenham (2009)

National Guidance

National Planning Policy Framework

4. CONSULTATION RESPONSES

Contaminated Land Officer

8th October 2013

No comment.

GCER

17th October 2013

The data search for this site is based on the grid reference supplied by CBC, which is assumed to be located at the centre of the planning application site. GCER searches for all data within 250m of the grid reference. The provision of this data shows that important species or habitats are present on or near the proposed development site; however it does not show that important species or habitats are not present or not affected by the development.

Tree Officer

21st October 2013

In principle this revised scheme appears to be acceptable to the Tree Section, however, in order to make an informed decision, further information is required to ensure that all of the trees on and adjacent to the site can be fully assessed in respect of the proposal. Therefore please can the following information be submitted prior to a decision being issued:

Up-to-date tree survey to include trees on and adjacent to the site, to include:

- Tree Constraints Plan (indicating the root protection areas (RPA))
- Tree Protection Plan (indicating the proposed fencing and/or ground protection)
- An arboricultural method statement to include; how they intend to construct the foundations in the RPA of trees on and adjacent to the site; details of no-dig construction for parking areas, footpaths and other forms of hard landscaping where they fall within the RPA of trees on and adjacent to the site; storage of materials and siting of temporary structures for contractors and any access facilitations pruning.

All of the above is to be submitted and agreed with Trees Officers to ensure the safe retention of the trees on and adjacent to the site. Once this has been submitted and agreed I will recommend appropriate tree and landscaping conditions.

Cheltenham Civic Society

13th November 2013

We do not favour the development of this land adjacent to Pittville Park, but accept that the pre-existing planning permission means that development is inevitable. We were not unanimous about the scheme, but the majority view was that it was well designed for the location, with the separate blocks minimising the massing. The main concern is the impact of the two-storey block, but most of us did not think this would adversely impact on the park with suitable screening. There was some concern about the over-complication of the detailing on the two-storey block.

Landscape Architect

13th November 2013

The proposed Landscaping Plan (Drawing No. PL006) does not show sufficient detail to allow for comment on the proposed planting scheme. Please could a standard landscaping condition be attached to a planning permission, if granted.

However, of greater concern, is the proximity of the proposed development to the boundary of historic Pittville Park. Pittville Park is Grade 2 listed on English Heritage's register of historic parks and gardens. The effect of any proposed development on the park's special character is therefore a material consideration in planning decisions.

Cheltenham Borough Council's Local Plan Second Review 2006 has a specific policy to protect the town's two registered parks.

Policy GE4 Pittville Park and Bouncers Lane Cemetery

Development which would adversely affect the setting or appearance of Pittville Park and Bouncer Lane Cemetery will not be permitted.

Development so close to the boundary would be a visual intrusion into the park. It would have a negative impact what is currently a sylvan setting. In my opinion development next to this boundary would adversely affect the setting and appearance of this area of the park and it would be preferable if it did not proceed. However, given that there is an extant

planning permission for this site, ways of mitigating the effect of development should be sought. If possible the proposed buildings should be set further back from the boundary. Increased tree planting would also help to soften the appearance of the built form from within the park.

Architects Panel

14th November 2013

1. Is the information sufficient to understand the application?

Yes. The drawings are thorough and explain the scheme well.

2. Context

The 3D sketches help to illustrate the scheme well and the cross sections pick up the adjoining buildings.

3. Massing and Scale

The mass and scale of the buildings are appropriate for the size of the site.

4. External Appearance

The crisp use of a simple mixed palette works well. Our one area of concern is the East elevation which we feel could benefit from further refinement possibly the introduction of a vertical element.

The building and landscapes reflect each other well.

5. Detailing and Materials

The proposed materials are acceptable as are the proposed landscaping.

6. Environmental Design

No comments.

7. Summary

The scheme could benefit from some further rationalisation to the elevational treatment of the east elevation of the front block.

8. Recommendation

Approve subject to the comments above.

Heritage and Conservation

15th November 2013

1. It should be noted that Pittville Park is a grade II Registered Park under Section 8C of the Historic Buildings and Ancient Monuments Act 1953.

2. It should be noted that my comments relate purely to the built environment and Cheltenham's Central Conservation Area issues as defined under the Planning (Listed Building and conservation Areas) Act 1990. I am not qualified to comment on nature conservation.

3. The principle of a building on this application site is acceptable since the principle of developing has been confirmed by the permission granted on 20th August 2009, which was also for a residential facility for disabled people. However I would be concerned for the development of this site for purposes without a significant public benefit. However notwithstanding these comments about the principle of development on the site, the acceptability of any new building is subject to the size, mass, form, general detailed design of the building and any landscaping all being acceptable.

4. The site is visible from all four directions, and has equally important views from all four directions. In many respects the characteristic form of the existing site, with its overhanging tree canopies, acts as a transition in landscape terms between the wide open expanse of the Park with its informal but big scale planting and trees to the north; and the small scale domestic gardens of the surrounding houses and the utilitarian space of the school playing fields.

5. The site contains a number of mature and significant trees, which are very important to the conservation area and also for the setting of the adjacent Pittville Park. The site layout of the application scheme appears to have been successfully designed to sit amongst these trees.

6. The proposed layout of the site in the current application scheme is considered to be a significant improvement on the extant scheme, and is considered to be generally suitable for the site with some concerns as follows -

- a. No refuse and re-cycling facilities for individual blocks have been shown and yet building block 4 and 5 appear to have quite large commercial kitchens. The only refuse storage appears to be attached to block 3. This store appears quite small. Given the disability problems associated with the people who will be using the buildings, has a refuse strategy been considered? Please ask the applicants to confirm. I would be very concerned if detached refuse buildings/store become necessary in the future.
- b. In particular the proposed parking being at right angles to the road is welcomed. However I am unclear on how far into the site will vehicles be allowed, please ask for confirmation on this point. I would be concerned if it is intended that vehicles will regularly drive up to the blocks 4 and 5.
- c. I assume that the site perimeter path around the west end of the site is for pedestrian only, but again confirmation is required.
- d. Generally the planting along the southern boundary is good but is quite weak adjacent to block 5. This is probably due to the lack of space immediately to the south of block 5. I suggest that this element of the site layout is reconsidered.
- e.

7. Building design and architectural style - Notwithstanding my comments below about the east elevation and heights of blocks 1 and 2, my other detailed comments are as follows -

- a. The principle of the architectural style being contemporary is acceptable and in itself not an issue.
- b. The proposal to design the buildings with mono-pitch roofs allows the scale of the buildings to be reduced to a domestic scale and generally this approach is acceptable.
- c. I also welcome the use of green roof and the sedum planting on the roofs. However the proposed shallow pitch mono-pitch roofs do readily lend themselves to have photo-voltaic solar panels being fitted. Such a proposal for the future installation of PV panels would be of concern and I suggest that to avoid any future doubts or misunderstandings a condition or informative is attached to any permission which may be granted.
- d. The form, mass and appearance of block 3 are good and it will provide an attractive building to be viewed across the adjacent school land to the south and from the road to the east.
- e. Similarly the form, mass and appearance of block 4 are good and it will provide an attractive building to be viewed across the adjacent school land to the south.
- f. However the south elevation of block 5 is weak and has an unresolved duality, and I suggest that this elevation is reconsidered and revised, especially as it is located very close to the southern boundary of the site.
- g. Blocks 4 and 5 both show a plant room but no confirmation is given on the type of energy. Will these buildings need a gas flue? Please ask the applicant to confirm.

- h. Generally confirmation should be given at this stage on the source of heating and any flues required on the other buildings. Again blocks 1 and 2 have a plant room, but no flue. Is a flue necessary?
- i. In all the buildings in addition to gas boiler flues, how and where will extract vent from kitchens and bathrooms be considered? A proliferation of vent terminals across the roofs will be unacceptable. Again confirmation is required.

8. Block 1 and block 2 -

- a. I am concerned at the proposed two storey height of the eastern block of buildings (i.e. block 1) although less concerned about the height of block 2.
- b. The proportions and general design of this east elevation facing the road has improved from the pre-application submission, but still has an unresolved duality. The staggering of the individual units has helped but not sufficiently for my concerns to be addressed.
- c. The glazed staircase link between blocks 1 and 2 certainly provides a focal point for the entrance and this is welcomed. However at night or dark winter afternoons when the lights are on, this glazed link will shine out like a light house. In such circumstances there will be a strong visual impact which will not be harmonious with the semi-rural character of this part of the conservation area. I suggest that this element is reconsidered.

6th December 2013

1. My previous comment stated -*The site is visible from all four directions, and has equally important views from all four directions. In many respects the characteristic form of the existing site, with its overhanging tree canopies, acts as a transition in landscape terms between the wide open expanse of the Park with its informal but big scale planting and trees to the north; and the small scale domestic gardens of the surrounding houses and the utilitarian space of the school playing fields.* The applicant has responded by saying that the current application is an improvement on the previous extant scheme in respect to the transition nature of the site. I agreed with the applicants' comment on this point.

2. The proposed layout of the site in the current application scheme is considered to be a significant improvement on the extant scheme, and is considered to be generally suitable for the site with some concerns as follows:

- a. The applicant has provided satisfactory answers to my previous concern about refuse arrangements.
- b. The applicant has provided satisfactory answers to my previous concern about how far into the site will vehicles be allowed. Although I suggest a condition is imposed regarding the parking arrangements.
- c. The applicant has provided satisfactory confirmation that the perimeter path around the west end of the site is for pedestrian only.
- d. My previous concerns about the planting on the south boundary have been answered by the applicant by confirming that a landscape strategy is being developed for the southern boundary in conjunction with the school. This is welcomed but how can this be guaranteed to happen?

3. Building design and architectural style: Notwithstanding my comments below about the east elevation and heights of blocks 1 and 2, my other detailed comments are as follows:

- a. I note that the applicant has confirmed that currently there is no intention to fit photo-voltaic solar panels on the shallow pitched roofs. However I continue to suggest that to avoid any future doubts or misunderstandings a condition or informative is attached to any permission which may be granted.
- b. The south elevation of block 5 has now been revised and is acceptable.
- c. The applicant has confirmed that any boiler flues necessary will be of a domestic size flue, however I suggest that to avoid any future doubts or

misunderstandings a condition requesting more information about the flue is attached to any permission which may be granted.

- d. The applicant has provided satisfactory answers to my previous concern about extract vent from kitchens and bathrooms, however I suggest that to avoid any future doubts or misunderstandings a condition requesting more information about the vent terminals is attached to any permission which may be granted.

4. Block 1 and block 2:

- a. I remain concerned at the proposed two storey height of the eastern block of buildings (i.e. block 1) although less concerned about the height of block 2.
- b. The proportions and general design of this east elevation facing the road has now been revised and is generally satisfactory.
- c. The glazed staircase link between blocks 1 and 2 certainly provides a focal point for the entrance and this is welcomed. The applicants have suggested an internal lighting strategy for this area, in order to address my previous comments about light pollution and the semi-rural character of this part of the conservation area. I suggest that the lighting strategy is conditioned.

5. Summary:

The principle of this type of development on this site has been accepted by the extant permission. The only remaining concern I have about this scheme is the height of blocks 1 and 2. On this basis, in my opinion the two storey height of blocks 1 and 2 will cause harm to the conservation area and the setting of the adjacent registered Pittville Park (note both the conservation area and Pittville Park are designated heritage assets). However this harm will be less than substantial. Clause 134 of the NPPF states "*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposals, including securing its optimum viable use.*" Therefore with clause 134 of the NPPF in mind, I consider that on balance I am prepared to recommend this application for approval subject to conditions.

Environmental Health

10th December 2013

I have reviewed the application and the additional information recently provided and offer the following comments:

Unit 3 "Shared Space"

Concern has been raised locally about the uses and users of Unit 3 of the development, which I understand has been offered out for community use. Given the limited size of the room, its structure and orientation I do not anticipate that day-to-day use would have a significant affect on the amenity of nearby property. The circumstances in which use of this area could potentially affect others would seem most likely to arise during use by outside groups if they extend to anti-social hours. I would therefore propose a condition on the following lines:

Condition 1:

Use of the building marked "Unit 3" by outside groups shall be limited to the hours of 9:00AM to 11:00PM daily.

Reason: To protect residents of nearby property from loss of amenity due to noise from community use of this facility.

Site lighting

The site will need to be lit to allow access to, from and around the site after dark. I therefore request a condition on the following lines:

Condition 2:

The design of the site external lighting system will be submitted to and approved by the LPA before first use of the site.

Reason: To prevent loss of amenity for residents of nearby property due to overspill lighting.

County Council Highways Authority

27th December 2013

I refer to the above planning application received on 7th October 2013 with drawing no: PL005. I make this recommendation taking into account the most recent planning policy and guidance, and the concerns of the local residents as highlighted on the Cheltenham Borough Council (CBC) website. A number of concerns have already been raised to the Local Planning Authority (LPA) over the level of information that has been submitted, which has been addressed in part by the planning agent.

When assessing a planning application such as this, it is important to establish the 'fallback' position; this is what the site can already be used for without the need for further planning permissions. Planning permission was granted for a residential facility for 12 adults with complex disabilities (Use Class C2) and non residential therapeutic activities centre in 2008 (ref no: 08/01342/FUL), with an extension of time (ref no: 12/00422/TIME) being granted in 2012, therefore the permission is still extant. As part of the original Planning Statement dated September 2008, the proposal was outlined. The non-residential therapeutic activity facility was to be used by approximately 25 adults at any one time, with the gross floor area measuring approximately 750sqm, there were 12 residential bedrooms with an additional 2 for staff at night, there would be approximately 30 full time members of staff. The unit was also going to incorporate the facilities which were located on Central Cross Drive, which was to include such activities as training visits for County Police Students. The 750sqm of non residential C2 use would have been likely to generate a much greater number of arrivals and departures by motor vehicle than the residential use. All of this was to be served by just 8 car parking spaces.

Although the number of bedrooms is being increased to 25, the current proposal will reduce the non-residential element of the original scheme to just 70sqm, significantly reducing the number of arrivals and departures. The number of car parking spaces is being increased to 13, 3 of which will be for disabled users. Space for a mini bus collection and drop off area has been provided within the site to the west of block 2, this area is beyond controlled bollards and does mean that the residents can be collected and dropped off in a safe manner.

When assessing the difference between the likely vehicle movements between such uses, TRICS (Trip Rate Information Computer System) is normally used. The agent has not provided this information, however in order to understand the differences between the two proposals I believe this is important; this way its the worst case scenarios of the planning uses can be assessed, and not just the specific needs of the client. The agent has also mentioned that the client already has a number of sites which would be relocated to the proposed site; a traffic study of this could have also been undertaken and would have been useful but this has not been done and therefore TRICS is considered to be the most useful alternative.

A C2 residential use such as this would be likely to generate approximately 2.27 DAILY vehicle movements per resident, this takes into account staff, deliveries, visitors etc. Therefore purely in terms of the residential element, the extant use of 12 residents would have been likely to generate approximately 27 DAILY vehicle movements, only 2 during the morning peak hours, and 2 in the evening peak hour. I am fully aware of the traffic that is generated in association with the nearby school which does create localised traffic peaks,

however for the most part of the day West Drive and Central Cross Drive are what would be considered lightly traffic and are not a primary traffic route, therefore I have taken the peak hours to coincide with the school opening and closing hours where traffic will be at its most heavy. The proposed use for 25 residents would be likely to generate approximately 57 DAILY vehicle movements, with 4 vehicle movements in the morning peak, and 5 during the evening peak.

The non-residential element is a little harder to work out, however given the uses originally proposed I have looked at trips likely to be associated with both community care and education centres. Even when taking the highest generator of vehicle trips (the education community centre) this shows that there would be a significant likely reduction in number of trips associated with the proposed use as opposed to the extant permission. The extant non-residential element with a GFA of 750sqm would be likely to generate in the region of 83 DAILY vehicle movements, with 8 in the morning peak, and 12 in the evening peak.

The proposed 70sqm would only be likely to generate approximately 8 daily vehicle movements, with 1 in the morning, and 2 in the evening peak hours. When using other land uses, such as a community care centre, the difference just becomes even greater, with a far greater number of trips likely to be associated with the extant gross floor area of 750sqm.

Therefore, the current 'fallback' position is that there is an extant planning permission in place that if built out could generate approximately 110 DAILY vehicle movements, with 10 movements during the morning peak, and 14 in the evening peak hours. The proposed use for 25 residents plus 70sqm of non residential use could generate in the region of 65 DAILY vehicle movements, with 5 during the morning peak, and 7 during the evening peak hours. This study shows that there would be an overall likely reduction in vehicle movements between the extant permission and proposed use. The National Planning Policy Framework (NPPF) says that although safe and suitable access should be provided, *'development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe'*. Given the likely reduction in number of vehicular trips during the morning and evening peaks, and total daily trips, the Highway Authority do not believe that the proposed development can be refused on highway safety grounds for the impact upon the surrounding highway network.

On the original application, the Highway Authority recommended that additional car parking be provided, however this did not make it on to the final planning permission, therefore the 'fallback' position of the 12 residents and 750sqm of C2 non residential uses needs to be taken into consideration, in that the permission only benefited from 8 car parking spaces. As already demonstrated the proposed use would be likely to generate less vehicle movements, and would benefit from 13 car parking spaces, it is for these reasons the proposed number is accepted. A car parking study/consultation is also currently been undertaken by Gloucestershire County Council with a new parking scheme in the area likely to be implemented. The GCC consultation document addresses some of the perceived parking issues on Central Cross Drive and West Drive, the document says:

"Those residents further away from the Town Centre, around Central Cross Drive, experience a different problem - congested parking due to all-day on-street commuter parking. The proposed scheme will prevent this practice, easing congestion in the area".....it goes on to say "Feedback from some of the more peripheral roads to this scheme, such as West Drive and Pittville Crescent confirmed that at present, they do not experience severe parking issues. These roads are included in this proposal due to the risk of displacement parking worsening the parking congestion on these roads were they to be excluded".

This would suggest that existing parking problems are not significant and any indiscriminate parking in the area is likely to be dealt with by the new parking controls. Notwithstanding

this, as already demonstrated, the proposed development is likely to be less intensive than the 'fallback' position, and would benefit from a greater number of car parking spaces, therefore it would be unreasonable to object to the proposal on impact of parking on the surrounding streets.

One of the concerns raised by the Highway Authority on this current scheme was the lack of delivery area, including food and pharmacy deliveries. The agent has argued that such deliveries would be short term, and could be undertaken within the site, and if such vehicles (pharmacy and food deliveries) did need to reverse to or from the site this is not an area for concern in the context of the site/scheme, and the low levels of traffic associated with it; again particularly with regard to the existing permission. West Drive is an unclassified highway, with acceptable visibility in all directions, given the low levels of traffic for the majority of the day, and that this not a primary traffic route, I would agree with the agents assessment that such vehicles reversing to or from the highway would not be likely to create severe or significant highway safety dangers or hazards. There have not been any recorded collisions on West Drive in relation to vehicles reversing to or from driveways over the last 5 years.

On the previous proposal, the Highway Authority (HA) raised concerns over the suitability of the pedestrian routes to local facilities. The HA recommended a condition to improve the facilities between the site and the existing public transport facilities on Evesham Road (A435), this condition does not appear on the planning permission, however I do note that a Sustainable Transport SPG contribution was secured by agreement dated 7th August 2009, this could have been used to help improve such facilities. The agent has argued that as the daily trips associated with the proposed use will be fewer than the approved, they would anticipate there being no sustainable transport contributions; or if such contributions are requested then they would expect these to be lower than previously to reflect the reduced number of vehicle movements. I appreciate the extant planning permission and the signed S106, however just because a contribution was to be secured as part of the original permission, does not mean the second application is exempt. This would only be relevant if that contribution had already been paid and there was no repayment clause inserted into the S106, or that permission had been built out and the contribution paid, i.e. that the mitigation had already been provided/guaranteed, I don't believe this is the case.

Looking back through the information submitted at the time it would appear that the SPG contribution was calculated purely in terms of number of residents, with the non-residential element not being taken into consideration. If you apply this purely to the number of residents likely to be associated with the proposed use there would be a requirement for a greater SPG, however given the overall likely reduction in vehicle and pedestrian movements from the extant permission this does seem a little perverse. Since that decision in 2008 the NPPF has been published, with section 7 placing greater importance on good design, and that it is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Section 8 places emphasis on promoting healthy communities and says that planning decisions should aim to achieve places which promote safe and accessible developments, containing clear and legible pedestrian routes.

Given this emphasis on good design, and that a large proportion of residents are likely to be wheelchair users, the Highway Authority are of the opinion that the pedestrian facilities should be improved between the site and Evesham Road. The LPA didn't apply such a condition to the original permission therefore I will leave them to decide whether its reasonable to do so in this instance, given the greater emphasis on sustainability/accessibility provided by the NPPF. Should the LPA decide not to impose this condition then it is considered reasonable to adjust the SPG on a percentage basis between the total number of daily vehicle movements likely to be associated with the proposed use, in relation to the extant 'fallback' position.

Thus, I recommend that no highway objection be raised subject to suggested conditions.

5. PUBLICITY AND REPRESENTATIONS

- 5.1 Letters of notification were sent out to 47 neighbouring properties on receipt of the application. In addition, an advert was published in the Gloucestershire Echo and three site notices were posted, one on West Drive and two within Pittville Park.
- 5.2 Additional letters were sent out to all interested parties on receipt of additional information in respect of Block 3, and amended drawings to address concerns relating to the East elevation of Blocks 1 & 2.
- 5.3 At the time of writing this report, in response to the publicity, a total of 101 representations have been received from 66 individual contributors. 31 of the contributors have written in objection and 34 have written in support, whilst one general comment has also been received; the comments have been circulated in full to Members but are briefly summarised below:
- 5.4 The objections largely relate to:
- Loss of the existing green space / impact on adjacent Pittville Park
 - Overdevelopment
 - Contemporary design / out of keeping
 - Two storey development
 - Parking / traffic implications
 - Proposed sub station
 - Uncertainty of the use of Block 3 (communal learning & activity space)
 - Noise / light pollution
- 5.5 The representations in support of the application have come from far and wide, and principally focus on the importance of the work carried out by the National Star Centre, and the need to provide additional specialist accommodation within the town, rather than the specifics of the application.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.1.1 The main considerations when determining this application are the design and layout of the proposed development, impact on neighbouring amenity, and traffic and highway safety.

6.2 The site and its context

6.2.1 The application site is 0.56 hectares and is located within the Pittville character area, one of 19 character areas that together form Cheltenham's Central conservation area. Dunalley Primary School sits to the south of the site, whilst Pittville Park, a grade II Registered Park, wraps around the site to the north and west. To the east, there are a number of residential properties.

6.3 Design and layout

6.3.1 The accompanying Design and Access Statement provides the following summary of the design approach taken with this scheme:

“The design picks up on the residents desire to have individual ‘houses’ with their own access, character, approach and external space. This breaking down of the built form works with the site to minimise the impact on both the park and playing fields to the South. This allows the scheme to provide 5 new buildings across the site which accommodates a range of cluster types from 1 and 2 person apartments, through to 6 bedroom ‘clusters’ providing 25 new bed spaces.

The layout of the spaces has been designed to promote independent living by careful location on the site, with the more care required the deeper into the site you live. The form and layout of the buildings will then serve to reduce the need for a gated community leaving the fences and gates being no more than you would expect to find on a similar residential development.

The mass and scale of the development is laid out with single storey buildings closer to the park with the scale rising up towards the 2 storey houses along West Drive. This allows the scheme to have a domestic scale with a range of different types and characters.

The scheme is designed as a residential development with a terrace of 4 private dwellings to the East addressing the existing houses on West Drive. A communal parking area is provided for both the staff and visitors to the community facility. The suggested uses, openness of the design and the lack of fences will break down boundaries and encourage integration into the community”.

6.3.2 The layout in this revised scheme is considered to be a significant improvement over that of the extant scheme. The provision of five separate smaller buildings would help reduce the visual impact of the development from the registered park and would allow for a greater level of landscaping throughout the site. The combined footprint of the buildings would also be lower than that of the previously approved scheme. The layout also makes provision for the retention of a number of mature trees within the site.

6.3.3 Whilst it is acknowledged that this new scheme proposes the introduction of a two storey development at the front of the site, it is not considered that it would have any significant adverse impact on the adjacent park, particularly given the existing screening along the site boundary which would be reinforced by additional planting.

6.3.4 The scheme is generally supported by the Civic Society, Architects’ Panel and the Heritage and Conservation Manager although members will note that some reservations have been advanced regarding the two storey block to the front of the site. Both the Architects’ Panel and the Civic Society have suggested that this block would benefit from some refinement whilst the Conservation Manager has commented on the unresolved duality of the building. In response to this, the applicant has made subtle alterations to this block which officers are satisfied with.

6.3.5 It is considered that the block benefits from a good level of articulation in terms of its form and massing and will make for an interesting new building to the front of the site. In an attempt to resolve the duality, a single storey wrap around component has been introduced to the northern most section of the block and members will note from the most recent consultation response that the conservation team are satisfied with the appearance of this block in its revised form.

6.3.5 Regarding the two storey nature of the block, members will note that there is a degree of reservation put across by the Civic Society and Conservation Manager albeit that neither suggest that the proposal is unacceptable due to this height. Helpfully, the Conservation Manager refers to paragraph 134 of the NPPF which advises that;

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum use.

6.3.6 Given the nature of the comments received in relation to the design of the proposal, it is quite apparent that any perceived harm is certainly '*less than substantial*'. This report has already touched upon the public benefit that the development will bring and therefore when the application is considered against this section of the NPPF, it is very difficult to identify a level of harm which outweighs this benefit. In this respect, the proposal is compliant with this specific provision within the NPPF and officers are satisfied that the design and layout of the proposed development complies with the objectives of Local Plan policy CP7.

6.4 Impact on neighbouring property

6.4.1 The proposed scheme is considered to be acceptable with regard to neighbouring amenity; levels of privacy, outlook, and daylight would not be unduly affected by the development.

6.4.2 Of most concern to local residents, in terms of amenity, is Block 3 which is identified as a Teaching/Activity Space; the concerns relate to potential noise levels arising from the use of this space by residents and, possibly, small local community groups.

6.4.3 Given the limited size of this space and its orientation, Environmental Health do not consider that the day-to-day use would have a significant affect on nearby properties and have therefore raised no objection to the proposals subject to conditions restricting the hours of use by outside groups, and requiring the design of the external lighting system for the site to be submitted for due consideration.

6.4.4 One local resident has suggested that additional conditions are required to restrict the use of amplified music or drums, and electronic PA systems and to ensure that the ambient sound level at the site boundary after the development is completed would be no more than that which currently exists.

6.4.5 In response, Environmental Health have provided the following additional comments:

"These conditions are disproportionate to any likely loss of amenity from use of this part of the development and are largely unenforceable. Conditions 1&2 are in effect the same condition and would prohibit the use of domestic-sized equipment that any average domestic property would normally contain. Condition 3 is unrealistic, as the ambient noise levels will be affected by the residential development that forms the bulk of this application, also levels of noise at the boundary of the site are generally less important than the levels of any noise as assessed at another property".

6.4.6 Members will be well aware that where conditions are to be imposed on a development they have to be necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other aspects. In light of the comments provided by Environmental Health, it is quite apparent that the use conditions to restrict the use of block 3, beyond that already suggested, is not necessary, would be difficult to enforce and ensuring precision would also be difficult. With this in mind, officers would not advise that conditions of this nature are imposed on the development should members resolve to grant planning permission. In light of the concerns raised though, officers do consider that an informative setting out some guiding principles of how the site, and in particular block 3 should be used, would be a worthwhile addition to the planning permission if granted.

6.4.7 Taking the above into consideration, the proposed development is considered to be acceptable with respect to neighbouring amenity. It is therefore compliant with the aims and objectives of local plan policy CP4.

6.5 Traffic and highway safety

6.5.1 A number of local residents have raised concerns over the likely increase in traffic and the parking provision within the site.

6.5.2 An initial informal response from Highways raised a number of issues and concerns over the level of the information originally submitted with the application. Additional information has therefore been received in an attempt to address these concerns, and members will note that a comprehensive response from the County Council is set out in an earlier section of this report.

6.5.3 Having fully assessed the proposal, the County Council are satisfied that the proposed development will not compromise highway safety or place an unacceptable burden on parking requirements in the locality.

6.5.4 Within the consultation response, emphasis is placed on the desire to improve pedestrian facilities between the site and Evesham Road and it is suggested that a condition would be an appropriate mechanism to secure such improvements. As with the 2008 approval, this approach has been fully assessed by officers but it is not considered reasonable to attach such a condition. The necessary works would be outside of the control of the applicant and they would be reliant on the County to enable the works to be implemented. Members will note that the previous planning permission was subject to a sustainable transport contribution to the County Council and this is the appropriate mechanism to secure improvements to pedestrian facilities.

6.5.5 Officers therefore consider that it is entirely reasonable to suggest a similar approach with this scheme. Following the advice from the County Council, the relevant SPG contribution would be £2804 and this would need to be secured through an appropriate S106 mechanism undertaking.

6.5.6 Subject to the applicant agreeing to this contribution, the proposal is acceptable in terms of highway safety.

7. CONCLUSION AND RECOMMENDATION

- 7.1 To conclude, it is considered that this proposal represents a sustainable form of development that should be supported. The principle of developing the site is well established and it benefits from an extant permission for a similar use.
- 7.2 The proposal is well-conceived; it respects the important constraints of the site, particularly the mature trees and relationship with the adjacent park, whilst generating an interesting layout with good quality, contemporary architecture.
- 7.3 Whilst some reservations have been advanced regarding the two storey block to the front of the site, members will note that none of the Council's design advisors have suggested that the proposal should not be supported for this reason. In response to the consultation comments, the applicant has revisited this aspect of the scheme and officers are content that it represents an acceptable addition to the conservation area, and when assessed against paragraph 134 of the NPPF, this less than substantial harm is considered to be outweighed by the public benefits that the scheme will bring.

- 7.4 The proposal will not compromise neighbouring amenity to an unacceptable degree. Whilst concern has been expressed regarding the use of block 3, these are not shared by the Council's Environmental Health team. To control the use of this block, a condition will be suggested to limit hours of use by third parties, it is considered that it would be unnecessary and unreasonable to put more onerous restrictions on to this building.
- 7.5 Finally, regarding highway considerations, the County Council have raised no objection to the scheme, suggesting that the number of trips associated with this proposed use will be less than the approved scheme. A sustainable transport contribution is necessary and this is still being discussed with the applicant.
- 7.6 In summary, this is a scheme that has prompted a considerable amount of interest from the public. The proposal has been thoroughly assessed against local and national policy and has been found to be acceptable. It is therefore recommended that members resolve to grant planning permission subject to the sustainable transport contribution being secured as part of a Section 106 undertaking.
- 7.7 A full set of conditions will follow as an update to this report.

| | | |
|--|---|--|
| APPLICATION NO: 13/01694/FUL | | OFFICER: Miss Michelle Payne |
| DATE REGISTERED: 3rd October 2013 | | DATE OF EXPIRY : 2nd January 2014 |
| WARD: Pittville | | PARISH: |
| APPLICANT: | National Star Foundation | |
| LOCATION: | Land adjacent to Dunalley Primary School, West Drive, Cheltenham | |
| PROPOSAL: | Provision of residential accommodation for people with disabilities, with associated care learning and activity facilities (Use Class C2) | |

REPRESENTATIONS

| | |
|---------------------------|-----------|
| Number of contributors | 67 |
| Number of objections | 31 |
| Number of representations | 1 |
| Number of supporting | 35 |

Sandford Park Offices
College Road
Cheltenham
Gloucestershire
GL53 7HX

Comments: 13th November 2013

I am writing to offer support for the proposed development in Pittville for a residential unit for adults with learning difficulties. We provide services for the most vulnerable in our communities and see this development as a positive and progressive one for Cheltenham.

19A Ennerdale Road
Cheltenham
Gloucestershire
GL51 3NL

Comments: 22nd October 2013

As a Cheltenham resident and former student of National Star, I know the future students of National Star will benefit hugely from this new residence. It will help them grow in confidence in the community. This will also help with their independence skills as the site in West Drive is in a good central location near to the town centre. The residence itself will have essential requirements such as *en suite* facilities, and ceiling hoists. It will also have the space to enable students to develop skills in their own time and at their own pace. I fully support this project.

3 Crythan Walk
Up Hatherley
Cheltenham
Gloucestershire
GL51 3XY

Comments: 16th October 2013

As a Cheltenham resident and member of staff at National Star, I fully support this application. I have seen at first hand how young people with disabilities benefit enormously from this type of residential provision. The site in West Drive provides an ideal location for students at National

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Star to live as part of the community, with easy level access to the town centre, and to Pittville Park. Living in the community in this type of accommodation helps students to develop the essential skills they need skills which we have and take for granted for their future lives as independent young adults.

The designs for the accommodation look attractive and domestic in scale, and in keeping with the other properties in the area. The whole development is certainly an improvement on the previous scheme planned for this site, which I understand already has planning permission. There looks to be a great deal of attractive landscaping incorporated into this new scheme, which I think will enhance the natural environment for residents and the wider community.

The Cheltenham community should be proud to have this quality residential facility developed in our town. It will enrich the local community and the lives of the many young people with disabilities who will benefit from living there.

2 Lacca Close
Longlevens
Gloucester
GL2 0XB

Comments: 21st October 2013

I am an employee of National Star and wish to express my wholehearted approval of the Pittville project, 13/01694/FUL. National Star provides outstanding resources, care and services to young adults with disabilities and related issues. We, as an organisation, believe in the value of being integrated and included in a community setting, having the ability to practice social skills and access the local amenities is invaluable to our students. It has a massive impact on their social skills and learning ability, when they are in a residential setting we can provide 24 hour support and really focus on what it means to achieve your goals and dreams.

It is vitally important to have the right kind of specialist buildings and facilities based near town and in the community, so that people have the chance to live as part of the wider community. We are already a centre of excellence, judged "outstanding" by OFSTED, I firmly believe that we can reach more young people with this project and really demonstrate how Cheltenham values all members of the community and, more importantly, is willing to support us with the high standard of care, education and life lessons that everyone deserves.

9 Keynsham Street
Cheltenham
Gloucestershire
GL52 6EJ

Comments: 21st October 2013

I am writing to express my support for this planning application. This is an exciting opportunity to develop the facilities available to learners attending the National Star College (rated as outstanding by OFSTED).

The location of the accommodation provides huge benefits to prospective learners with easy access to the community and local facilities close by. Existing residents living close to the site will benefit from a stronger link to National Star, a centre with years of expertise and a huge amount of knowledge and experience to share.

I am a resident of Cheltenham and enjoy using the facilities that Pittville Park has to offer. I also have an enormous sense of pride about living close to the National Star College which provides so many benefits for both the local community and learners from across the country. The

opportunity to build a link between these two sites is an exciting proposition which I wholeheartedly support.

Bottomley Farmhouse
Gambles Lane
Woodmancote
Gloucestershire
GL52 9PU

Comments: 21st October 2013

I am a Trustee for National Star and was appointed in September this year after a finance career in large British organisations, most latterly SuperGroup Plc where I was CFO for a period of 5 years managing and growing the business through its growth and ultimately leading the flotation on the London Stock Exchange.

I am now pursuing a portfolio career with a mixture of commercial and charitable organisations. Of all the roles I have (currently 4) the work I do on a voluntary basis for National Star is by far the most enjoyable. To be a small part of such a dedicated, professional and supportive team puts me in a very enviable position and one that is incredibly rewarding on many levels.

They are an organisation that does absolutely fantastic work. They look after young adults with profound and complex disabilities developing them to live more complete and independent lives. They look after a very vulnerable group in society providing challenging and stimulating experiences that simply would not be possible without organisations like this.

The opportunity to expand their services to a new, purpose built, specialist facility, close to community and the town centre is extremely important to the individuals who will spend their time there and demonstrates very clearly what society is able to do for a group of people who can very easily get neglected and forgotten.

I am fully supportive of the project which I know will be very successful and urge the local authorities to pass the planning proposal so we can deliver exceptional services to a group in the community that desperately needs our help

Tarn House
Bradley Court Road
Mitcheldean
GL17 0DR

Comments: 26th November 2013

This is a much needed resource. There is no-one more capable of providing for the needs of people with disabilities than the National Star, when given the building and equipment to do so. I fully support this application.

Western Lodge
West Drive
Cheltenham
Gloucestershire
GL50 4LB

Comments: 23rd October 2013

Letter attached.

Holly Tree House
West Drive
Cheltenham
Gloucestershire
GL50 4LB

Comments: 31st October 2013
Letter attached.

Canonbury
West Drive
Cheltenham
Gloucestershire
GL50 4LB

Comments: 25th October 2013
Letter attached.

Lakeside
West Drive
Cheltenham
Gloucestershire
GL50 4LB

Comments: 28th October 2013
Letter attached.

West Court
West Drive
Cheltenham
Gloucestershire
GL50 4LB

Comments: 24th October 2013
Letter attached.

Rose Cottage
West Drive
Cheltenham
Gloucestershire
GL50 4LB

Comments: 17th October 2013
Letter attached.

Comments: 24th October 2013
Letter attached.

Comments: 10th December 2013
Letter attached.

Comments: 11th December 2013

I am writing to you subsequent to both point (1) of my letter about my concerns about noise pollution from the Block 3 Function Room to CBC Planning and your office, dated 15/10/13, together with my separate telecons last Friday with yourself and Gareth. From our discussions it is my understanding that your officers will only recommend any noise restriction conditions on a planning application if they are proportionate, easily enforceable and considered necessary.

You requested that should I have any ideas w.r.t. to conditions which are fair to all parties and could be easily applied/enforced in order to reduce any noise concerns about this development then I should contact you again.

I have made enquiries and I believe the following conditions would meet the criterion of being fair, reasonable and necessary.

- 1) Condition of "No Amplified Music or Drums" to be used in Block 3"
- 2) Condition of "No Electronic PA systems to be used in Block 3"
- 3) Condition to ensure the ambient sound level at the site boundary after the development is completed would be no more than that which currently exists.

The reason/necessity for the above conditions is the very quiet tranquil and quite unique nature of this residential neighbourhood at West Drive, next to the Grade 2 listed Pittville Park and the fact that noise from the development would be very intrusive to neighbours, Park users and on-site residents alike.

Considering the uncertain final use of the Block 3 given in the application, i.e. the most recent response from the applicant on your website says only that the function room would operate as a "Communal space, to offer Generic Learning, Activities and a Communal Gathering area for the proposed future residents of the site and National Star users/beneficiaries" however it goes on to say that "the applicant would wish to be considered as part of the local community and if there was a need by small local groups..." then the proposed conditions above are entirely Reasonable, Proportionate and Necessary to mitigate the risk of noise, now at the planning stage where it can be dealt with by the applicant/their architects.

Only the applicant knows what use Block 3 will be used for, but the above conditions would still allow for the use of this Function Room for Communal meeting, Watching TV [which can easily be excluded from condition (1)] and the educational purposes etc as they currently intend, but without yielding a risk of excessive noise to the existing residents of West Drive, the Park users and also for the future permanent residents of the development itself who will also require a quiet, calm peaceful environment in which to live.

My research has indicated that the conditions I suggest in points (1), (2) and (3) above are not unusual conditions to be imposed by planning officers and similar conditions have been imposed by CBC on planning applications in the past.

I believe the above conditions would not hinder the use of the Block 3 function room for the uses declared in the applicants planning application, while at the same time would greatly allay the fears of local residents with reference to excessive noise disturbance.

I and my neighbours would greatly appreciate it if you could impose conditions on the development as proposed above.

I would appreciate it if you could acknowledge receipt of this e-mail.

Comments: 16th December 2013

Letter attached.

102 Evesham Road
Cheltenham
Gloucestershire
GL52 2AL

Comments: 10th December 2013

It is clear, in my opinion, that this is an overdevelopment of the site.

Where do you draw the line? Why not recognise that Pittville Park deserves protection from overdevelopment. This development if allowed in its present form, shoehorning more people onto the site than the original (lapsed) application envisaged makes a mockery of the planners' obligation to keep a balance in a conservation area. The two-storey building will be far more visible than a single-storey building in a beautiful area that has so far survived the worst of the planning decisions that were made in the 80s...

The proposed planning will result in an increase in traffic to an area which the council has already highlighted as difficult, I have on file a letter from the council highlighting that parking in this area is already a problem and that they will try and make this situation bearable by introducing parking charges and resident bays...With only 13 on-site parking spaces planned and with 10 members of staff, 24 permanent residents and HOPEFULLY many visits from friends and relations, parking and traffic volume on the primarily residential street is bound to increase significantly... This is especially so with the existing parking demands of the neighbouring primary school. A single-storey building decreases the number of residents and decreases the impact on all aspects of this development. The building land has been gifted for heaven's sake so why not try and make this development a fitting one rather than going for the maximum head count?

It is death by a thousand cuts to an area of attractive, primarily single family residential houses, that does much to attract spending power to the local area and the high street.

98 Evesham Road
Cheltenham
Gloucestershire
GL52 2AL

Comments: 28th October 2013

Letter attached.

Park End House
West Drive
Cheltenham
Gloucestershire
GL50 4LB

Comments: 23rd October 2013

Letter attached.

Comments: 11th November 2013

Dear Sir/Madam. Ref, the above planning application (13/01694/FUL), I wish to record my objection to this development at West Drive, Cheltenham

Comments: 20th December 2013

Letter attached.

Greenlands
West Drive
Cheltenham
Gloucestershire
GL50 4LB

Comments: 28th October 2013
Letter attached.

Flat 3
110 Evesham Road
Cheltenham
Gloucestershire
GL52 2AN

Comments: 16th December 2013
Letter attached.

Flat 2
Edmonstone House
North Place Cheltenham
Gloucestershire
GL50 4DS

Comments: 16th October 2013

As a former student of National Star I am writing to say that I fully support this application to build a student residence in West Drive. When I was a student at National Star I lived in a student house in the community. It really helped me develop my independence skills and I am now able to live independently in my own accommodation. I think other young people with disabilities should have the same opportunities that I have had to live in the community and to develop their independence skills.

The White Cottage
Ham Lane
Cheltenham
GL52 6NJ

Comments: 22nd October 2013

I wish to fully support the above application. Specialist, purpose-built facilities would enhance the day-to-day lives and opportunities for residents. I believe that the siting of this accommodation, being close to the centre of Cheltenham, would increase opportunities to access town for shopping, services and social events and to link with other public transport services. As part of a Travel Training team for young people and adults with disabilities we frequently see people disadvantaged because of lack of access to public services so this would be a positive step in addressing some of those issues.

Outram Lodge
90 Malden Road
Cheltenham
Gloucestershire
GL52 2BS

Comments: 4th November 2013

Having read the details of the application, while I have nothing but support for the Star Centre and the intended use of the site, I am disappointed to note that the current application has failed this fine organisation by modifying its scheme in such a manner as the proposed two storeys is inappropriately placed, a measure compounded by the generous provision of the overall site. Please think again.

While I note the proposed numbers of staff, and their working shifts is adequately provided for, I question whether the parking spaces will be sufficient to handle the visitors, the delivery of medical and all other supply requirements that will be needed to maintain the high level of service we know the Star Centre provides for its residents. I would like to see a traffic study of this proposed movement done in conjunction and taking into full account the requirements, both of parking, and waiting for Dunalley School, as the whole road often turns chaotic at school opening and closing time. My objection is therefore that I am unconvinced that the necessary traffic study has been instigated, considered and incorporated into the current proposal.

I would like to see the Star Centre on West Drive, but feel that the changes incorporated in the current application are not robust enough to satisfy the local residents, and actually the future occupants of what I hope will one day be a new Star Centre.

9 Pinetrees
Cheltenham
Gloucestershire
GL53 0NB

Comments: 28th October 2013

I wish to register my support for this application. I have been a supporter of the National Star School as a charity donor for many years and would like to see them benefit from the improvements to pupils amenities and welfare that the new premises would offer. I think the School is a benefit to Cheltenham in providing a service for worthy young people and sets an example to other less well-endowed town councils.

Glenmore Lodge
Wellington Square
Cheltenham
Gloucestershire
GL50 4JX

Comments: 1st November 2013

I wish to register our objection to the proposed development in West Drive, Cheltenham.

The extremely close proximity of this proposed multi-building development to Pittville Park does nothing to enhance those immediate surroundings. Its architecture neither blends in with nor sits harmoniously alongside such a beautiful and historic haven that Pittville Park is. It should be respected and preserved as such without the infringement of intrusive development.

Residents of Cheltenham who support yet clearly do not live beside this proposed site, seem to ignore the basic essence and purpose of parks. We have a duty to maintain the tranquillity that it offers for the very reasons it is listed.

May I quote Cheltenham Council's own website:

Opened in 1825, Pittville Park is the largest ornamental park in Cheltenham and features the magnificent Pump Room and lakes. This park is given a grade 2 listing under the English Heritage register of historic parks and gardens.

NB: The landscape on the western side of the park is more natural, with small wooded areas and areas of spring flora which were planted in spring 2012.

With their great emphasis on wildlife, preservation of inhabitant birds and naturalness, how can a building development such as this on such a large scale and immediately abutting the park, with its consequent all-hours noise and light pollution, not be detrimental to those surroundings? The inevitable excess of road traffic servicing a facility such as this is an important and key consideration, and cannot exist without an increased danger to pedestrians entering and exiting the park with its closeness to the park entrance.

The location is completely at odds with the purpose and enjoyment of parks and green spaces. We suggest another site is found for this development and strongly urge the council to prevent this construction taking place so that future generations may continue to enjoy the existing beautiful environment and the uniqueness that Pittville Park has to offer.

29 Stott Close
London
SW18 2TG

Comments: 5th November 2013
Letter attached.

71 Painswick Road
Cheltenham
Gloucestershire
GL50 2EX

Comments: 5th November 2013

I am objecting to the proposed development by the Star Centre next door to Dunalley Primary School, Pittville. Whilst it is great that the Star Centre is growing to meet the needs of its adult students, I am very disappointed and object strongly that they are proposing and that the Council might even give consideration to build residential accommodation - and two-storey! - on a rare piece of green land adjacent to Pittville Park.

I have lived in Cheltenham for most of my life and little by little I have watched green areas disappear to meet the needs of development. I realise that regenerating brown field sites is more expensive than destroying what little natural beauty we have left, but what has happened to strategic planning leadership, long-term vision and long-term investment? What makes Cheltenham a 'destination' and property here increase in value? I suggest it is its green spaces and beautiful architecture play an important part in this.

If the people with responsibility for representing the voters don't represent voters views there is little hope for democracy. I hope the Star Centre and Planning both see the sense of finding/approving a site that meets everyone needs and that includes those of us who have enjoyed Pittville Park for years.

Orchard Cottage
Post Office Lane Cleeve Hill
CHELTENHAM
GL52 3PS

Comments: 30th November 2013

We have had first-hand experience of the amazing work that the National Star College does in supporting young adults with disabilities attain the highest level of independence. We believe that everyone should be empowered to enjoy a lifestyle that most of us take for granted, namely, cooking for ourselves, shopping, meeting friends, and basically not being totally dependent on others.

This brings empowerment, fulfilment and dignity, and we fully endorse this wonderful project.

Abloads Cottage
Sandhurst
Gloucester
GL2 9NL

Comments: 28th November 2013

Letter attached.

11 Gratton Street
Cheltenham
Gloucestershire
GL50 2AT

Comments: 28th November 2013

Letter attached.

Darnley House
Whitecross Square
Cheltenham
Gloucestershire
GL53 7AY

Comments: 14th November 2013

I wish to state my support for the National Star College application 13/01694/FUL

Many people are aware that the work undertaken by the National Star College is of such quality that it achieves international recognition. Much less is known about the college as a neighbour and their care and concern for the environment. Having followed the work of the college over many years, it is very apparent to me that they take an enormous amount of care to ensure that they are good neighbours and responsible land owners, particularly with a view to protecting valued landscape and conserving and encouraging wildlife.

This approach is quite apparent in their present proposals where it is notable that the scheme appears quite low density and retains the majority of the established trees. This perfectly illustrates an approach which both protects the character of the local landscape and accommodates well established habitat into their development. In addition there is adequate space remaining to reinforce these habitats and introduce further planting which will protect the

landscape setting of the park, West Drive and create an appropriate environmentally sensitive environment for the future users of the site.

The introduction of contemporary buildings is not new on the margins of the park or West Drive. This characteristic is well established in Cheltenham and contributes to its present desirable mix of heritage and newer buildings seen throughout the town. The use of some green roofs within the development is also to be commended.

Overall, I consider this proposed development to show all the hallmarks of the college and its caring and sensitive approach to development. This scheme has potential to not only create a very special place in its own right but will protect the valued landscape and visual amenity of the area. It is for these reasons that I fully support this important application.

3 Vittoria Walk
Cheltenham
Gloucestershire
GL50 1TL

Comments: 24th October 2013

I am writing to you with a short e-mail to say how much my wife and I support the planning application 13/01694/FUL presented to you by National Star College.

I am disabled and a resident in Cheltenham (3 Vittoria Walk) and although not needed by myself, I have been able to see first hand the excellent work that National Star College does for and on behalf of disabled people, in and around the whole country, let alone district.

I hope that they are fully supported in this application, as they are indeed by us.

We hope that they are successful in all their ventures, they certainly deserve to be!

7 Knapps Crescent
Woodmancote
Cheltenham
GL52 9HG

Comments: 24th October 2013

Please approve the National Star College application for their accommodation. It is vital for their students to access the town's facilities and for them to be seen in restaurants, pubs and theatres and as valued members of our community. Any decline would look like a massive lack of inclusion to these most important members of our town. Everyone has a place to play in our society and these amazing people must never be forgotten.

Thank you.

11 Wellington Square
Cheltenham
Gloucestershire
GL50 4JU

Comments: 4th November 2013

Letter attached.

23 The Willows
Longhope
GL17 0QS

Comments: 26th November 2013

I am writing to support the plans for the Pittville Project. A new residential scheme is badly needed by the college.

14 Sydenham Road South
Cheltenham
Gloucestershire
GL52 6EF

Comments: 28th October 2013

I write to offer my support in the planning application by National Star to develop the site in West Drive, Pittville.

In my mind, having supported National Star in the past and continuing to do so with ongoing support, to me this application has to be granted.

This proposed purpose-built specialist accommodation is so very important, it is vital and potentially life changing.

Most importantly it will help integrate the many seriously disabled students into life in the outside world.

The existing National Star property, Overton House, is simply not adequate or practical, with shared bathrooms and long corridors; this new property is desperately needed, now!

This is a MUST and should not be delayed; planning for this has to be granted.

Many thanks in anticipation

1 Wellington Square
Cheltenham
Gloucestershire
GL50 4JU

Comments: 28th October 2013

Letter attached.

Comments: 16th December 2013

Letter attached.

8 Windrush Road
Cheltenham
Gloucestershire
GL52 5QE

Comments: 28th October 2013

Letter attached.

Basement Flat
6 Wellington Square
Cheltenham
Gloucestershire
GL50 4JU

Comments: 31st October 2013

This development is unacceptable for the following reasons: This site adjacent to the park is important for wild life preservation. The density, height and style of buildings are unacceptable. The increase and type of traffic would be dangerous. The proposed parking is ridiculously insufficient.

All in all it would be a massive over-development of a green site and very detrimental to the quiet nature of this corner of an historic regency town - an absolute eyesore of the type allowed in the sixties and seventies, of which we can still see examples.

Comments: 3rd December 2013

This site was, not long ago, set aside, not for development, but nature conservation. In addition the proposed buildings are not in keeping with a regency town, parking is totally inadequate, and the extra traffic, already heavy because of the school, would be intolerable.

There are some supporting comments/letters but (1) overwhelmingly they are from people not living in the vicinity and any such development affects them not one bit, and (2) this support has nothing to do with the nature or siting of the buildings, nor affect on residents but only in praise of the good work of National Star, which no one can deny. This is totally irrelevant to whether these are acceptable buildings in the right place, which they are not.

20 Cleevemont
Evesham Road
Cheltenham
Gloucestershire
GL52 3JT

Comments: 4th November 2013

I wish to register our objection to the proposed development in West Drive, Cheltenham.

The proposed development is too big for the site, and is out of character with the surrounding area. It will generate too much traffic, affecting safety at the local school and cause more illegal parking. The noise and light pollution will detrimental to the wildlife in the park and its surroundings.

The previous use of the site by Dunalley Primary School was imaginative and of great educational benefit to its pupils. The use was also respectful of the green space and wildlife in this area. This use should be retained.

Comments: 16th December 2013

I do not think that the latest changes materially affect the proposals.

I still think that the proposed development is too big for the site, and is out of character with the surrounding area. It will generate too much traffic, affecting safety at the local school and cause more illegal parking. The noise and light pollution will detrimental to the wildlife in the park and its surroundings.

Westbury
Wellington Square
Cheltenham
Gloucestershire
GL50 4JZ

Comments: 13th December 2013

I have already set out my reasons for opposing this scheme but note that many of those supporting this application merely express their support for the work of Star College and assume that is sufficient for the approval of the development. They make no planning case for the development and as many of them live out of the area they will not have to live with the consequences.

Smilers Cottage
Brimpsfield
Gloucester
GL4 8LD

Comments: 22nd October 2013

I am a Speech and Language Therapist working at the National Star College. As part of my work I help the students at the College communicate in a variety of settings. It is very important that the students experience communication in the community. This is helped if they are resident near a town and so this scheme looks perfect to meet this need. Therefore, I fully support this application.

10A Naunton Crescent
Cheltenham
Gloucestershire
GL53 7BD

Comments: 25th October 2013

Letter attached.

Apartment 22
Grosvenor House
13 - 19 Evesham Road
Cheltenham
Gloucestershire
GL52 2AA

Comments: 2nd January 2014

This site has existing consent for development and National Star's use and revised proposals will be an improvement on the existing consent. Important points to consider include:

1. The reduced mass of buildings with an arrangement of smaller buildings
2. The improvement compared to the existing consent for a large residential care home block and a large day care and activities centre
3. The quality of design of the buildings
4. The landscaping treatment of the development
5. The suitability of the site to create an inclusive community based provision for National Star's users, students and beneficiaries
6. The quality of living environment for people with disabilities accessing the town, park and leisure resources

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The work undertaken by National Star College is rated outstanding by Ofsted. More importantly, NSC provides facilities and care for some of the most disadvantaged people in our community. These are tragic cases where many individuals have such severe disabilities that their quality of life is very low without the specialised services that the professionals at NSC can provide. I cannot state strongly enough how important it is to take advantage of the improvements that this additional consent will deliver in terms of providing much needed facilities to some of the most disadvantaged people in our community.

27 Armscroft Road
Gloucester
GL2 0SQ

Comments: 19th October 2013

I have worked at Elizabeth House for 5 years and I am very impressed with what the National Star stands for. My main motivation for supporting this application comes from imagining myself being a parent of a child with disabilities. For the child (young adult) to be able to live and study with their own peer group; for the child to have people around them on daily basis who believe in and encourage them to develop more of their potential; to live in a culture that is close to their own age group; and above all I have experienced the sense of pride after achievement. I personally live in Gloucester but Cheltenham is a wonderful location for them to live in many ways, especially because it will add to their sense of ownership, since the main Campus and University Campus are also in Cheltenham. No doubt that there will be negatives to this but is that not the case with everything in life?

Clifton Cottage
St James Place
Cheltenham
Gloucestershire
GL50 2EG

Comments: 21st October 2013

As someone who teaches Life Skills at NSC, I appreciate what an amazing opportunity this accommodation and its facilities would offer, not just for the students I teach on a daily basis, but also for the wider community of disabled young people in Cheltenham.

We are incredibly lucky to have such a centre of excellence near to Cheltenham and this accommodation would give some students a fantastic opportunity to live and learn in the local community, enabling young people to develop skills that will improve their lives and help them to live as independently as possible.

Working at NSC has helped me to understand that there are many things I take for granted; being able to live where I want and easily access town is something I now have much more appreciation for. I hope this is an opportunity more of our students will be able to have with the realisation of this project.

32 Glencairn Court
Lansdown Road
Cheltenham
Gloucestershire
GL50 2NB

Comments: 1st November 2013

Letter attached.

9 Marle Hill Road
Cheltenham
Gloucestershire
GL50 4LF

Comments: 1st November 2013
Letter attached.

1 Wellington Square
Cheltenham
Gloucestershire
GL50 4JU

Comments: 16th December 2013
Letter attached.

1 Lauriston Park
Cheltenham
Gloucestershire
GL50 2QL

Comments: 11th November 2013
Letter attached.

The Coach House
Kidnappers Lane
Cheltenham
Gloucestershire
GL53 0NX

Comments: 26th October 2013

I would like to add my support to this planning application. I know of the work of the College through both its direct support to students and to its wider support for the special needs community. The improvement that this application would provide will enable the College to enhance its already excellent work.

101 New Barn Lane
Cheltenham
Gloucestershire
GL52 3LQ

Comments: 28th October 2013

I am writing to support the proposal to develop new specialist living facilities.

As both a local resident and an employee of the National Star College, I applaud the work being undertaken to enable young people with complex disabilities to access purpose-built accommodation within a residential community close to town. This will enable them to access local facilities and practice critical independence skills.

I hope that this thoughtful, sensitive scheme will enrich the lives of both the young people who will gain from both these specialist facilities and those of existing residents.

Oakwood House
Colesbourne
Cheltenham
GL53 9NS

Comments: 30th October 2013

I am writing in support of the planning application 13/01694/FUL to use the site in West Drive for accommodation for students of National Star. I fear I may be too late but I do think it is important that the students have appropriate facilities and this is an ideal opportunity for them to have the right accommodation in the town as is provided by the University of Gloucestershire for their students. The work of National Star is fantastic and the opportunities they give to young people with disadvantages and disabilities are second to none. My husband and I fully support their planning application as a chance for the municipality of Cheltenham to help and support young people.

10 Wellesley Road
Cheltenham
GL50 4LZ

Comments: 5th November 2013

Letter attached.

Comments: 5th November 2013

Firstly, I must express disappointment that we were not informed of this planning application. I have discovered it only from neighbours. We look directly from Wellesley Road onto parts of the site about 150m away, with school playing fields between. I suspect other local residents may not be aware of the application.

As with the previous application at this site, various technical objections can be raised. I highlight inconsistencies in the application documents in attachment to this letter. However, my main objection is the impact on Pittville Park and its surrounding green areas.

The purpose of the proposed development is commendable and desirable, but that is not a reason to encroach onto the green surrounds of Pittville Park. Destruction of the green field site would fundamentally change the character of the adjoining area of the park, replacing natural green space with significant permanent buildings. Pittville Park is one of the town's treasures and attractions, used by both visitors and residents, both local and from other parts of the town and area. A brief visit or look at a map shows that the site to which this application relates is an anomaly, jutting into surrounding areas of public ownership, and in the case of the park, public access. Its existence as a plot separate from the Park is a quirk of history.

Carefully preserved green areas make the difference between a pleasant town and an urban sprawl. Most people can think of examples. Past generations have deliberately preserved the green space of Pittville Park and its surrounds, and other oases in the town. I would be disappointed to see this be the latest in a series of recent opportunistic encroachments onto that space. Developers use precedent as an excuse to overcome opposition. It's a one-way journey, with residents and future generations the losers, as green spaces are gradually eaten up, and the town becomes worse for it.

Rose Cottage
West Drive
Cheltenham
Gloucestershire
GL50 4LB

Comments: 5th November 2013
Letter attached.

12 Wellesley Mews
Wellesley Road
Cheltenham
Gloucestershire
GL50 4LZ

Comments: 4th November 2013
I write to OBJECT to this application.

The previous application for building on this site was, I understand, approved by the slimmest of margins, and the council noted concerns about the scheme's failure to relate to the Grade II listed Pittville Park, the visual impact on the park, the effect of so large a development on the character and appearance of the conservation area, and other issues.

This new application is unquestionably more objectionable on almost all counts: the buildings are considerably higher, with unavoidably greater visual intrusion on the Park and surrounding area; they are in an aggressively modern, institutional style which can be seen all over the country, with absolutely no recognition of the conservation area context or the predominantly Regency style of Pittville; and the changed purpose of the development (exacerbated by a larger number of residents) involves very much more traffic than the original scheme - residents requiring daily transport to and from Ullenwood, perhaps several times a day - with seriously adverse effect on traffic and parking in an area where the adjacent school and the general pressure on parking in Cheltenham already cause considerable congestion.

Further, it is contrary to all the principles of sustainability to develop in a way that unnecessarily creates an appreciable increase in vehicle miles.

I cannot believe that the original application would have been accepted if it had been based on this proposal.

As to the claimed 'need', I find it implausible that the National Star Centre's large Ullenwood site is unable to accommodate equivalent buildings in a way that would have considerably less impact on the qualities that make Cheltenham and the Cotswolds so highly valued (and, I used to imagine, strongly protected), and completely avoid the new traffic and CO2 emissions associated with an outstation in Pittville.

It seems to be an increasingly common tactic for developers to propose a scheme calculated to gain approval and then, having got that, to return with an altered scheme that would NOT have been approved and argue that the changes are necessary for the success - in their terms - of the development.

I hope the council will see through this trick and refuse to be nudged any further down the slippery slope towards making Cheltenham an over-developed, characterless anytown.

Comments: 16th December 2013
I write to reiterate my objection to this scheme.

The latest tweaks to the proposed design seem to me to be mere gestures which do nothing of substance to address the issues I, and several other people, have raised previously. In summary:

The buildings are still characterless, anytown designs which bear no relationship to the character of Pittville. They treat the concepts of local character and conservation with complete contempt.

The visual intrusion on the listed Pittville Park remains significant.

The traffic implications are unaltered, and worrying in an area already congested with parked cars and car movements at school times.

The location of the development, so far from the parent institution at Ullenwood, flies against the principles of sustainable development by causing an increase in vehicle miles and CO2 emissions which could easily be avoided by locating the new accommodation on the existing Ullenwood site.

16 Tommy Taylors Lane
Cheltenham
Gloucestershire
GL50 4NR

Comments: 11th November 2013

For many years I have observed the development in the outstanding work of the National Star College so that it is now considered a national centre of excellence in its ground-breaking work with young people with very complex disabilities; its outstanding educational and care services have enabled so many young people to achieve their potential and to live full and fulfilling lives. I therefore I give my wholehearted support to this application to provide improved facilities, in a lovely setting, which will give even more opportunities for young people from Gloucestershire and elsewhere to live in the community. It will enhance the quality of their lives and enrich our community of Cheltenham. I have seen what the staff at the Star Centre have achieved with these young people and through the support they have given their families; I urge you to visit National Star and see the amazing work that is undertaken.

Having lived in Cheltenham for many years I know the site very well and was aware of the details of the previous application and the concerns raised; this new application is much more sensitive to the needs of the local community and the environmental issues and clearly, the new design is far more imaginative and pleasing. It fits in well with the adjoining school site and blends in with the proximity to Pittville Park. The design has been sensitive to concerns about traffic flow and parking and it appears that the designers have taken these concerns into account in their final design layout. The designers should be complimented on consulting local residents, listening to their concerns, and incorporating in the design, modifications to address those concerns where ever practical.

I strongly support this application and hope that many others will also do so. Personally I see it as a positive investment in the lives of many young people with complex disabilities, who are some of the most marginalised and disadvantaged in our Society; projects like this positively change lives.

63 Crown Drive
Bishops Cleeve
Cheltenham
GL52 8TA

Comments: 16th December 2013

I write in support of the above application. I have been involved with people with learning disabilities for many years as Assistant Director of Social Services and also as Director and Chair of MEND. I was very involved with the initial project which the Planning Committee approved. The new application further improves the original plan and can only be in the best interests of the disabled people concerned.

Please contact me if you need further information.

49 Victoria Road
Manchester
M14 6BW

Comments: 5th November 2013

As a long term resident of Cheltenham, I am writing to express a strong objection to the planning application, number 13/01694/FU, for several reasons.

- 1) I believe the proposed modern design does not take into consideration the current design of residential buildings in the area and therefore the heritage of the site.
- 2) The proposed planning will result in an increase in traffic to an area which the council has already highlighted as a problem. With only 13 on-site parking spaces planned and yet 10 members of staff, 24 permanent residents and presumably visiting parties, parking and traffic volume on the quiet street is a concern. This is especially so with the existing parking demands of the neighbouring primary school.
- 3) The metal rooftops and "modern" design will appear as an eyesore from within Pittville Park in juxtaposition with the current natural beauty. This is a sure oxymoron to previous council attempts to preserve and improve one of the few remaining green spaces in Cheltenham.

26 Beverley Gardens
Woodmancote
Cheltenham
GL52 9QD

Comments: 3rd December 2013

Letter attached.

10 Wellesley Mews
Wellesley Road
Cheltenham
Gloucestershire
GL50 4LZ

Comments: 16th December 2013

Minor changes to the design as notified by Cheltenham Borough Council on 2nd December 2013 do not change our views on this application. We continue to oppose it, as in my letter of 5 November, which also comments on discrepancies in the application documents. This piece of land projecting into the green space of Pittville Park should remain a green area for this and future generations. An alternative location, not on a green field site within the town, should be found for the residential accommodation.

Birch Hill House
Birch Hill
Glenhonger
Herefordshire

Comments: 19th December 2013

I have been aware of the work of the National Star Centre for many years. In my previous capacity as a social worker in a neighbouring authority, I was well aware of the difficulties in making appropriate arrangements for transition for young adults when they moved on from the college. It was not easy to make a smooth transition that took into account needs for support combined with a gentle path to independence, plus opportunities to combat loneliness, and considerable anxiety for the young person and family could result. It was particularly important that accommodation provided offered easy, independent access to an urban environment with the amenities of shops, leisure and social activities and employment, while retaining a pleasant physical environment which reflects the safety and tranquillity of the Star College. I therefore welcome these proposals for flexible provision, offering a balance of independence and support with easy access to the Town Centre

The overall design is imaginative, well interlinked, provides a variety of accommodation for people with a variety of needs. There is existing planning consent indicating that in principle the project of accommodation for young disabled people on this site is acceptable. The current application is an improvement compared to the existing consent for a large residential care home block and a large day care and activities centre, in the quality of design of the buildings and the landscaping treatment of the development.

Flat 6
Suffolk House West
Suffolk Square
Cheltenham
Gloucestershire
GL50 2HR

Comments: 28th October 2013

I understand the National Star Centre, Ullenwood have a planning application for a property in Pittville.

I fully support this project.

Flat 3 Burston House
Pittville Circus
Cheltenham
Gloucestershire
GL52 2PU

Comments: 2nd November 2013

It is very hard to tell what these buildings will look like 'in the flesh' as it were. However, the design looks a bit 'of the moment' and no doubt will date quite quickly. Please, I hope there is no wood fascia to fade and look tatty in no time. My main concern is the proximity to Pittville Park including the playing field and possible destruction of the green barrier between this site and the park. There seems to be a viewing point into the park and I am not sure this is ideal. It will compromise the park. True, there are large blocks of flats on Albert Road that overlook the park, and what a disaster they are. Let us avoid the mistakes of the past.

Rosehill House
Wellington Square
Cheltenham
Gloucestershire
GL50 4JU

Comments: 4th November 2013

Page 140

I live near this site, West Drive on the green site next to Pittville Park. We believe it is too far and too difficult for the disabled to get to the town facilities from this site, and this site should remain green field.

We are against this proposal

Westbury
Wellington Square
Cheltenham
GL50 4JZ

Comments: 4th November 2013

I wish to register my opposition to the proposed development (referenced above) on land next to Dunally School in West Drive.

My opposition arises from two main concerns:

1. Traffic

West Drive and the eastern side of Wellington Square already form the main route through Wellington Square. As it is, these roads are difficult to negotiate with (often illegal yet seemingly tolerated) parking on both sides, leaving only a single track for vehicles passing through or accessing properties. Gloucestershire County Council's proposed new parking arrangements will exacerbate the existing problem by attracting an additional stream of vehicles looking for short-term, on-street parking. If the proposed development goes ahead, the additional traffic that will inevitably arise will be an excessive burden to an already overloaded thoroughfare. Alternative parking arrangements both on the site and on the adjacent roads are needed before this application should be considered.

2. Architecture

I believe that the design of the building that is proposed is out of keeping with the surrounding area. I appreciate the need for a special purpose building in this case, but a two-storey modern structure which would be very visible from the road is inappropriate. A single storey construction to the same design which could be screened might be acceptable but if two storeys are really needed then the exterior should be redesigned in a traditional style in order to sit more comfortably within the setting. Also, the provision of an underground car park would alleviate traffic concerns and also assist with the arrival and departure of residents in inclement weather.

No matter how much one admires the work done by the National Star Centre (and I do very much), objective planning considerations should be applied in this case, just as they would be for any residential application. One cannot help but conclude that the proposal as it stands represents an overdevelopment of the site. If a smaller unit is not viable then this is probably not the right site for this project.

Rose Cottage
West Drive
Cheltenham
Gloucestershire
GL50 4LB

Comments: 4th November 2013

Letter attached.

11 Pinkcoat Close
Feltham
TW13 7HL

Comments: 4th November 2013

I am very saddened to learn that the Dunalley site has again got a planning application in for development.

This is a unique site in an urban area, which at one time had a thriving ecosystem and was an excellent learning and leisure resource for local children and residents.

This site was largely destroyed when the last application begun to survey only to fail in actually completing the build. It has somewhat regained its value, if only to wildlife in the time it has been left neglected.

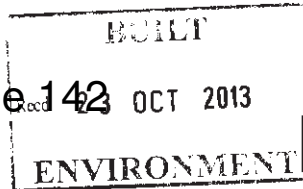
The plans to develop are contrary to strategic open space objectives and protective measures that the council should be taking into account. That said, it made the critical error of selling the land which now comes under Class 2 status.

As such, we have to consider the scale and style of the proposed plan. In this it fails to meet concerns about size in that it has two storeys. This will block views and is not in keeping with the locale. The additional noise and light are also going to be a highly negative aspect. The additional traffic it will inevitably bring is not appropriate to a small side road and increased danger to walking school children next door. There is insufficient allowance made in the design to make the most beneficial wildlife corridor, again in contravention to local and central government directives on nature conservation.

Apartment 7
Albert House
Pittville Place
Cheltenham
Gloucestershire
GL52 3HZ

Comments: 4th December 2013

I would like to express my strongest support for the above proposal. For the last 30 years I have been aware of the wonderful work done by the College, both personally in my visits there but more through my husband's involvement for much of this time, and for a period as their chairman of governors. Broken lives are rescued and many young people and their families benefit from the independence which youngsters achieve against incredible odds. The proposed site, near the Park and easily accessible to town, seems ideal. Above all their presence will be an inspiration to the public. When you see these students, with their zest for life, courage and determination, one's petty anxieties and problems are put into perspective.



Miss Michelle Payne
Planning Dept
Cheltenham Borough Council
Promenade
Cheltenham
GL50 1PP

Western Lodge
West Drive
Cheltenham
GL50 4LB

22 October 2013

Dear Miss Payne

Application by National Star College at West Drive
Planning reference 13/01694/FUL

We have a number of OBJECTIONS and COMMENTS to this proposal.

Objection 1. The two storey design of Buildings 1 and 2 will affect the vista southwards from Pittville Park, becoming a dominant feature when trees are bare. It will also block the park view for all looking northwards from West Drive and particularly westwards from the immediate houses Park End House and Lakeside.

Objection 2. The submitted document 'Proposed Height Plan' is in error and invalid. It shows the Dunalley School buildings to be two and three storey (or equivalent).

The highest part of this school, the hall, has a roof ridge height lower than the two storey houses on West Drive and hence can only be correctly shown as two storey equivalent, not three. The remaining majority of the school should therefore properly be shown as single storey equivalent.

Associated misleading statements are included in Planning Statement, section 5 Impact, para 5.3 and Design & Access Statement, sections 4 and 7.

This is significant since the school is (wrongly) claimed to be justification, as relevant proximate major buildings, for the proposed development height.

Objection 3. Public use of 'Activity Space' in Building 3.

We are concerned that there does not appear to be any limitation on the intended availability to the general public for use of this space.

There are no constraints regarding type of function, number of days, times or attendee numbers.

These aspects are critical for the potential noise caused to neighbours, any related nuisance fallout and the frequency/degree of major traffic and parking issues on this constricted corner of West Drive.

Onsite parking provision is wholly inadequate for such use.

Comment 1. Onsite parking provision/Travel Plan.

There are 14 spaces. This is not adequate for staff, residents and visitors. Staff numbers have been advised as 8-10 for the period 7am to 11pm with afternoon changeovers. A nightshift of 2-3 covers the 11pm to 7am period, [see Minutes of West Drive Residents Meeting 22nd July 2013].

It is unrealistic to expect that most staff will travel by bus or bicycle for 7am or 11pm shift changes particularly in winter months, despite employer encouragement. This lack of realism affects the parking provision and is not properly reflected in the Travel Plan.

At the same residents meeting, the minibus movements were stated as several per day. This was advised as necessary because students had different needs and would variously be travelling to different locations and at different times.

The Travel Plan misleadingly understates this degree of travel as "occasional trips out".

Yours Sincerely




Holly Tree House
West Drive
Cheltenham
GL50 4LB
25th October 2013

Dear Miss Payne

Application by National Star College at West Drive
Planning reference 13/01694/FUL

I have a number of Objections to this proposal.

1. I am very concerned that the design of Buildings 1 and 2 are two storey. I feel this is inappropriate for the location and will affect not only the people who live opposite but also the overall look and feel of the Park especially in the Winter as the trees lose their leaves. In addition it appears that the roofing is also inappropriate to a residential situation. This looks very industrial and unlike the school which is well screened, single storey and set well back from the road. It appears to me that the site is too small for the requirements planned and therefore in order to make it fit an inappropriate design approach has been taken

2. The volume of traffic I believe has been underestimated, it appears that with staff and visitors this is likely to be quite a busy site especially as all residents will need to be moved to the teaching sites during the day. The mini buses are limited to the number of students per trip so this will require a number of mini buses or a number of trips for the bus. This also at a time of the day when the school is likely to be busy too, and West Drive struggles to cope with this volume of school traffic with double parking along the road.

I also believe the staff parking has been underestimated and like the school will probably spill out onto West Drive, as the shift patterns mean they are likely to need their own vehicles.

3. The Activity Space in Building 3.

I am unclear about the Public use of the Activity Space. There is no clarity regarding limitation on the intended availability to the public or regarding the type of functions number of days, times of use or maximum capacity.

This will impact on parking and potentially noise for the area and the parking space looks limited for the site to cope.

Comments - The previous application to use this space for St Vincents was broadly supported by the local residents, the vast majority were in support and worked with them to create something that was suitable for everyone. This building is of a significantly different scale and has virtually no support from the local community. In addition there appears to be no connection to the local parking changes planned for the area.

Yours Sincerely



Canonbury,
West Drive,
Cheltenham,
Gloucestershire,
GL50 4LB.

| | |
|----------------------------|-------------|
| Cheltenham Borough Council | |
| Environment | |
| PASSED | |
| REC'D | 25 OCT 2013 |
| Date of Response | |
| Initial Response | |

23 October 2013

Head of Planning,
Cheltenham Borough Council,
PO Box 12,
Municipal Offices,
Promenade,
Cheltenham,
Glos, GL50 1PP.

Dear Miss Payne,

Application by National Star Foundation for Student Accommodation Adjacent to Pittville Park
Planning Reference: 13/01694/FUL

We would like to register the following observations and objections on the above proposal:

1. **General.**

As the council is aware, this is a very sensitive site adjacent to Pittville Park. Together with the Dunalley School playing fields it provides an essential buffer between park and town and an important wildlife refuge. There have been two previous applications for this site; the first was refused with the rider that it should never be built on, while the current one was finally passed against planning officers' recommendation on a sympathy vote for St Vincent's Centre. We trust this will not happen again and that decisions will be taken on planning criteria alone.

2. **NSF Aims.**

NSF say that their main aim is to provide student accommodation which will give students a "living in town experience". That cannot happen on this site. There are no pubs, coffee bars, shops or other teenage attractions within a mile of West Drive. Access to the town will be extremely difficult for wheel chair users. Furthermore, most of the residents of West Drive are fairly elderly and will be unlikely to socialise with the students.

3. **Overdevelopment**

NSF claim that this proposal provides a smaller building footprint than the existing planning approval. That may be so, but the buildings are to accommodate more than double the number of students that Vincent's Centre required. Furthermore, because of their height the buildings will be much more obtrusive. We particularly object to Building number 1, which is a large two storey building stretching across two thirds of the site boundary along the road. We consider any two storey building on this sensitive site to be over development. It will have a very detrimental effect on the view from the park.

4. **Public use of Main Hall (Building 3)**

There is insufficient information provided by NSF about the public use of the main hall. We believe that days, times and type of use should be proposed by NSF and approved by the council. This use could have a detrimental effect on West Drive residents and Park users.

4. Car Parking

The plan provides onsite parking for 14 cars. That is not sufficient for all the staff, students, visitors and tradesmen. Day staff of 8-10 alone will require some 20 spaces to accommodate staff changeovers. The public use of the main hall (Building 3) could also attract a large number of cars which will require space. A further complication is that the site development will mean that one of the West Drive parking bays reserved for Dunalley School parents will form the site entrance and will no longer be available for parking. We are concerned that the additional traffic generated by the NSF will increase the parking and driving problems on West Drive and the danger to the children of Dunalley School.

Yours faithfully,

A large black rectangular redaction box covering the signature and name of the sender.

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| Cheltenham Borough Council Environment Group | | | |
| SENT TO | | Page 147 | |
| RECD | | 28 OCT 2013 | |
| of | | Type of | |
| Response | | Response | |
| of | | File | |
| Order | | Ref | |

Miss Michelle Payne
Planning Department
Cheltenham Borough Council
Promenade
Cheltenham
GL50 1PP

Lakeside, West Drive
Cheltenham
GL50 4LB
26 October 2013

Dear Miss Payne,

Re.: Application by National Star College at West Drive - Planning reference 13/01694/FUL

We wish to strongly object to this proposed development for the following reasons with subdivisions as follows:

- a) Conservation/Environmental Impact
- b) Architectual Comments/Objections
- c) Potential Parking Problems
- d) Suitability of site for planned development

a) Conservation/Environment Impact

This green site, next to the grade 2 listed Pittville Park should not have such a density of development, in particular with a 2 storey block of buildings. It is a refuge and dormitory for the wild life of the park , free from public disturbance and dogs as made apparent when it was a wild garden.

The severe erosion of any green environment directly next to the Park, having the most significant and largest recreation facilities for all, with the resulting parking congestions is unacceptable. The approach from Wellington Square presently opens up to a green space towards the Park on the west side (Dunally School is discretionally hidden behind a large hedge and set back from the road). The proposed development in a conservation area may in theory appear to be of less density then the previously approved planning permission, but the site lay out does not give that impression. All residents of West Drive will lose the present tranquil environment and vistas towards the park, in particular the latter end of West Drive towards the Park. Both houses at the Park Gate were purposely built as "upside down" houses to enjoy the open park vista, meaning that their living accommodation upstairs will be greatly disturbed with possible lighting and noise pollution, plus loss of privacy, unless this complex will be totally a one storey built

b) Architectual Comments/Objections

A two storey development as proposed on the Plan, Buildings 1 and 2 is totally out of context with the existing buildings on the west side of West Drive. The School, whilst it has a roof ridge is in fact a one storey building and any proposed development on this green site should not be higher in height than originally approved. The impact of the proposed complex will stand on a higher site than the Park area as well as to the opposite side of West Drive (being the East side) , together with the

apparent randomness of the buildings across the site gives a asymmetry that is alien to the present environment. The so called "Activity Space" in Building 3 should be reserved only for the actual occupiers and not include the use to the general public. Furthermore, there should be a constraint of the usage in terms of functions, time and dates to avoid potential noise problems for the local residents.

The actual style and complexity will be more intrusive and out of context with the local surroundings. This is made worse by the proposed mono pitch roofs of the 2 storey buildings and the overcomplicated nature of the façade and array of external wall colours. It is too low in design quality and also downgrades the surrounding housing stock.

c) Potential Parking Problems

With the proposed density and occupation of 24 vulnerable young person in wheelchairs with the resulting daily bus transport needs several times a day, together with the need of staffing levels and service vehicles on a 24 hours basis, there has to be a much higher parking facility than presently proposed. Furthermore, we understand from the National Star College that some students have their own vehicles, plus parking provisions necessary for visitors, make this 13/14 space provision wholly inadequate.

West Drive traffic with the adjacent school runs is totally chaotic several times a day. Furthermore, with the proposed parking restrictions (see GCC reference HB/51678) will make this narrow road a safety issue for the small children and vulnerable occupants of the proposed site. It is clear that this site is not suitable for such a large occupancy and amount of buildings.

d) Suitability of site for planned development

The existing planning permission on the site has no precedence for the pending planning application. We do not see any reason or relevance why this new proposed development should receive automatic planning approval. It is materially different from the original scheme, both in building content and context.

If a 2 storey development is necessary, then these new proposed plans are simply not right, or the green land space inadequate next to the grade 2 listed Pittville Park. This only proves that an overbuild situation is proposed on this sensitive site.

We therefore completely object to this proposed construction plan due to the points mentioned above.

Yours sincerely,

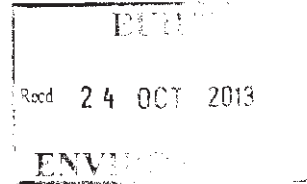


West Court

West Drive, Pittville, Cheltenham, GL50 4LB

[REDACTED]

[REDACTED]



22nd October 2013

Dear Sir

PROPOSED RESIDENTIAL DEVELOPMENT AT LAND ADJACENT TO DUNALLEY SCHOOL
REF 13/01694/FUL

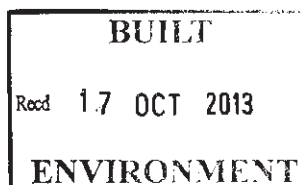
I wish to object to the above proposal as follows -

- 1 There are already two facilities for vulnerable persons in the immediate vicinity of Dunalley School and the provision of further social/educational provision of this type & magnitude immediately adjacent to the school in a primarily residential area is undesirable.
- 2 The proposed accomodation is clearly too large for the available site area. The perverse preference for developing a series of unconnected pavilions results in an inappropriate two storey element at the front of the site. This is not in keeping with the predominant character of West Drive which presents a single storey aspect to the road with (apart from the school) walled enclosures. It is also surprising that two storey provision is at all suitable for the degree of disability observed in students of NSC.
- 3 The proposal does not provide adequate car parking for the traffic likely to be generated by the facility. It should be axiomatic that all developments make provision for all staff/student/visitor cars & service vehicle movement and not rely on external provision. West Drive is already inundated at peak times by school traffic & further vehicles generated by this proposal in the light of forthcoming parking restrictions will prevent proper access unless provision is made on site. The inadequacy of parking is another aspect of the proposed use of the site and one is drawn to the conclusion that either the accomodation requirement is too high for the available area or that the site is not being used efficiently and economically.
- 4 Lastly, the design proposal pays no respect to the context of West Drive or Pittville. Even the school with its unfortunate roof material provides a domestic scale and form which is entirely appropriate for its function. This proposal comprises massing of unlike buildings with different roof profiles and roofing materials none of which are in context. The scale & form of the buildings within the site is not cohesive and the palette of materials used generally seems to have been wilfully chosen to have little or no relationship to other buildings in West Drive or Pittville. One might have expected from this Architect & Client a contextual low profile development well contained within its site - what a missed opportunity.

Yours faithfully

[REDACTED]

Mike Redman, Director, Built Environment
Cheltenham Borough Council
PO Box 12
Municipal Offices
Cheltenham GL50 1PP



Rose Cottage
West Drive
Cheltenham
GL50 4LB

Ms Michelle Payne
Planning Officer
Cheltenham Borough Council
PO Box 12
Promenade
Cheltenham GL50 1PP

SUBJECT: Student Hall of Residence adjacent to Pittville Park Planning Ref 13/01694/FUL.

Dear Ms Payne,

I am in the process of reviewing the planning application "13/01694/FUL" and although I will be making more detailed Conservation/Planning comments before the required deadline I am writing to you to address some aspects of the proposal I request you to urgently review/discuss with your colleagues in the Environmental Health department before they submit their official report/recommendations to you on this application. These comments relate to Noise Pollution, Light Pollution and also on a separate issue the possible harmful effects of high level, low frequency magnetic fields from a sub-station in such close proximity to the Dunalley School boundary. I believe that this is a defective planning application as the important aspect of noise and light pollution and the sub-station issue, to this very sensitive part of Cheltenham has not been adequately addressed.

1) NOISE POLLUTION FROM BLOCK 3 !

This proposed development area next to Grade 2 listed Pittville Park is one of calm and tranquillity during both day and night. The proposed "Communal learning and activity building" – Block 3, is intended by the applicant to also be used as a Student Junior Common/Social Room. It is also intended to be used as a facility for renting/lending to external people/organisations for recreational and party use. This will mean high levels of ambient noise from both social events taking place inside the building and also the comings and goings of cars during weekends and evenings, this noise will exist week-in and week-out, 52 weeks a year during both the day and evenings. Noise caused by such a use will greatly impact on the current ambience of the area/park and will for sure make the life of the current West Drive residents a misery. It is completely against the National Planning Policy Framework (NPPF), sections 11.109, 11.123, 11.125 in this respect.

Some questions I therefore have, are as follows:-

- What are the exact uses planned for Block 3 ?, this needs to be explained in detail by the applicant, together with its EXACT impact w.r.t. noise on the external environment ?.

- What will be the maximum levels of audible noise heard at both the park and West Drive boundaries from this building ?. i.e. how many decibels (maximum) above the current ambient afternoon/early evening level will these levels be ?.
- What special sound proofing measures have been taken for Block 3 (i.e. double layers of self closing doors ?, Triple insulated windows ?, extra noise insulated wall/roofs ? etc).

CONCLUSION (1) : I believe that in view of the obvious noise pollution and disturbance Building 3 will make to the area, it should be removed from the plans.

2) NOISE POLUTION FROM THE PROPOSED ELECTRICAL SUB-STATION !

The proposed plans incorporate an electrical sub-station on the South side of building 3. The requirement for such a sub-station is new, and is not incorporated in the current permitted planning permission (08/01342/FUL).

Such a sub-station will contain a (very) large transformer, whose laminations will vibrate at mains frequency, causing a loud audible hum. Such a hum is in the bass frequency band and very difficult to suppress !. My concern is that this low frequency humming noise will be heard during the evening from the park and by nearby neighbouring houses in West Drive.

- What will be the maximum levels of audible noise heard at both the park and West Drive boundaries from this sub-station ?. Any level above the current level (with no transformer) should NOT be allowed !.

CONCLUSION (2) : I believe the development should not be allowed unless the applicant can absolutely demonstrate that there will be **NO INCREASE** in current low frequency sound levels at West Drive boundary due to the transformer within the proposed Electrical Sub-Station.

3) LIGHT POLUTION

In addition to any visit you may make to the site during the day, I request that you visit this site in the evening, after it has gone dark. I believe this is necessary to visualise the impact that this development will have when viewed from the direction looking north along West Drive toward the site, also looking West along West Drive towards the site and finally looking at the site from inside Pittville Park. You will then get a feel for the light pollution that such a development will have on this very sensitive, intrinsically dark area next to the park. It is completely against the National Planning Policy Framework (NPPF), section 11.125.

- What provisions are there in the planning application to ensure that this development, which is intended to be staffed on a 24 hour/7 day a week basis will not cause excessive light pollution to this intrinsically dark and tranquil location ?

CONCLUSION (3) : I believe that this development will cause light pollution to this area and contravenes section 11.125 of the NPPF.

4) HEALTH HAZZARD FROM HIGH LEVEL, LOW FREQUENCY MAGNETIC FIELDS

As stated in (2) above this sub-station is new and was not part of the original planning consent. There has been much debate in the past by various bodies in the UK and worldwide concerning safety issues regarding human tissue being in close proximity to high level, low frequency magnetic fields. My concern is the proximity of this sub station to the school boundary (3.5m).

- Have any safety studies been carried out by the applicant to ensure the location of this substation is sufficiently far away from human beings to cause no harmful effects ?.

CONCLUSION (4): I believe that if such a sub-station is to be part of the development, a suitable health and safety study should form part of the application to absolutely demonstrate that no harmful effects could be caused to humans from such an installation. Perhaps moving the sub-station away from the school boundary and locating it (with a suitable boundary fence), in place of building 3 would remove concerns made in point (1) and ensure it was well away from nearby human beings.

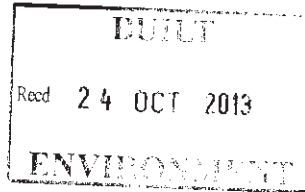
I look forward to hearing your comments to the points I have raised in this letter before you or your colleagues write your final report or make any formal recommendations on this application.

Yours sincerely



Copies: Environmental Health Team,CBC

Rose Cottage
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GL50 4LB



Ms Michelle Payne
Planning Officer
Cheltenham Borough Council
PO Box 12
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Cheltenham GL50 1PP

Reference: a) Planning Application: 13/01694/FUL
b) My recent letter to you dated 15/10/2013

SUBJECT: Student Hall of Residence including Junior Common Room/Party Room, adjacent to Pittville Park Planning Ref 13/01694/FUL.

Dear Ms Payne,

I have recently carried out a detailed review of the planning application 13/01694/FUL and I conclude that this application should be refused on both Heritage/Conservation and Planning grounds.

Although the applicant has carried out a public "Consultation", the submitted design shows that the applicant/architects have largely ignored the comments made by the West Drive Residents at their meeting held on 22 July 2013 (Ref APPENDIX 4 of "Statement of Community Involvement"). This consultation was a sham and merely a "tick in the box" exercise on behalf of the applicant and his agents.

I would also like to point out that it's my understanding that APPENDIX 2 of the "Statement of Community Involvement" does not reflect the official views of the Cheltenham Civic Society. This body should be formally consulted on this planning application.

This 2 storey application for 25 permanent resident students, represents a gross over-development of this sensitive location, adjacent to Grade 2 listed Pittville Park, compared to the single storey development for 12 residents for which consent has been given. The development is not compatible with the Conservation and Heritage consideration in this location and as well as noise and light pollution, the proposed scheme will cause serious problems with traffic and parking if approved.

My specific reasons for requesting refusal are as follows:-

- 1) **2 STOREYS:** The intention to have contemporary styled, two storey residential buildings at the front of the development (Blocks 1 & 2), adjacent to, and in full view of the Pittville Park boating lake/boathouse, pathways and park entrance, does not provide an acceptable visage along West Drive to the entrance to the Park. **Indeed claims by the applicant that the design could produce an acceptable "streetscape" are complete and utter nonsense.**

I point out that there are no two storey buildings along the whole west side of West Drive from Wellesley Road to Pittville Park. The existing planning consent (08/01342/FUL) was for single storey development only with no electrical sub-station. This proposal is against Local Plan BE1 and also large portions of the NPPF (see point 8 below).

- 2) **METAL ROOFS:** The use of “Standing Seam Metal Roofs” on blocks 1 & 2 ” is totally inappropriate for any development adjacent to Pittville park. The design looks more like “factory/cowshed roofing” which would be more in keeping with an out-of-town retail outlet rather than a sympathetic development adjacent to a grade 2 listed Park !. It is pointed out that the other residential houses in West Drive all have either slate or tile roofs. The proposed metal roofing is completely out of character with the existing houses in West Drive.
- 3) **CONSTRUCTION/DESIGN:** The out of character, contemporary design with “Coloured Rendered” walls and a mixture of Two Storey and (very) high Single Storey buildings, with a mixture of “Metal” and sloping “Sedum” roofs, as described on the drawings is certainly not compatible with Conservation & Heritage considerations for this location.
- 4) **NOISE POLLUTION:** The proposed Block 3 Communal/Junior Common Room/Party Room will lead to significant noise week-in and week-out, 52 weeks of the year, in this calm and tranquil neighbourhood. It will make the lives of the nearby West Drive residents a misery. In addition the low frequency hum from the Electrical Sub-station will add to the noise pollution and may also have some human safety issues. **This is against section 125 of the NPPF. Please see my letter to you on this topic dated 15th October 2013 (Ref b).**
- 5) **ELECTRICAL SUB-STATION:** This is entirely new and not part of the existing planning consent. It has certain noise and human health and safety issues related to high level, low frequency magnetic fields – **please refer to my letter to you dated 15th October 2013.**
- 6) **PARKING PROVISION:** Parking Provision for 13 cars on a site meant to house 25 permanent resident students, plus 10 on-site staff, plus visitors is just not adequate and will have a huge negative impact on the external road parking in West Drive and at the Park entrance. Again this points to clear over-development of this sensitive site, meaning the applicant is trying to cram too many residential units onto the available space. There is not enough on-site space and there will not be enough on-road parking space, particularly as the council has now sold off Portland Street Car park.

The argument by the applicant that the development is “not viable” unless 25 permanent resident units are built on this site is not a valid planning reason why permission should be given !.

- 7) **TRAFFIC:** The Travel Plan submitted with this application is not detailed and downright misleading. It states in section 5.1 “*There will be no large scale or commercial provision on site*” – If so, then how will the 25 disabled residents obtain their food/provisions on a daily basis if they do not drive ?. Such provisions will of course need to be delivered to them !.

It states in section 5.5 of the Travel Plan “ *We anticipate a minibus operating to support OCCASIONAL trips out...*” – such a statement is utter rubbish and misleading. This centre is aimed as a Hall of Residence for 25 Students who will be attending the Ullenwood campus on a daily basis. The minibus can only take a limited amount of them each way in wheelchairs, therefore there will be lots of necessary trips each way throughout the day. These trips will often clash with school dropping off and picking up times, making a very disruptive and possibly dangerous traffic situation. This point has not been addressed in the Travel Plan submitted with the application.

I believe acceptance of this application will cause major traffic problems in West Drive.

8) National Planning Policy Framework (NPPF)

This whole development, as well as violating numerous parts of the Cheltenham Local Plan (including CP7 & BE1), breaks many of the clauses of the NPPF. I have read the NPPF in detail and some of the NPPF causes violated include:-

“Requiring Good Design”: NPPF Sections 58, 61, 65, 66

“Conserving & enhancing the Natural Environment”: NPPF Sections 109, 115, 116, 118, 123, 125.

“Conserving & enhancing the historic environment”: Sections, 126, 128, 129. 131, 132, 133.

Put simply the current planning consent relates to a Single Storey development for only 12 permanent residents. This application seeks to more than double the number of residents by means of Two Storey Blocks and the addition of a Noisy Communal Recreation/Party room, together with an additional electrical sub-station and the creation of both parking and increased traffic problems in West Drive .

This area is currently a very quiet, tranquil residential neighbourhood, adjacent to a Grade 2 listed park, acceptance of this current proposal will cause irrevocable permanent damage to the neighbourhood from a Conservation and Heritage viewpoint. It will also greatly affect the visage of the approach to Pittville Park along West Drive and also the Views/Sounds inside the Park particularly during winter when the leaves are off the trees.

I therefore request both the Conservation and Planning Officers to reject this current planning application.

Yours sincerely



Copies: Mrs K. Radford – Heritage/Conservation Officer
Mr. M. Chandler – Planning Officer; Pre-Application discussions with applicant
Mrs T. Crews – Chief Planning Officer

[REDACTED]

From: [REDACTED]
Sent: 09 December 2013 19:32
To: jonathan.clark@gloucestershire.gov.uk
Cc: Payne, Michelle; Internet - Planning Comments
Subject: My Comments to Applicants Response to you: Ref: 13/01694/FUL

Ref: CBC Planning Application 13/01694/FUL

Dear Mr Clark,

As already discussed, please see my comments (marked in Red) on the Applicants response to your questions wrt traffic/parking issues on planning application 13/10694/FUL.

It is clear from the applicants response to you, that the information provided w.r.t. parking provision and traffic movement are sometimes misleading and often downright untruths !. A lot of your concerns and questions have not been properly answered at all.

Based on the current response to your questions this application should surely be recommended for refusal on traffic/parking issues alone !.

This e-mail and the attachment comments forms my response to the parking/traffic issues on this application and I would appreciate it if you could consider my points before submitting your final recommendation on this planning application to the CBC Planning officer.

Yours sincerely

[REDACTED]
Rose Cottage
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Land at West Drive,
Cheltenham
GL50 4LB

APPLICANTS RESPONSE TO HIGHWAYS QUESTIONS WITH MY COMMENTS IN RED:-

**Land at West Drive, Cheltenham
13/10694/FUL**

Initial comments from Highways (black) with applicant's response/comments following (blue)

[REDACTED] Comments to applicants response is in RED

I just thought I should update you on where I am with this one. Gloucestershire Highways have concerns over the current pedestrian links from the site to local amenities and public transport facilities, and I would share those concerns. I have asked them to identify a scheme and provide a cost for such a scheme, I will then be able to identify whether it is reasonable to request those works. I note that on the previous proposal (ref no: 08/01342) the Highway Authority did recommend a condition to cover similar works however this did not get attached to the permission, given the increase in size of development, and that additional vulnerable road users will require access to services I believe this to be more essential this time around,

10/12/2013

There is not a significant increase in the size of the development when compared to the approved scheme, with the increase in floor area being attributable to the larger spaces that are needed to accommodate the specific needs of future residents. The proposal will involve fewer movements to/from the site than the previous use. **DM**

Comment : This is not true That scheme included a day care and activities facility as an integral part of its function, involving a far greater frequency and volume of access by users **DM Comment : This is not true** . The proposed use does not include such an element. It is most unlikely that any future occupiers will own a car

DM Comment : Rubbish ! – how can this be stated – such a statement is nonsense. . For example, there are currently 87 students at the main Ullenwood site and none own a car; there are 28 residents at Overton House in Cheltenham (which will be replaced by the proposed development) with no car owners; and there are 24 residents at Denmark Road in Gloucester with no car owners. The scheme proposes to accommodate 25 residents, and there are more parking spaces on site than there are at Overton House and Denmark Road **DM Comment: Overton House & West Drive are two very different scenarios and the present proposal is gross overdevelopment of the site with insufficient parking !.**

Although there was not a condition attached to the previous grant of permission, a figure for sustainable transport contributions was included in the S106. As the daily trips associated with the proposed use will be fewer than the approved, we would anticipate there being no sustainable transport contributions and if such contributions are requested then imagine these will be lower than previously to reflect the reduced number of vehicle movements **DM Comment: Not True daily trips will be more ! The travel plan submitted with the application is not correct and does not reflect the actual scenario .**

I note that a communal learning area has also been proposed, is this for students that live on site only, or will the site be available for the wider community? What is the planning use of the learning area?

As part of the public consultation exercise, the potential for this space to be used by a select number of small local/community groups was offered. As it turned out, there was little/no interest in the use of such a facility with the need or otherwise appearing to be met by a number of other local halls such as at St Paul's Church and associated space, @Leisure, various spaces at Dunalley School and local Church and Community Halls. The applicant would also not in any way want to compete with any of these other facilities **DM Comment: Rubbish NSC although a charity, it is run very much as a business. AS such if they see scope to make some money then that is what will be done !.**

The primary function of this communal space is to offer a generic learning, activities and communal gathering area for the proposed future residents of the site and National Star's users/beneficiaries. **DM Comment: Block 3 is a Student community meeting/social room and will be used as such by the residents and their invited guests plus any other external groups NSC decide to let use the facility !** For example; the space could support private or small group mobility training, therapies support and other learning/rehabilitation that is part and parcel of accessing national Star's provision. The planning use of the learning and activities area is the same as the rest of the site.

The applicant would wish to be considered as a part of the local community and if there was a need by small local groups, such as for example, then the applicant would have full control over the groups that might have access to it and would want

to ensure that any users are appropriate and relative to the sensitive and vulnerable nature of future occupiers. In effect the opportunities for use by others would actually be very limited **DM Comment: this is not true Block 3 could lead to excessive traffic which the 13 on site parking spaces cannot cope it is a recipe for traffic problems..**

The communal space will not be licensed for the sale of alcohol. **DM Comment: - Not initially but it's only another step – also on site parties/communal gatherings from outside groups do not need the sale of alcohol but at parties it can be given away !.**

I understand that the servicing/refuse facilities are located to the rear of block 3, however given that collection will be likely to occur on street it may be more appropriate to locate the storage point closer to the highway.

A refuse truck will be able to access the front part of the site close to where the bin store is located without having to pass through any barriers or checks. Even if it transpires that refuse needs to be taken onto the street/close to the street, a site care taker will deal with all refuse matters and could take the bins close to the street on collection days if necessary.

I am concerned over the lack of servicing area within the site, the travel plan states that there won't be any large scale or commercial catering provision on the site, however there will be pharmacy deliveries and a mini bus operating from the site, no provision appears to have been made for such vehicles.

Pharmacy deliveries (as and when needed) would be in a very small Caddy type van. Such deliveries would be very quick and there is no obstacle to such vans pulling into the site, dropping of whatever is needed and then leaving the site. **DM Comment: How will these 25 disabled people with "no cars" get their daily food and other provisions ?. The logistics of this is huge and will involve much to and froing on a daily basis – this has NOT been explained in either the travel plan or any of the responses from the applicant !.**

In terms of the mini bus, a collection and drop off area is shown just to the west of block 2. This is within the site, beyond the controlled bollards and means that residents can be collected and dropped off in a safe manner and away from the public highway.

I assume that all of these vehicles will have to park on street however we are aware that at certain times of the day parking is at a premium in the area due to the school. The previous scheme did allow for a certain level of servicing/deliveries to be undertaken within the site. Additional information on how servicing, deliveries etc will be undertaken would be appreciated.

It is not intended that service and other vehicles will be parked on street, with ample space for such vehicles (when needed) made available within the scheme. **DM Comment What about the food deliveries, cleaning, servicing plan ? – YOUR QUESTION HAS NOT BEEN ANSWERED !.**

I am a little concerned about the lack of information that has been submitted with regards to the car parking provision, including visitor parking. I appreciate the previous scheme (ref no: 08/01342) didn't allow for a large amount of car parking (8 spaces), however I also note that the Highway Authority requested that additional car parking be provided, although I do appreciate that such a condition was again

never attached to the permission.

13 parking spaces are proposed. This is significantly more than with the previous permission **DM Comment: RUBBISH ! - previous permission was for 12 daily residents, this application is for 25 PERMANENT residents plus 8 staff plus all the visitors/friends !**, for a scheme where car parking requirements will be less than that scheme, due to the change from the inclusion of a multi-user day activities centre to a predominantly residential based scheme as now proposed. With reference to the response above, future residents/occupiers are not anticipated to own a car **DM: Comment: This is nonsense – they cannot know what the requirements of the residents will be !**. and the level of parking provided will adequately accommodate the parking needs of the development.

The applicant also appears to have focused upon the direct needs of the end user, and not necessarily the planning use class, this needs to be taken into consideration as I assume the site could be sold onto a different company with different business needs which may require additional servicing and/or a greater level of car parking. I would suggest that either studies of similar uses in the local vicinity, or TRICS data for the planning use is used to establish whether an appropriate level of car parking has been provided, essentially an evidence base is required.

The scheme has of course been designed with the specific requirements of the end user in mind. The requirements of the applicant are so specific that the proposal has to be designed to meet their very special needs.

The way the site has been designed would not lend itself to other possible users or businesses, and in the highly unlikely event that the site was sold **DM Comment: It is not at all "Unlikely" - St Vincents (who got the original planning consent based mainly on sympathy/emotional grounds) eventually decided to go elsewhere and this land was then passed to the present applicant. In fact this land is now worth many times more than it was purchased for and with the benefit of two storey consent (original consent only for single storey) the development can be sold for even more money to a commercial operator – its ideal for bungalows/flats/houses right next to the Park !!**. on to others for a different use for which planning permission was required, an application to that effect would have to be assessed on its merits at that time.

With reference to other points above, Overton House and Denmark Road have more residents and less designated on site parking spaces. Comparison with identical/very similar uses therefore shows that the level of parking proposed here is correct. **DM Comment: Rubbish, they are different scenarios and and the parking provision is insufficient for this area.**

I have also consulted with the parking team as I believe they are due to implement a parking scheme in the area to improve the existing problems with school traffic, I believe this entails yellow lines and residents parking however I would like the details of this prior to making a formal recommendation, and this could also impact upon the amount of available on-street parking.

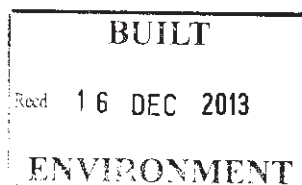
The scheme has been designed to be self sufficient in parking terms and to deliberately avoid the need for on street parking. We do not consider that the implementation of any future residents parking scheme would have any implications for the efficient and safe operation of the proposed development. **DM Comment: This is complete and utter nonsense ! - with Portland St car park sold off and with the future planned parking restrictions, the insufficient on-site parking**

will make the current residents lives very difficult indeed.

The travel plan wouldn't actually achieve anything and doesn't place any requirements on the developer, or have any financial implications/penalties should there had been any trigger points contained within the travel plan. We could potentially attach a condition requiring a travel plan to be submitted and approved, however firstly there isn't a requirement for one to be submitted, and neither do I believe it would achieve the desired result so the merits of a travel plan would be limited and would be unlikely to try and secure one.

The applicant was aware that the scheme is way below the threshold of development specifically requiring a Travel Plan, but wanted to provide one to demonstrate the thought that has gone into the way the site will operate in parking terms. The applicant is also mindful that the scheme will be a direct replacement for its existing provision within Cheltenham (Overton House) but with improved parking, public access and sustainable transport facilities and therefore the net impact is an improvement. **DM Comment: This statement is not true, comparing Overton House with West drive is comparing "apples with Oranges" the site is NOT self sufficient, it has inadequate parking for the 25 residents + 8 staff + numerous visitors + all the deliveries etc. It does not have "sustainable transport facilities and the is an overdevelopment of the site with insufficient parking provision.**

As it stands I believe there are still a few areas that need to be addressed, mainly in regards to car parking and servicing of the site, without such information I would find it very difficult to determine the application and is it stands I would be likely to recommend refusal on insufficient information being provided. Please come back to me if the applicant doesn't intend to provide any additional information or make amendments to the scheme and I'll put together a formal recommendation. **DM COMMENT: THE INFORMATION PROVIDED ON YOUR QUESTIONS OF PARKING PROVISION AND TRAFFIC MOVEMENT ARE AT BEST MISLEADING AND AT WORST DOWN RIGHT LIES !. BASED ON THE CURRENT RESPONSE TO YOUR QUESTIONS THIS APPLICATION SHOULD BE RECOMMENDED FOR REFUSAL ON TRAFFIC/PARKING ISSUES.**



Rose Cottage
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Ms Michelle Payne
Planning Officer
Cheltenham Borough Council
PO Box 12
Promenade
Cheltenham GL50 1PP

SUBJECT: Noise Issues w.r.t. Student Hall of Residence adjacent to Pittville Park Planning Ref 13/01694/FUL.

Dear Ms Payne,

Having read the recent report dated 10th December 2013 from Mr Jones (Environmental Health Officer) w.r.t. Noise issues for the above referenced development, I would like to point out that I am greatly concerned about the lack of noise mitigation conditions currently proposed for the development. The Anti-Social Hours Condition recommended by Mr. Jones in his report is only to limit the use of the function room (Block 3) by only "...**OUTSIDE GROUPS** to the hours between 9am & 11pm daily" ?. This restriction will not limit the noise, only the time it could stop !. Also it leaves the on site residents, their visitors & friends completely outside the scope of this restriction !, surely if there is to be a anti-social hours restriction on this Function room then it should be across the board i.e. 11pm finish for **ALL groups** and not just outside groups ?.

I do not agree with Mr Jones view that that the Function room could not cause "*significant effect on the amenity of nearby property*"!. This building will be only 40m from the site boundary and due to the extreme quietness and unique tranquillity of this location after dusk, then any sound made by this function room will carry a long distance in such an environment. It will of course be very intrusive to neighbours and Park users alike. I do not believe anyone from environmental has visited this site after dusk otherwise my concerns about such noise from the function room would be crystal clear.

I have made enquiries and I believe the following conditions (which are very similar to conditions previously recommended by the CBC Planning department in the past) should be imposed on any decision to proceed. They would be very easy to enforce:-

- 1) Condition of "No Amplified Music or Drums" to be used in Function Room (Block 3)"**
- 2) Condition of "No Electronic PA systems to be used in Function Room (Block 3)"**
- 3) Condition to ensure the ambient sound level at the site boundary after the development is completed would be no more than that which currently exists.**

Considering the uncertain final use of the Block 3 given in the application, i.e. the most recent response from the applicant on your website says only that the function room would operate as a ***“communal space, to offer Generic Learning, Activities” and a Communal Gathering area for the proposed future residents of the site and National Star users/beneficiaries*** however it goes on to say that ***“the applicant would wish to be considered as part of the local community and if there was a need by small local groups...”*** then such conditions above are entirely Reasonable, Proportionate and Necessary to mitigate the risk of noise, now at the planning stage where it can be dealt with by the applicant/their Architects.

Of course the use of Televisions in the Function Room could easily be excluded from conditions (1) and (2), it is the very real risk of regular weekly noisy functions that the above suggested conditions would mitigate against, and not the normal use as described by the applicant in the latest planning application.

Before writing your final report to the Planning Committee I strongly urge you to visit the site early evening, after dusk (preferably with a representative from the Environmental Health Office) and you will then get an idea of just what my concerns are and how any excessive noise from the Function Room will be very intrusive to nearby residents and Park users.

Yours sincerely



Copies: Ms. Tracey Crews, Head of Planning
Mr. Robert Lindsey, Development Manager
Mr Martin Chandler, Principle Planning Officer
Ms Yvonne Hope Head of Public Protection
Mr. Gareth Jones, Senior Environmental Health Officer

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| Planning Application Group | |
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| File of Response | File of Response |

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25 OCT 2013

Miss Michelle Payne
Planning Officer
Cheltenham Borough Offices
p.o box 12
Municipal Offices
GL50 1PP

Planning Application : 13/01694/FUL
Provision of Residential Accommodation (Use Class 2) at Land Adjacent to Dunalley School,
West Dive Cheltenham.

Dear Miss Michele Payne

1. I object to the proposed development. This land is very high quality with many mature trees. It is adjacent to the very busy and popular Pittville Park and very close to the lake. Pedestrians have to squeeze through a very narrow corridor to get between the lake and this site. The Council should find a better site for this development and should open up this site for public use as an extension to Pittville park.
The Park has not been extended for over 100 years and this is the very last chance to do so!

2. The land owners were gifted this site and they are trying to squeeze their requirements into a site that is not suitable for them. Planning decisions should be made according to the planning impact and not the land owners needs and wants. With this in mind;

a. The two story proposal should be rejected because of the resulting over development of the site and the impact on the Park/ the school and aspect to West Drive etc.

b. The parking allocations are wholly inadequate for such a busy site operating 24/7. The surrounding area is about to have a Permit Parking scheme and so completely sufficient parking must be provided on site for all eventualities.
In addition, a development of this magnitude with so many arrivals /departures of staff, caterers, deliveries, maintenance, refuge etc should have an in/out "coach drive" facility. Reversing onto West Drive which does not have a pavement at its Northern end and is close to the school is not an option. Reversing within the site which has a 75% wheel chair occupancy is not ideal and the reversing "Beep Beeps" will be a constant hindrance to residents and park users.

c. The increased traffic (again operating 24/7) is not appropriate within a residential environment. Access is already difficult onto the very busy Evesham rd.

Additionally,

3. The proposed "Public Building" was, I believe, intended as a sort of "sweetener" to local residents. However I believe that most residents do not want this facility. I believe that this

facility presents such an intangible situation as regards possible use, noise, public disturbance, hours of operation etc. that this should not be included or approved.

4. The architecture of the building is inappropriate for a Regency Town. It is also next to a grade 2 listed park and within the Cheltenham Conservation Area. I propose a much lower impact building more in the Regency style.

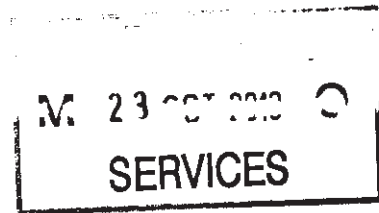
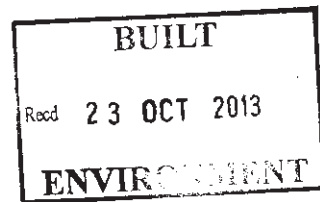
5. I understand that professional archeological digs are in order for this area because of the historical Roman Settlement that existed on or near this site.

5. The existing Planning Permission should not, for many reasons, set a planning precedent for this proposal.

With the above in mind I believe the application should be rejected in its entirety.
Yours Faithfully

[REDACTED]
[REDACTED]
[REDACTED]
98 Evesham rd
Cheltenham
GL52 2AL.

Park End House,
West Drive
Pittville
Cheltenham.
GL50 4LB.
October 19th. 2013.



Re: Proposal of residential accommodation for people with disabilities, with associated care learning and activity facilities (Use Class C2) at Land Adj to Dunsley Primary School, West Drive, Cheltenham.

Dear Mr. Tracey Crews.

With reference to the above, we wish to bring to your notice, the following points, which are of great concern to us:-

1. The double storey building is too near West Drive roadway.
2. The materials for the roof covering, generally, should match the materials of the properties of West Drive.
3. Staff and permanent employees, who use cars, number 35; there are spaces for only 13; an obvious shortage.
4. Two or three of these car spaces, located on

the site, have access off West Drive cul-de-sac, will cause a big problem for the two houses - Lakeside and Park End House, who have their drives off this narrow width road.

5. The building ear-marked for Recreational use i.e. lettings, parties and a common room, could be too troublesome and noisy for the local residents.
6. We would like the Electricity Sub-Station to be re-sited, possibly near the West boundary.
7. The Site drawings show a turning space for cars, adjacent to the side park gate at the end of the cul-de-sac. This space is the private drive for Park End House and not for public use.

We wish you to consider and inform the Committee Members of our very real fears.
Thank you for your help in these matters.

Yours sincerely



Subject: Application No.13/01694/FUL

Page 168

From:

To: dccomments@cheltenhamgov.uk;

Date: Monday, 16 December 2013, 17:42

BUILT

Recd 20 DEC 2013

ENVIRONMENT

Comment Date 16th December 2013.

I recently visited the planning office to inspect the drawings of the above application. My wife and I objected (amongst other local residents) to the two story building, Unit 3, being located immediately opposite our home.

I see and understand that no consideration has been given to our reason and request to locate unit 3 to the opposite side (the west) of the site

Our reasons:

- 1. The noise level that will be generated when occupied.*
- 2. The building will curtail sunlight to our home and gardens.*
- 3 We fear that when it will be let out to "outside groups" the noise level late at night will therefore be a disturbance.*
- 4 The development will require external lighting and we hope you will include some conditions to ensure it does not have an adverse effect on immediate residents.*

The developers indicated that their plans were in keeping with those of St Vincent's .It does not.

We understand that the environmental health dept., has some similar concerns . We hope you will advise your committee to refuse permission for this scheme as presented.

Yours sincerely,

Park End House, West Drive, Cheltenham.

| | | | |
|---|-------------|------------------|--|
| Cheltenham Borough Council Environment Group | | | |
| Page 169 | | | |
| REC'D | 28 OCT 2013 | | |
| Date of Response | | Type of Response | |
| Initials / Response | | File Ref. | |

"Greenlands"
West Drive
Cheltenham
Glos.
GL50 4LB
26th October 2013

Miss Michelle Payne,
Planning Officer
CBC
PO Box 12
Promenade
Cheltenham
GL50 1PP

NATIONAL STAR CENTRE PLANNING APPLICATION
Reference 13/01694/FUL

Dear Miss Payne,

I am writing to object to the above application submitted by the National Star Centre.

GENERAL STATEMENT OF OBJECTION

My belief is that no building whatsoever should be allowed on this environmentally sensitive site so close to Pittville Park.

The application is for a large development of five buildings, 4 single storey blocks and 1 two storey block. If permission is granted, such a development would unacceptably encroach upon the park and adversely affect the view and enjoyment of park users to the north and west of the plot. It would generate noise during the day and light pollution during the night. Additionally park users approaching the park along West Drive would be presented with a two storey overbearing and dominant edifice very close to the road, instead of the green, pleasant and open aspect enjoyed at present. Cheltenham Spa residents are justifiably proud of the town's green spaces and charming parks, a sprawling development such as this can only diminish the appeal of this area.

It is the responsibility of CBC's planning officers and councillors to protect such an environment for posterity. If this land is built upon it would contravene CBC's Town Plan 2006 for the preservation of green and open spaces.

Having read the application carefully I see that the developers have made several references to the extant planning permission granted under Planning Application No 08/01342/FUL with the inference that it is an improvement on the original application. I would point out that the original application was intended to accommodate 12 residents in single storey blocks and was recommended for refusal by Planning Officers at the time. The current application is for 25 residents (double the original) and incorporates a two storey block. Granted the footprint may be approximately 12% less than the previous application but overall I do not see this as an improvement, it is still inappropriate over development.

SPECIFIC OBJECTIONS

- 2 STOREY BUILDING

Overbearing and dominant when viewed from West Drive, on the previous application a much wider margin between the road and the first *single* storey block was proposed.. Equally the 2 storey block would seriously detract from the pleasant, calm and natural aspect currently enjoyed by walkers, joggers and cyclists who constantly use the lakeside path for recreation just metres away from the proposed building. The application incorrectly states, as justification for the height, that Dunalley School buildings "*are significantly higher than a 2 storey building*". Casual comparison between the 2 storey houses on West Drive and the school building will confirm this as an erroneous remark.

- ROOF OF 2 STOREY BUILDING

The proposed sloping standing seam metal roof would be unsightly and incongruous, it should be of a more suitable material to match the houses opposite. Its appearance could be similar to the glaring white, corrugated roof of Dunalley School which has been widely accepted as a mistake and poor choice of finish, giving the impression of a factory in a leafy residential area.

- VISUAL IMPACT

The contemporary design of the buildings would clash with the traditional buildings in West Drive, the proposed pastel shaded walls would be inappropriate and totally out of character. Most importantly the visual impact upon walkers by the lakeside would be huge especially during winter months when the trees are bare. (See the north elevation drawing supplied by the architects).

- TRAFFIC

West Drive is a narrow road, it already has major problems with traffic particularly when parents are dropping off and picking up children from Dunalley School. The main entrance to the proposed development is on a 90 degrees bend in the road, further problems will arise with the extra traffic generated by the staff, residents' transport, visitors and commercial deliveries.

- SUB-STATION

An unwelcome addition to the previous application, it will generate noise and should be positioned further away from residential properties in West Drive.

- AMENITY

This proposal does not, by any stretch of imagination, enhance the pleasant and quiet atmosphere of this area. At present the approach to the side entrance to Pittville Park via West Drive is quite delightful and is appreciated by all who use it, placing a 2 storey block close to the road and the park would totally destroy a treasured amenity.

- FINAL COMMENT

As mentioned earlier, the previous application was recommended by Planning Officers for refusal. However, the planning committee decided, by one vote, to allow the application but it was widely acknowledged that sympathetic overtures for the applicant and not planning issues were given undue weight. Over 700 people signed a petition to prevent development of this land last time, showing that residents and visitors do not want buildings on this site. I trust Planning Officers will once again stick to planning criteria when making their final decision.

Yours sincerely,



Flat 3
110 Evesham Road
Cheltenham
GL52 2AN

Built Environment
Cheltenham Borough Council
PO Box 12
Municipal Offices
Promenade
Cheltenham
GL50 1PP

16th December 2013

Dear Miss Payne,

**Re: Planning Application 13/01694/FUL
Provision of residential accommodation at Land Adj to Dunally
Primary School, West Drive, Cheltenham**

I am concerned about a number of aspects of the proposed development.

The public use of the Block 3 Function Room is unclear as to the nature and frequency of such use and I am concerned about the possible noise nuisance from public events. The application states that it will provide a facility for communal use which will include public hire. Is this to be on a commercial basis to provide income for the centre and what would be the maximum capacity of the room; this information must be available but is not included in the application? Also, will they be applying for an alcohol or music licence for any functions and can this be permanently refused as part of any planning approval?

Secondly, the Travel Plan makes some major assumptions in justifying only 13 car parking spaces. It states that existing staff will be redeployed to the Pittville Project at West Drive and states that many of these already use public transport, car sharing or cycling to commute. If this true, then the applicants should easily be able to be more specific about the exact numbers of staff that currently drive to work; all they have to do is ask them. Similarly, existing information about the number of visitors must be available which could be extrapolated in line with the increased number of residents to provide a better idea of the number of daily vehicle movements.

Overall the planning application is very vague and lacks specific detail where this could easily have been provided. Despite what the applicants have said I consider there is potential for a detrimental effect on local residents in terms of noise, traffic and parking. Unless these concerns are addressed, I request that the planning application is refused.

Yours faithfully,



29 Stott Close
London
SW18 2TG

Ms Michelle Payne
Planning Officer
Cheltenham Borough Council
PO Box 12
Promenade
Cheltenham
GL50 1PP

Ref: 13/01694/FUL

03 November 2013

Dear Ms Payne,

I am writing to object to planning application ref: 13/01694/FUL. I believe that this specific plot of land is unsuitable for the proposed development and have set out my reasoning below.

1. The land lies adjacent to Pittville park and a very quiet residential road. I have concerns that the proposed communal learning and activities facility will lead to an unacceptable level of noise in what is currently a very quiet residential area and tranquil park. The increased volume of cars and vehicles accessing the development would also serve to increase the traffic noise in the immediate vicinity. The inevitable substantial increase in noise and light pollution from the development, particularly from the substation, will only serve to be extremely detrimental to the existing residents of the local area as well as park users.
2. I reject the historical arguments set out in the Final Planning Statement. One must also consider the area as it is today and what it should be for our future and for that of future generations. The land is, as described in the Final Planning Statement, "...literally on the 'door step'..." of the park. How anyone could argue that constructing a new building "...literally on the 'door step'..." of a park could be anything other than detrimental to the park is completely and utterly beyond me. The aerial pictures demonstrate the beautiful greenery that is to be lost to build a two storey development here.
3. The plans for two storey buildings along West Drive and in full view of the park are not in keeping with the area.
4. The metallic design of the roofs on buildings one and two are not consistent with the other residential dwellings in this area. (I assume they are a low cost option which is, I suspect, why they have been included in the design as opposed to selecting the appearance of the roofs for aesthetic reasons or concern for preserving the sight of this conservation area).
5. The contemporary design of the development is neither in keeping with the park setting nor the local residential dwellings.
6. It can be expected that this development will be accessed by the majority of staff, visitors and residents by car. This will therefore increase the volume of cars which will be parked on an already very busy road for parking. The imminent closure of the Portland Street car park is likely to exacerbate this situation. The combination of current residents, existing local workers, park users and cars associated with Dunalley Primary School will already have to compete for spaces and the addition of further cars associated with this development will

further reduce the spaces available for existing local drivers.

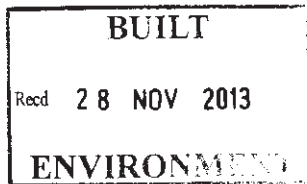
7. The development will also lead to an increased level of traffic along this residential road which already suffers at school drop off and pick up times.
8. I also reject paragraph 6.11 of the Final Planning Statement and question on what basis it was determined that this development would "...further add to the local economy..." The immediate local area is residential. The nearest economic hub is the town centre itself. The addition of "...8-10 staff working on site at any one time..." in addition to the residents would, in fact, have an immaterial effect on the local economy.

I am a strong supporter of diversity and inclusion but I simply do not believe this is an appropriate plot of land on which to build this development. I trust that you will take my comments into consideration.

Yours sincerely,

A large black rectangular box redacting the signature of the sender.

Abloads Cottage
Ref: 13/01694/PA Page 174 Sandhurst
910ncester GL29NL
28/11/13



Dear Sirs,

Star Centre - Piltville Project

I am writing to ask you to give favourable consideration to granting planning permission for purpose built accommodation for disabled students at the Star Centre.

This proposed replacement for the accommodation presently at the Cuckton House will be far more effective and whilst enabling the students to learn how to "feed for themselves" (thus ultimately costing the community less) will help them enormously to lead independent and productive lives. The proposed

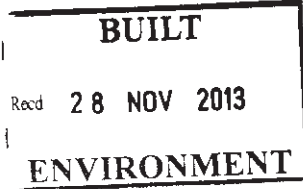
buildings look attractive and will be in keeping with the character of its surroundings.

At the same time, moving to Pittville will release Overton House - a fine building in itself - for refurbishment and a new lease of life in keeping with its position near the centre of Cheltenham.

I urge you to approve the plans, to the benefit of the disabled students, and of Cheltenham itself.

Yours faithfully,





11 Grattan St
GLSO 2AT,
24/11/13

Dear Planners

I should like to endorse the proposal (see over) to convert and/or replace former student residence areas at Pittrille to provide purpose-built homes for young people from the Sten College wishing to live more independent lives within reach of the town centre.

I sincerely hope that you will allow this scheme to go ahead.

Yours,

A large black rectangular redaction box covering the signature and name of the sender.



National Star
Realising the aspirations
of people with disabilities

Please support our Pittville Project

National Star has a wonderful opportunity to replace an outdated student residence in Cheltenham with new purpose built accommodation. Please see Page 3 of StarNews 4 for information.

We have just submitted our Pittville plans for planning approval, with a decision expected in December 2013.

We now need support for our planning application – support from people who know National Star, who understand why our charity is so special, and how important it is to have the right facilities and residential experience for students with disabilities. We believe our scheme with its small clusters of accommodation in this residential area close to the town centre is well designed and appropriate for the needs of our students.

Please could you provide some comments of support about National Star and this scheme?

If you would like to write in support of our plans please submit your comments, as soon as possible, by going to

<http://publicaccess.cheltenham.gov.uk> then search for West Drive.

Please quote the following reference 13/01694/FUL.

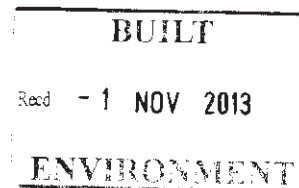
Or email planning@cheltenham.gov.uk quoting the above reference and giving your full name and address.

Or write to Cheltenham Borough Council Planning Department, Municipal Offices, Promenade, Cheltenham GL50 9SA quoting the above reference.

Thank you so much for your support. Together we can ensure that this much needed project goes ahead.

COB

[REDACTED]
Garden Flat
11 Wellington Square
Cheltenham - GL50 4JU
Thursday, 31 October 2013
[REDACTED]



The Chief Planning Officer
Built Environment Division
Cheltenham Borough Council
Promenade
Cheltenham
GL50 9SA

Dear Sir,

PLANNING APPLICATION - 13/01694/FUL

I am rather shocked at the speed this application is being processed through the PLANNING process, The original and still extant application by the St. Vincent's & St. George charity was well conceived and developed to optimise its requirements whilst respecting it's setting in a Conservation area and the rightly acclaimed Pittville Park.

I fear this new application on behalf of the Star Centre surely meets an urgent need for accommodation and is a most worthy cause but fails to respect the neighbourhood in some aspects!

- 1) The major building is too high and fails to respect the general ambience of the area. The extensive use of wood cladding is to be deplored and will only result in another dreary black streaky façade in the Town in a few years. Generally I have much sympathy with the views of our local retired architect Mr Ogle in his letter on this application.
- 2) The indicated Car Parking will turn out to be totally inadequate for likely traffic and cause chaos and danger at peak times. Already vehicle movements get quite difficult at school start and finish times. May I also draw your attention to the latest parking proposals for the Pittville area, these will not help the situation here. Should this application be accepted, then I would plea for a restriction on the residents right to parking permits as was imposed on residents of LAWNSWOOD In Wellington Square.

I summary, I do not object to the application in principle but the detail leaves a lot to be desired and I urge it is sent back for "Reaccomplishment" as our American friends would say.

Yours Sincerely

[REDACTED]

Mike Redman, Director of Built Environment
 Cheltenham Borough Council,
 PO Box 12
 Municipal Offices,
 Cheltenham

Dear Sir

Proposed Residential Development in West Drive for Star Centre

Ref: 13/01694/FUL


I wish to register my strong objections to the above proposed development for the following reasons:

- 1. Site Suitability:** The fact that an earlier planning refusal on this site stated that no development should ever take place on this site points to its importance as a green adjunct to Pittville Park which it has served for many years as a wildlife refuge and dormitory. The site is too removed from the town centre to be suitable for independent/wheelchair access by the proposed residents and as such is of little benefit and fails to meet an important criteria.
- 2. Existing planning permission:** As is well known, this was carried by a narrow margin on compassionate grounds, against the recommendations of the Planning Office, several committee members failing to declare their interest, and was consequently the subject of a successful enquiry. The present application differs radically in nature and accommodation from the previously permitted scheme and must be treated as a stand-alone application and considered using laid down planning criteria alone.
- 3. Site Layout:** The chosen scattered layout of a number of units fails to make the most of the site and provides a most awkward solution, both wasteful of land and inevitably more costly than a more coherent and joined up scheme. The inclusion of a two storey block proves that the site is too small to produce a scheme providing the required accommodation in a form acceptable on this site. The two storey block is totally alien to the site and will destroy the present spacious and green approach along West Drive which progressively opens out as one approaches Pittville Park. The two storey block is in close proximity to Pittville Park and stands on higher ground. Its looming presence will be an overburdening intrusion, totally destroying the pastoral ambience of the park, the main circular footpath of which passes within a few feet.
- 4. Traffic Movement:** The applicant fails to give a credible account of either the on-site parking being adequate or of the number of vehicles accessing the site. There is already considerable traffic movement and congestion at peak times and this will be exacerbated by proposed changes to parking restrictions. Minibus and service vehicle movements, greatly understated, will produce unacceptable inconvenience and noise pollution to houses in the immediate vicinity.
- 5. Architectural style:** The proposed designs are totally alien to this sensitive semi-rural site and show no attempt to embrace context. The two storey block in particular bares a close resemblance to recent council housing vernacular more suited to a high density urban situation. The West Drive elevation is unnecessarily overcomplicated with disparate elements under ungainly monopitch roofs which simply increase the height of the block. It is extremely disappointing that this reputable firm of architects has produced such a low standard of design when it is capable of so much better. If this development is to go ahead, it is essential that a simpler solution to both building massing and appearance is achieved, with a sympathetic and low key palette of materials and colour.

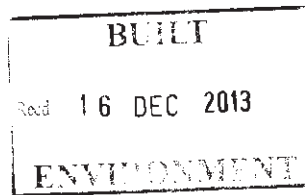
I would sincerely hope members of the Planning Committee will dismiss this application in its present form. It is entirely unacceptable, both in site usage and the regrettably low quality of design, to be placed in such close proximity to Cheltenham's most prestigious and listed park.

I note that all the submitted support for this application appears to come from supporters of the Star Centre, mostly with a close connection, none of the given addresses seem to be anywhere near the site.

Yours faithfully,


1 Wellington Square
Cheltenham GL50 4JU

**1 WELLINGTON SQUARE, CHELTENHAM
GLOUCESTERSHIRE GL50 4JU**



Michelle Payne
Planning Office
Cheltenham Borough Council
Municipal Offices
Cheltenham GL50 1PP

16th December 2013

Dear Miss Payne,

Proposed Residential Development in West Drive for Star Centre: Ref 13/01694/FUL

I wish to register my heartfelt and carefully considered objections to the above proposed development for the following reasons – see Page 2.

Yours sincerely,



STAR CENTRE DEVELOPMENT – REF: 13/01694/FUL

As I was an allotment holder on the site during the late 1980s and then a volunteer when it was a very successful wild life garden, the Planning Committee will appreciate my sadness that this peaceful, yet busy area for wildlife, is to be flattened and built over. Being adjacent to Cheltenham's premium listed Park, I would have presumed that any development would have had to be extremely sensitively designed and certainly not allowing a two-storey building very close to the Park's boundary. It appears that such a high building is required because the site, in reality, is too small for the Star Centre's requirements and the layout is unnecessarily complicated and wasteful of the land. The fact that Dunalley School is well set back from West Drive shows that a similar kind of layout should be required from the Star Centre. I would hope that each member of the Planning committee would visit the site and appreciate the peace and tranquillity of this most popular Park. With the scenario of a summer evening with their windows on the **second floor** open and a large first floor balcony overlooking the Park, one could not expect the Star Centre young clients to have a noise embargo imposed on them or to curtail youthful exuberance: a single storey block would not cause so much noise pollution.

Passing the site daily and experiencing the arrival/departure of parents of children at the School, I consider West Drive is too narrow for yet more traffic involving the Star Centre's particularly large minibuses which would be in use for a much longer period of the day. These minibuses would also be required to take the clients into town at any time because of the very uneven pavements and extremely poor lighting as well as the lack of any crossing over Clarence Road which is often extremely busy and dangerous.

I have admired, in the past, many of the buildings designed by the architects of this proposed development but in this instance find the two-storey design ugly and unacceptable. A very simple single storey building with sedum roof should be proposed – we are all being encouraged to 'go greener'. There are far too many different elements involved and they have not considered at all the context of either the site or low key nature of the nearby houses in West Drive. I believe there is a restriction excluding any two-storey buildings for future development at Dunalley School. This must surely apply, more so, to this infinitely more sensitive site.

As a resident of Wellington Square for 34 years, I notice that none of the support for the scheme appears to come from anyone in the vicinity of the proposed development and they mostly have a direct link with the Star Centre. Please accept that I am not a 'nimby' and am a great admirer of what the Star Centre achieves but in this development they are neither being considerate of this most important and green area of Cheltenham, nor of the residents closeby. I would add that when St. Vincents' wanted to use the land as a green oasis, their clients NEVER visited the Wild Life Garden, even when boarded walks had been especially constructed for wheel chair use.

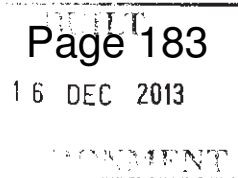
I sincerely hope that members of the Planning Committee will give full consideration to the unique charm of Pittville Park which, if this development goes ahead in its current form, will be permanently despoiled. At present there are no buildings in such close proximity to the Lake and the circular path on which so many people enjoy a tranquil stroll.

Why should the housing of 24 people, no matter how worthy a cause and who would much rather live in the town centre and not 'stuck out', impact on the pleasure of countless numbers who so much enjoy one of Cheltenham's finest leisure facilities?

PLEASE can the design be amended.



Michelle Payne,
Planning Office,
Cheltenham Borough Council,
PO Box 12
Municipal Offices,
Cheltenham GL50 1PP



1 Wellington Square
Cheltenham GL50 4JU

14th December 2013

Dear Miss Payne

Proposed Residential Development in West Drive for Star Centre

Ref: 13/01694/FUL

I wish to register my strong objections to the above proposed development for the following reasons:

- 1. Site Suitability:** The fact that an earlier planning refusal on this site stated that no development should ever take place on this site points to its importance as a green adjunct to Pittville Park which it has served for many years as a wildlife refuge and dormitory. The site is too removed from the town centre to be suitable for independent/wheelchair access by the proposed residents and as such is of little benefit and fails to meet an important criteria. The footpaths are badly lit (exacerbated by the new street lights!) and uneven and inevitably minibuses will need to be in constant use on top of the regular journeys each day through Cheltenham to the Star Centre – not a very green scenario!
- 2. Existing planning permission:** As has been acknowledged, this was carried by a narrow margin on compassionate grounds, against the recommendations of the Planning Office, several committee members failing to declare their interest, and was consequently the subject of a successful enquiry. The present application differs radically in nature, scale and accommodation from the previously permitted scheme and must be treated as a stand-alone application and considered using laid down planning criteria alone.
- 3. Site Layout:** The chosen scattered layout of a number of units fails to make the most of the site and provides a most awkward solution, both wasteful of land and inevitably more costly than a more coherent and joined up scheme. The inclusion of a two storey block proves that the site is too small to produce a scheme providing the required accommodation in a form acceptable on this site. The two storey block is totally alien to the site and will destroy the present spacious and green approach along West Drive which progressively opens out as one approaches Pittville Park. The two storey block is in close proximity to Pittville Park and stands on higher ground. Its looming presence will be an overburdening intrusion, totally destroying the pastoral ambiance of the park, the main circular footpath of which passes within a few feet. Existing boundary trees provide scant coverage in leaf and none in winter.
- 4. Traffic Movement:** The applicant fails to give a credible account of either the on-site parking being adequate or of the number of vehicles accessing the site (see under 1). Dunalley School already creates considerable traffic movement and congestion and this will be worsened by the proposed changes to parking restrictions. Minibus and service vehicle movements, greatly understated, will produce unacceptable inconvenience and noise pollution to houses in the immediate vicinity.
- 5. Architectural style:** The proposed designs are totally alien to this sensitive semi- rural site and show no attempt to embrace context. The two storey block in particular bares a close resemblance to recent council housing vernacular more suited to a high density urban situation. The West Drive elevation is unnecessarily overcomplicated with disparate elements under ungainly monopitch roofs which simply serve to increase the height of the block. It is extremely disappointing that this reputable firm of architects has produced such a low standard of design when it is capable of so much

better. If this development is to go ahead, it is essential that a simpler solution to both building massing and appearance is achieved, with a sympathetic and low key palette of materials and colour.

I would sincerely hope members of the Planning Committee will dismiss this application in its present form. It is entirely unacceptable, both in site usage and the regrettably low quality of design, to be placed in such close proximity to Cheltenham's most prestigious and listed park.

I note that all the submitted support for this application appears to come from supporters of the Star Centre, mostly with a close connection, none of the given addresses seem to be anywhere near the site.

Yours faithfully,

1 Wellington Square
Cheltenham GL50 4JU

Page 185

[REDACTED]

From: Internet - Planning Comments
Sent: 28 October 2013 14:38
To: Payne, Michelle
Subject: FW: 13/01694/FUL

For your info.

-----Original Message-----

From: [REDACTED]
Sent: 28 October 2013 14:02
To: Internet - Planning Comments
Subject: Re: 13/01694/FUL

8 Windrush Road
Cheltenham
Gloucestershire
GL52 5QE

[REDACTED]

Sent from my iPhone

On 28 Oct 2013, at 13:59, dccomments@cheltenham.gov.uk wrote:

Good Afternoon,

Thank you for your comments, we are unable to log them as we require your address details.

Regards Lorraine.

-----Original Message-----

From: Internet - Built Environment
Sent: 28 October 2013 13:55
To: Internet - Planning Comments
Subject: FW: 13/01694/FUL

-----Original Message-----

From: [REDACTED]
Sent: 28 October 2013 13:33
To: Internet - Built Environment
Subject: 13/01694/FUL

Dear Sir/Madam

I am writing to offer my support for the planning permission of the National Star development on West Drive, Pittville.

Some twenty years ago my sister was a resident of Overton House after she suffered a head injury at the age of 19. At that time there were few options available for her to enjoy further education and a life of independence away from home. We were lucky that she was offered the chance to study at The National Star College as the only other option made available was for her to go into a home or live at home for the rest of her life. [REDACTED] was and is a bright

Page 186

and sociable woman, before her accident she was studying at Reading University and we were determined that she should again be allowed to continue with her education and social development. Living as a young person should, with people of her own age and that she should have all the opportunities she deserved. Overton was her opportunity to live in a community, after she had experienced the Ullenwood campus and I am now convinced that being able to live in the centre of town and alongside able-bodied residents is what has made her so confident and comfortable in her own skin. The facilities were not the best but the general atmosphere and staff created a great experience for her.

Years later she now lives with a full time carer in her own property and volunteers with a local primary school and library, she is happy and loved by her community - she is content because she feels part of something and I believe we have The National Star College to thank for that.

I am now a resident in Cheltenham and I am always happy to see NCC students out and about and feel very strongly that we need this type of facility in the area and most importantly that it needs to be at the heart of our community.

Best regards



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10A Naunton Crescent
Page 187 CHELTENHAM,
Glos.
GL53 7BD.

Ref. 13/01694/FUL.

24th October 2013

Michelle Payne,
Cheltenham Borough Council
Planning Department,
Municipal Offices,
Promenade,
Cheltenham
GLOS. GL50 9SA.

| | |
|-------------|---|
| Encl. | 1 |
| File | |
| 25 OCT 2013 | |
| Initials | |
| Res. | |

Dear Ms Payne,

I am writing in support of the National Star's planning application for a 'purpose built' student residence at West Drive, Pitville, Cheltenham.

It is vital for the progress, well being and integration of these young people, that they remain in the centre of our community and that they have the proper facilities to be comfortable yet have the freedom to learn to manage their lives to the maximum potential.

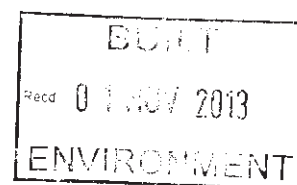
I do hope you will look very favorably on their application.

Yours faithfully,

[Redacted Signature]

Planning Department
Cheltenham Borough Council,
Municipal Offices,
The Promenade,
Cheltenham.

31/10/13.



Dear Michelle Payne,

Ref. 13/01694/FUL

I am writing to support the National Star College application to build in West Drive.

I have visited the college and seen the work that they do. The aim is to train

Severely disabled young people so that at the end of two or three years they are able to live independently. This, of course, depends upon the severity of disability of each individual student.

The proposed building at West Drive will be purpose built for the needs of these students, most of whom are wheelchair bound.

I read an article in the college' magazine by a student who, because of his training, is able to travel by train independently to Wolverhampton to visit his parents. This example shows clearly what can be achieved.

I urge you to recommend this application to the planning committee.

Yours faithfully,



32, Glencairn Court, Cheltenham, GL50 2NB.



Marle Hill Road
Cheltenham
GL50 4LF
28.10.13

Dear Miss Payle
Planning Application 13/C.694/FUL

Having seen the revised plan I feel that the proposed building will have a serious adverse effect on the atmosphere and amenability of that area of Pittville Park, this precious area of green has already been excessively eroded.

As I recall, the area in question used to be allotments, & holders of & applicants for them gave up their rights of claims on the understanding that the area would be for use as a wildlife garden by Donalvey School; to pass this proposal will be to let them down.

Yours sincerely



11 NOV 2013

DOCUMENT

Page 190 Launston Park
Cheltenham

5. 11. 13.

Dear Michelle Payne,

I have received a very nice letter from Harry Shenton National Star Ambassador.

I would like to support their purpose built accommodation in West Stone Pittville. Its really important these disabled young people have suitable accommodation that's warm & comfortable & they are able to look after themselves. I do hope you & your committee realise how important this accommodation is & support their application.

Yours sincerely



To: Planning Officer
Cheltenham Borough Council
PO Box 12
Cheltenham
GL50 1PP

From: [REDACTED]
10 Wellesley Road
Cheltenham
GL50 4LZ

03 November 2013

Ref: Application 13/01694/FUL

13/01694/FUL | Provision of residential accommodation for people with disabilities, with associated care learning and activity facilities (Use Class C2) | Land Adj To Dunalley Primary School West Drive Cheltenham Gloucestershire

Firstly, I must express disappointment that we were not informed of this planning application. I have discovered it only from neighbours. We look directly from Wellesley Road onto parts of the site about 150m away, with school playing fields between. I suspect other local residents may not be aware of the application.

As with the previous application at this site, various technical objections can be raised. I highlight inconsistencies in the application documents in attachment to this letter. However, my main objection is the impact on Pittville Park and its surrounding green areas.

The purpose of the proposed development is commendable and desirable, but that is not a reason to encroach onto the green surrounds of Pittville Park. Destruction of the green field site would fundamentally change the character of the adjoining area of the park, replacing natural green space with significant permanent buildings. Pittville Park is one of the town's treasures and attractions, used by both visitors and residents, both local and from other parts of the town and area. A brief visit or look at a map shows that the site to which this application relates is an anomaly, jutting into surrounding areas of public ownership, and in the case of the park, public access. Its existence as a plot separate from the Park is a quirk of history.

Carefully preserved green areas make the difference between a pleasant town and an urban sprawl. Most people can think of examples. Past generations have deliberately preserved the green space of Pittville Park and its surrounds, and other oases in the town. I would be disappointed to see this be the latest in a series of recent opportunistic encroachments onto that space. Developers use precedent as an excuse to overcome opposition. It's a one-way journey, with residents and future generations the losers, as green spaces are gradually eaten up, and the town becomes worse for it.

Regards

[REDACTED]

Attached: Detailed comments on application documents.

Detailed Comments on Application Documents

" 13_01694_FUL-APPLICATION_FORM_-_WITHOUT_PERSONAL_DATA-556332"

At "3. Description of the Proposal", description is "Provision of residential accommodation...", for people with disabilities, with associated care learning and activity facilities." Yet in response to the question "Does your proposal include the gain or loss of residential units?" under "17. Residential Units", the answer given is no. Under "18. All Types of Development: Non-residential Floorspace", at C2, floorspace for residential institution is indicated. At "20. Hours of Opening", no information is given in relation to non-residential use.

At "12. Assessment of Flood Risk" in response to the question "Is your proposal within 20 metres of a watercourse (e.g. river, stream or beck)?", the answer given is no. However, from the general plan, there appear to be buildings within 20m of Pittville lake, part of the course of Wyman's Brook. Elsewhere (556336 page 5), the application says "The land appears in Flood Zone 1 on the Environment Agency's Flood Map".

At "24. Site Visit", in response to the question "Can the site be seen from a public road, public footpath, bridleway or other public land?", the answer given is no. Yet the site can be clearly seen from the adjacent public road and public spaces in Pittville Park.

13_01694_FUL-DESIGN__ACCESS_STATEMENT-556336

At page 4, "The proposed site has an extant consent for the erection of a residential facility for 14 adults with complex disabilities (Use Class C2) and a non-residential therapeutic activities centre and associated landscaping." At page 29, 25 bed spaces are indicated for the new proposal.

At page 7, "Surrounding Properties" there is a statement: "The site is in a suburban area which is predominantly occupied by residential dwellings. On the eastern side of West Drive these are predominantly two storeys in height set behind 1.8-2m high brick walls. The school sports hall is the first building on the western side of West Drive and is taller than a two storey structure. The school class room wings are single story but due to the building plan and roof form are taller than a conventional single storey building." No mention is made of the direct line of sight to properties on Wellesley Road, Wellesley Square and Marle Hill Road.

At page 8, it is claimed that "The collection of smaller buildings on the site help to reduce the mass of the development and its visual impact on the listed park and the school playing fields." The footprint of the buildings may be smaller, but a look at the elevations seen from Pittville Park shows the visual impact to be significant. Urban sprawl into existing urban green spaces preserved by more far-sighted previous generations

At page 14, it is stated that "Positive comments received" attributed to local residents included "It is good to see the site being developed". I doubt this is a majority view of residents.

At page 16, "Our intention is therefore to greatly increase the ecological value and biodiversity of the site." Managed biodiversity of a small part of the site, even if it actually were to occur and be sustained, is a poor substitute for natural development.

13_01694_FUL-STATEMENT_OF_NEED-556338

The statement of need appears to suggest that an existing property accommodating 30 National Star College students in 24 rooms at Overton House is no longer viable. The list of reasons seems to boil down to the cost of renovation and upgrading. I hope the financial opportunities possible with a large building in a prime location are not a consideration in seeking an alternative location for the students. It does not appear that the proposed development will provide additional capacity, and a comparison of the available floorspace (not the footprint) would be interesting.

"5.4 The Pittville Project, with its small clusters of accommodation located within a community setting, will provide us with the flexibility to develop and extend our residential provision to the wider community, through the development of new packages of accommodation which go far beyond what we can offer at our existing main National Star College campus or through the charity's other existing facilities." Who is the "wider community" to whom residential provision will be extended? It is difficult to see how facilities squeezed into this small area in Pittville Park can "go far beyond" existing larger facilities elsewhere.

13_01694_FUL-PLANNING_STATEMENT-556339

Page 3: "1.2 The scheme consists of: • 17 bedrooms; • 5 apartments;..."

Page 10: "3.1 The application site has been the subject of two previous relevant planning applications. Application ref: 08/01342/FUL for 'Erection of a residential facility for 12 adults with complex disabilities (Use Class C2) and a non residential therapeutic activities centre and associated landscaping' was approved on 20th August 2009. The application was approved by the Planning Committee despite an officer recommendation to refuse primarily in relation to the impact on the character and appearance of the Conservation Area. The main suggested reason for refusal was as follows:

"The proposed new buildings and associated landscaping, by virtue of their mass, and overall footprint would harm the character and appearance of the conservation area, and adversely affect the setting of the adjacent listed Pittville Park.

The proposed development would compromise the open, spacious nature of the application site which, in combination with the adjacent Park and School grounds, is considered to make a significant townscape contribution within the Central Conservation Area. Accordingly, the proposals are contrary policies CP7, BE1, GE2, and GE6 of the Cheltenham Borough Local Plan (Adopted 2006). Furthermore, the proposal is contrary to the advice set out within Planning Policy Statement 1: Delivering sustainable development, Planning Policy Guidance Note 15: Planning and the historic environment and to section 72(2) of the Planning (Listed Buildings & Conservation Areas) Act 1990."

Many of these concerns will still be shared by residents, even if central government has made changes to the planning rules. The National Policy Planning Framework (referred to at page 11) still allows consideration whether: "Any adverse impacts of doing so [granting permission] would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or Specific policies in this Framework indicate development should be restricted."

Page 18, at 6.11 includes "Depending on levels of individual residents' needs, the centre itself anticipates employing in the region of 30-35 staff, with 8-10 staff working on site at any one time, to support residents. This will further add to the local economy albeit as many staff as possible will be relocated from National Star's existing site at Overton House. " Elsewhere it is stated that the need for this development arises from a desire to cease activities at Overton House. There seems no obvious reason why existing staff could not travel the short distance to this proposed development, and therefore the long term impact on local employment could be minor.

Page 20: "6.19 At the local level, the Adopted Cheltenham Borough Local Plan 2006 comprises the Development Plan, but as noted above its policies only carry weight in so far as they are consistent with the NPPF. The Local Plan does not contain any specific policies concerning housing people with disabilities. The topic is however discussed at paragraphs 10.43 to 10.46 of the Plan. These paragraphs generally refer to adapting existing housing stock and making sure new housing is accessible. The Local Plan does not specifically refer to care facilities for people with varying forms of disability."

"6.20 In more general terms the Local Plan seeks good design through Local Plan Policy CP7. Policy BE1 seeks to only permit development in a Conservation Area where it does not detract, individually or cumulatively, from the green or open character, including private gardens, of the area."

Page 21: "7.1 This Planning Statement has demonstrated that the development of this site for purpose-built residential accommodation specifically for people with disabilities, together with associated care, learning and activity facilities for the National Star Foundation, will result in an excellent use of land without compromising the character of the area or the setting of Pittville Park."

Its purpose may be an excellent use of land, but the location is inappropriate. The worthiness of the purpose does not justify green field development on land in the heart of the town, land that would if not for quirk of history be part of the public land of Pittville Park.

13_01694_FUL-STATEMENT_OF_COMMUNITY_INVOLVEMENT-556340

Page 10 says:

"1. This site is not in a particularly prominent location within the wider context of the Pittville area. However because of the openness of the school site to the south there are long distance views of the pre-application site across the school grounds, when looking north.

2. The pre-application site is prominent from Pittville Park when looking south, and it is visible from short distances because the Park path is adjacent to the pre-application site, and it is also visible from the long distance views.

3. There are also views of it when looking east across the recreation grounds. The site also has a road side presence which must be considered, and there are some slightly restricted but none the less important views of the site which can be seen from the Evesham Road when looking west down ???”

The site is at one of the entrances to Pittville Park itself, and therefore is prominent. It is clearly visible from many parts of the western part of Pittville Park, and development on the site would be a clear infringement onto the green space that makes the wider Pittville area special and valued by the local and wider community.

13_01694_FUL-CONTEXTUAL_SECTIONS-556356

They elevations show the proposed development dwarfing the existing private dwellings shown. Viewed from the adjacent park, it would be a major feature of the park surround, replacing the existing green space.


Rose Cottage
West Drive
Cheltenham
GL50 4LB

4/11/13

Ms Michelle Payne
Planning Officer
Cheltenham Borough Council
PO Box 12
Promenade
Cheltenham
GL50 1PP

SUBJECT: Planning Ref 13/01694/FUL

Dear Ms Payne,

Despite having a high regard for the work of the Star Centre, I object to the current planning application referenced above for the following reasons:

1. I consider this proposal as an overdevelopment of a site adjacent to Pittville Park which will cause substantial harm to the surrounding area. This development is so close to the pathway which borders the lake and the lake itself that it will surely impinge on the tranquillity of this part of the park.
2. Two-storey buildings are incongruous on this side of West Drive and should not be permitted. Dunalley School is the only other building on this side and is single storey, set back from the road and mostly hidden from view on the approach to the park.
3. Two-storey buildings would spoil the approach and entrance to the park here and impinge on the quality of living of the residents living opposite as this is a very quiet, narrow corridor to the park.
4. The proposed metal roofing of these two-storey buildings will constitute an eyesore and is not in keeping with the other residential buildings in West Drive which have slate or tiled roofs.
5. The installation of an electricity sub-station between the school playing fields and the park can only have a detrimental effect on this sensitive area.
6. This development will bring an unwelcome increase in traffic. West Drive is already well used by motorists visiting the park and is extremely busy at the start and end of the school day.

7. This planning application has not incorporated enough on-site parking for the potential site users.
8. I have concerns about the proposed communal learning and activity space (Block 3 on the application), as West Drive is a very quiet and tranquil area especially during the evening and at weekends. Any "party" noise on a regular basis would be very disturbing and unwelcome for residents and park life.

Yours sincerely

A solid black rectangular box used to redact the signature of the sender.

To: Cheltenham Borough Council
Planning Dept.

Page 198

26 Beverley Gardens

Woodmancote

Cheltenham

GL52 9QD

13 DEC 2013

MENT

30-11-2013

Dear Sir,

I wish to support, very strongly, the planning application by the National Star College (Ref: 13/01694/FUL) for the creation of a new purpose built residence block in Cheltenham, to replace their present one which is now inadequate. After my own life-time career in Education, dealing with ages from 8 to 80 and several different areas of learning, I am full of admiration for the achievements of staff and pupils at the Star College, and would agree that a purpose built residential block in Cheltenham is of vital importance for the completion of the skills required for them to lead independent lives despite various physical difficulties. Permission given for this development would help to secure, for these students, the final stages of reintegration into working lives in the wider community. From what I have seen of the work of the college, such cooperation is likely also to benefit the Cheltenham community as a whole, as well as the National Star College graduates.

Yours faithfully





Rose Cottage
West Drive
Cheltenham
GL50 4LB

Ms Michelle Payne
Planning Officer
Cheltenham Borough Council
PO Box 12
Promenade
Cheltenham
GL50 1PP

28 October 2013

Dear Ms Payne

Objection to Planning Application 13/01694/FUL – Land adjacent to Dunally Primary School

I am writing to oppose to the proposed planning application for the land adjacent to Dunally school. The National Star Centre does laudable work with young disabled students, however, this site is not suitable for a student residence which aims to provide students with a town center student experience.

One of the highlights of student life is the social life. Unfortunately, it is unsuitable site to have a student common room, such as that proposed in Block 3, in such close proximity to a quiet residential street and family park. Although West Drive is proximate to the town center, the atmosphere of the immediate vicinity is one of quiet residential living and not the hustle and bustle of the town center. There are no shops, pubs, restaurants or cafes within the immediate surrounds. It is likely, therefore, that the majority of socialising will take place on the site itself. As a local resident the noise from the proposed development causes me concern and is out of place at this location. It is of further concern that plans allow for the social space to be rented out for use beyond that of the Star Centre.

The proposed plans provide inadequate parking for the development and inadequate access to the site. The site is to house 25 residents and have 35 employees based there. The plan only provide for 13 parking spaces. Not only do the plans provide insufficient parking for the size of the development they do not take into account the impact on the roadway outside the site, which already suffers from congestion during school pick up and drop off times. The upkeep of a student hall of residence will require frequent deliveries, and furthermore the students themselves will require frequent daily


transportation to and from the site. This will cause significant congestion to local residents and park-users.

The proposed plans suggest overdevelopment of the land available. The land currently holds planning permission for one story residential housing. This is in line with other buildings adjacent to the park, such as Dunally Primary School which is one story. Those buildings which are two story within the neighborhood are set back from the road so as not to impact on the entrance to the park. These plans propose two story buildings which will not be set back from the road. Furthermore, to support the scale of the buildings proposed there is a need to build an electricity sub-station on the land. This, teamed with the access problems and inadequate parking facilities, points to the fact that the development is unsuitably large.

Aesthetically, the two story development is out of keeping with the other buildings in the area. There is a particular need to take into account the aesthetic appearance of the proposed site due to the fact that it is located at one of the entrances of the park which is grade II listed, and is one Cheltenham's key assets.

The plans are materially different from those on which planning permission was initially granted. A two story, modern, student halls of residence which has insufficient parking is unsuitable for this area and for the reasons outlined in this letter I oppose the granting of this application.

Yours sincerely,

A solid black rectangular box used to redact the signature of the sender.

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|--|---|
| APPLICATION NO: 13/01694/FUL | OFFICER: Miss Michelle Payne |
| DATE REGISTERED: 3rd October 2013 | DATE OF EXPIRY: 2nd January 2014 |
| WARD: Pittville | PARISH: |
| APPLICANT: | National Star Foundation |
| AGENT: | Mr Simon Firkins |
| LOCATION: | Land adjacent to Dunalley Primary School, West Drive, Cheltenham |
| PROPOSAL: | Provision of residential accommodation for people with disabilities, with associated care learning and activity facilities (Use Class C2) |

Update to Officer Report

1. CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with Drawing Nos. 12.60.002/PL005, PL006, PL010, PL011, PL014, PL030 and PL040 received by the Local Planning Authority on 1st October 2013 and revised Drawing Nos. 12.60.002/PL012A and PL050A received 27th November 2013.
Reason: To ensure the development is carried out in strict accordance with the approved drawings.
- 3 Prior to the commencement of any works on site, the following details shall be submitted to and approved in writing by the Local Planning Authority:
 - tree constraints plan (indicating the root protection areas (RPA));
 - tree protection plan (indicating the proposed fencing and/or ground protection); and
 - arboricultural method statement to include how foundations within the RPA of trees on and adjacent to the site will be constructed; details of no-dig construction for parking areas, footpaths and other forms of hard landscaping where they fall within the RPA of trees on and adjacent to the site; storage of materials/spoil; and sighting of temporary structures for contractors and any access facilitation pruning.

The development shall thereafter be implemented strictly in accordance with the details so approved.

Reason: In the interests of local amenity in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.
- 4 Prior to the commencement of any works on site, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall provide within the site for:
 - the parking and loading/unloading of construction vehicles;
 - the storage of plant, machinery and materials;
 - parking of site operatives vehicles; and
 - wheel washing facilities.

The provision shall be maintained in accordance with the approved statement for the duration of building works.

Reason: To minimize disruption, congestion and hazards on the public highway in accordance with Local Plan Policy TP1 relating to development and highway safety.

- 5 Prior to the commencement of development, the surface water drainage system shall be designed in accordance with the principles of Sustainable Drainage Systems (SUDS). This shall include a maintenance strategy and full details (including calculations) shall be submitted to and approved by the Local Planning Authority. Prior to the first occupation of any part of the development, the surface water drainage system shall be completed in all respects in accordance with the details approved and shall be retained as such thereafter.

Reason: To ensure the surface water drainage system does not contribute to flooding or pollution of the watercourse in accordance with Local Plan Policy UI3 relating to sustainable drainage systems.

- 6 Prior to the commencement of development, plans showing the existing and proposed ground levels and slab levels of the proposed and adjacent buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented strictly in accordance with the agreed details.

Reason: To ensure a satisfactory relationship of the proposed building with the adjoining properties and land in accordance with Local Plan Policies CP4 and CP7 relating to safe and sustainable living, and design.

- 7 Prior to any construction work above ground level, samples of the proposed facing materials and roofing materials shall be submitted to and approved in writing by the Local Planning Authority, and the materials used in the development shall be in accordance with the samples so approved.

Reason: To ensure a satisfactory form of development in accordance with Local Plan Policy CP7 relating to design.

- 8 Prior to any construction work above ground level, the design and details including materials and finishes of the following shall be submitted to and approved in writing by the Local Planning Authority:

- a. external doors;
- b. windows;
- c. eaves detail;
- d. extract vents/flues;
- e. rainwater goods
- f. green roof system (including maintenance strategy)

The design and details shall be accompanied by elevations and section drawings to a minimum scale of 1:5 together with full size cross section profiles. The works shall thereafter be implemented strictly in accordance with the agreed details.

Reason: To ensure a satisfactory form of development in accordance with Local Plan Policies CP3 and CP7 relating to sustainable environment and design, and national guidance set out within the National Planning Policy Framework and the Historic Environment Planning Practice Guide. These are important details which need to be constructed in the traditional local manner to ensure that the development is compatible with its surroundings.

- 9 Prior to its implementation, a detailed scheme for landscaping, tree and/or shrub planting and associated hard surfacing (which should be permeable or drain to a permeable area) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify species, density, planting size and layout, and hard surfacing materials. The scheme so approved shall be carried out in the first planting season following the occupation of the building or completion of the development, whichever is the sooner.

Reason: To ensure that the development is completed in a manner that is sympathetic to the site and its surroundings in accordance with Local Plan Policies CP1 and CP7 relating to sustainable development and design.

- 10 Prior to installation, a detailed scheme for all means of enclosure within the site shall be submitted to and agreed in writing by the Local Planning Authority. The proposed means of enclosure shall thereafter be implemented strictly in accordance with the agreed details and completed in all respects prior to first occupation of the development.

Reason: To ensure a satisfactory form of development in accordance with Local Plan Policies CP3 and CP7 relating to sustainable environment and design, and national guidance set out within the National Planning Policy Framework and the Historic Environment Planning Practice Guide.

- 11 Prior to installation, full details of the proposed external lighting system, including type and location of all lighting, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory form of development and to protect residents of nearby properties from loss of amenity due to overspill lighting in accordance with Local Plan Policies CP4 and CP7 relating to safe and sustainable living and design.

- 12 The use of the building marked Block No.3 by outside groups shall be limited to between the hours of 09.00hrs and 23.00hrs daily.

Reason: To protect residents of nearby properties from loss of amenity due to noise from this community facility in accordance with Local Plan Policy CP4 relating to safe and sustainable living.

INFORMATIVE

- 1 Given the proximity of a number of residential properties to the application site, this Authority considers that it is important that the applicant is mindful of the amenity that they currently enjoy and would ask that they be respectful to it when implementing the use of the site, and in particular Block No.3.

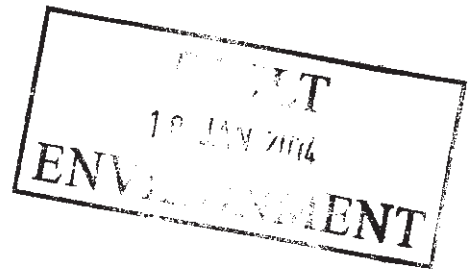
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Page 204

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| APPLICATION NO: 13/01694/FUL | | OFFICER: Miss Michelle Payne |
| DATE REGISTERED: 3rd October 2013 | | DATE OF EXPIRY : 2nd January 2014 |
| WARD: Pittville | | PARISH: |
| APPLICANT: | National Star Foundation | |
| LOCATION: | Land adjacent to Dunalley Primary School, West Drive, Cheltenham | |
| PROPOSAL: | Provision of residential accommodation for people with disabilities, with associated care learning and activity facilities (Use Class C2) | |

ADDITIONAL REPRESENTATION

| | |
|---|--|
| 18 The Grove Hales Road Cheltenham Gloucestershire GL52 6SX | |
|---|--|

Comments: 13th January 2014
Letter attached.



Councillor John Rawson
18 The Grove
Cheltenham
Glos. GL52 6SX

Telephone 01242 227955 Email cllr.john.rawson@cheltenham.gov.uk

8 January 2014

Michelle Payne
Planning Officer
Built Environment Division
Cheltenham Borough Council

Dear Michelle

13/01694/FUL Provision of residential accommodation ad associated facilities for people with disabilities on land adjacent to Dunalley Primary School, West Drive

As a former governor of Dunalley Primary School and a former long-serving councillor for the old St Paul's Ward which included this site, I would like to make a few comments to be considered by you as case officer and by the Planning Committee when it comes to determine the application at its next meeting.

The site is a former allotments site. When the County Council proposed to develop the site for housing around 1999, I persuaded the Council to hand the site over to the school as a wild garden. The arrangement was intended to last for two years, but in fact it lasted for more like ten. When St Vincent's secured permission for a day care centre on the site, the school was generously compensated by being given something like £40,000 to build a new linear wild garden on its own site, which is very well used and much appreciated by staff and pupils alike. The outcome for the school was therefore a happy one.

My view has been that some development is almost inevitable on the site, and that a development of relatively low-key buildings for disabled people is a more desirable outcome – both environmentally and socially – than a number of imposing and substantial detached houses of the kind that have been built along the north side of Wellesley Road on its boundary with the school.

A number of representations from members of the public have referred to the excellence of the education being offered to disabled students by the National Star College and the massive impact it can make on the life chances of disabled young people. The merits of the applicant are somewhat peripheral to the planning issues which the Committee will have to determine and so I will not repeat what has been said, though I agree with them. But I will make one comment, which is relevant to the suitability of the development for its location.



Today, the typical National Star College student is significantly more severely disabled than was the case a generation ago. This is partly because students with less severe disabilities tend to go into mainstream education these days, and partly because medical advances have ensured that more people with severe disabilities survive into adulthood. The idea that these students will somehow be 'nuisance neighbours' who should not be in a residential area is therefore far-fetched. Any such suggestion should be discounted as a fundamental misunderstanding of who the NSC students are and how they live.

There are clearly great advantages to these young people in being in an environment which is not only tranquil and picturesque but within reach of the town and its facilities. At a time in their lives when they are trying to develop independent living skills, it will be highly beneficial for them to be in a town rather than a relatively enclosed and isolated campus.

Turning to the issues which are narrowly planning matters, the principle of development on the site has already been accepted by the Planning Committee when it determined the St Vincent's application. Therefore a refusal would really only carry weight if it could be demonstrated that this proposed development is worse than the last one. I would contend that it is an improvement the St Vincent's scheme for the following reasons.

- The footprint of the buildings is reduced. One of the drawbacks of the St Vincent's scheme was that the footprint was very large. The National Star College has reduced it. Although this has been achieved making part of the development two-storey, this is only on the West Drive side where it mirrors the height of the buildings on the other side of the road.
- The design and layout of the development is a considerable improvement on the previous design, which was essentially two blocks. It is broken up more into smaller blocks which are more elegantly arranged with gardens around them.
- As this is a residential centre, it is likely to generate substantially less traffic than a day centre. Comments from some complainants about the inadequacy of parking seem to misunderstand the lifestyles of severely disabled students and also the way that this kind of facility is staffed.

If I had thought in 1999 that the outcome of the debate over the future of the allotments would be (a) a permanent and sustainable wild garden at the school (b) a low key development on the site rather than physically imposing up-market housing and (c) a valuable and life-enhancing facility for severely disabled young people, I would have been confident that the battle was worth fighting. With that thought in mind, I commend this application to the Planning Committee.

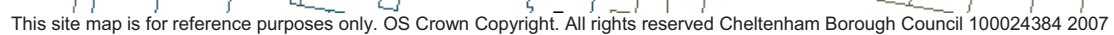
Yours sincerely

Councillor John Rawson

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Page 208

RECOMMENDATION: Grant



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The proposed site relates to a parcel of land which lies between nos. 81 and 81a New Barn Lane, and is situated in a residential area within the Prestbury ward.
- 1.2 Outline planning permission is sought for the erection of a dwelling at the rear of no.81 New Barn Lane, with all matters apart from means of access (appearance, landscaping, layout and scale) reserved.
- 1.3 The application is a re-submission following the refusal of a similar outline application (planning reference 13/00679/OUT) which was considered by members at Planning Committee in July 2013. The application was recommended for approval but refused for the following reason:

The proposed erection of a dwelling constitutes a crowded and harmful overdevelopment of this backland location, and in doing so fails to complement and respect neighbouring properties and the character of the locality. The proposal conflicts with the Council's Supplementary Planning Document: Development on Garden Land and Infill Sites in Cheltenham, in terms of the layout and access arrangements. As such, the proposal is contrary to both the Supplementary Planning Document and Local Plan Policy CP7.

- 1.4 The applicant has lodged an appeal to the Planning Inspectorate in respect of application 13/00679/OUT; this is currently under consideration.
- 1.5 Around the same time as lodging an appeal against 13/00679/OUT, the applicant re-submitted the scheme in the same form as the refusal. In response to this, officers advised that the re-submission was not materially different to be considered again by the Planning Committee and that such a submission would proceed to refusal under delegated authority. The applicant was also strongly advised that a full planning application would be a more suitable submission following the refused outline application.
- 1.6 As a result of these discussions, additional information has been submitted for consideration and an amendment made to the site boundary, enlarging the site. The application is now materially different to the refused scheme and the applicant has sought to respond to the concerns raised by the Planning Committee. In light of this, officers consider it appropriate to report the matter back to the committee. Members will also note that objections have been received from the Parish Council and Architects' Panel.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

N/A

Relevant Planning History:

13/00679/OUT 22nd July 2013 REF

Erection of a detached dwelling at the rear of 81 New Barn Lane

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 4 Safe and sustainable living

CP 7 Design

RC 6 Play space in residential development

TP1 Development and highway safety

Supplementary Planning Guidance/Documents

Development on garden land and infill sites in Cheltenham (2009)

Play space in residential development (2003)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Cheltenham Civic Society

12th September 2013

We are concerned about the shared access arrangements

GCC Highways Planning Liaison Officer

17th December 2013

I refer to drawing number 1461:02B. Layout is a reserved matter therefore the car parking can technically be dealt with at the reserved matters stage; however I do have a couple of concerns over the location of the proposed car parking space.

Due to the width of the proposed access road, if car parking were to be provided at the location and in the manner shown on 1461:02B then it is unlikely a vehicle would be able to manoeuvre, however this could be possibly be dealt with by making the space much wider, this would be dealt with at reserved matters stage.

It also appears that the car parking space would be hidden away behind the boundary treatment for 81 New Barn Lane, this could lead to vehicles emerging blind, however given the low usage of this access road I do not see this as a reason to recommend refusal, more of something which would help aid the design and usability.

Notwithstanding the above, I have no further comments to make from the previous Highway Authority response dated 30th September 2013 made in relation to access.

Parish Council

10th September 2013

Objection on the grounds that the proposed dwelling represents over-development of the land. Vehicular access is also very restricted.

10th December 2013

The Parish Council object to this application on the grounds that the resubmitted plans do not change the original views of the Parish Council when they first objected.

HMO Division

4th September 2013

Subject to:

1. Full compliance with building control requirements for means of escape in case of fire, and
2. The bedrooms having floor areas no less than 7sqm for a single bedroom and 10.5sqm for a double bedroom,

I have no fundamental objection to this proposal.

1st October 2013

I have no fundamental objection to this proposal.

GCC Highways Planning Liaison Officer

2nd September 2013

I refer to the above planning application received here on 27th August 2013, with Plan No: 1461.02

A similar application (ref no: 13/00679/OUT) was refused by the LPA on 19th July 2013, the Highway Authority didn't raise any concerns on that proposal and I see no reason to alter that recommendation. Car parking and access facilities were considered appropriate, and given the existing usage of this access, the proposed development would be unlikely to create severe or significant highway safety hazards.

Thus, it is for these reasons that I recommend no Highway objection is raised.

NOTE:-

If the applicant lodges an appeal for any reason in respect of this application (or proposal), I would be grateful if you would notify me immediately of the appeal and details of any public inquiry. Similarly if there is a call-in or other government action would you please advise me immediately. Without this information there is a significant risk of the County Council not being able to meet the timescales and deadlines imposed for submission of statements of case and other representations.

30th September 2013

I refer to revised plan number 1461.02 Rev A received here on 26/09/2013. The parking space has been moved to the opposite side of the dwelling, this does not alter the Highway Authority's previous recommendation dated 02/09/2013 and therefore I do not wish to make any further comments.

Architects Panel

8th October 2013

2. Is the information sufficient to understand the application?

The application is only in outline with all design matters reserved so theoretically the information is sufficient. However as this is an infill site we fail to see how the principal of a new dwelling can be assessed with no information on the surrounding buildings and a better idea of a proposed design. We would suggest this is should be a full application.

3. Context

None provided.

4. Massing and Scale

The indicative design of the proposed house is poor but its impact cannot be judged without some understanding of the context.

5. External Appearance.

The design is poor and if this is a development site we would expect a higher quality contemporary design or something drawn from its local context.

6. Detailing and Materials

Poor.

7. Environmental Design

No comments.

8. Summary

It is impossible to judge the impact of the proposed development without some information on the adjacent buildings and context. However as this is an outline application this is not

required, we would therefore suggest the scheme is withdrawn and resubmitted as a full application.

9. Recommendation

Refuse or withdraw the outline application and resubmit a full application.

5. PUBLICITY AND REPRESENTATIONS

| | |
|-------------------------|---|
| Number of letters sent | 8 |
| Total comments received | 1 |
| Number of objections | 1 |
| Number of supporting | 0 |
| General comment | 0 |

- 5.1 Eight letters have been sent out to neighbouring properties and the owner of one property has responded raising an objection to the proposal.
- 5.2 The occupier of this property has commented a number of times during the application process, as nearby properties were re-consulted when amendments were made to the scheme.

Summary of concerns:

- The proposal is contrary to the Supplementary Planning Document: Development on Garden Land and Infill Sites in Cheltenham
- Crowded and harmful overdevelopment
- Overlooking and loss of sunlight
- Access proposed hazardous
- Revised plan does nothing to reduce the overcrowded and harmful aspect of the development.

6. OFFICER COMMENTS

7. Main considerations

- 7.1 Due to the submission being for outline permission, the main considerations at this stage relate to the principle of a dwelling in this location, the suitability of the proposed access and the impact of the proposal on neighbouring amenity. It is also important to consider how this proposal responds to the reason previously given for refusal.
- 7.2 To provide more context, the applicant has submitted indicative elevations, however these are to give an idea of how the proposal could sit within the plot and the potential design of a new dwelling, but would not necessarily be the final design if outline permission is granted.

8. Principle of development

- 8.1 Members will be aware that the NPPF has removed private residential gardens from the definition of previously developed land. Members will also be aware that local plan policy HS1 (Housing development) advises that;

Housing development will be permitted on:

- Land allocated for residential development; and
- Previously-developed land, subject to policies BE2, BE9, GE2 and HS3.

In all cases, development should make the most efficient and effective use of the site

- 8.2** It is important to stress that policy HS1 is a permissive policy; the absence of the word 'only' ensures that the policy does not rule out other types of housing development. In this respect, development of the application site for an additional dwelling would not be contrary to policy HS1 and members should note that this argument has been thoroughly tested at appeal; they will also be aware that since the introduction of the NPPF, numerous examples of development within garden land have been approved by this Authority.
- 8.3** At the heart of the NPPF is a '*presumption in favour of sustainable development*' and paragraph 49 of this document advises that housing applications should be considered in this context. Paragraph 53 of the NPPF advises that;
Local Planning Authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.
- 8.4** In adopting the SPD relating to Garden Land and Infill Development, this Authority have already carried out the above and the SPD clearly and usefully sets out the Council's approach to determining applications of this nature.
- 8.5** In light of the guidance set out within the NPPF, officers are satisfied that development of this site will constitute a sustainable form of development subject to the merits of the development proposed, and it is this the report will now focus on.
- 8.6** Members may also recall that reference was made to the Green Belt at the July committee meeting. To clarify this issue, there was a drafting error in 1997 which meant that an area of land which was previously in the green belt was not included. This has since been corrected but it is important to stress that neither iteration of the green belt (i.e the correct and incorrect versions) included the parcel of land that is before members today.

9. Design and layout

- 9.1** Local Plan policy CP7 requires development to be of a high standard of design and to complement and respect neighbouring development. Given the previous refusal reason, how the proposal responds to neighbouring development is perhaps the key consideration.
- 9.2** The existing properties within the area are set within a mixed urban grain which has evolved over time and therefore there are a variety of house types surrounding the application site. Some are set within larger plots and others on smaller plots, with the building line differing along New Barn Lane. This context is well illustrated on the site plan on the front page of this report.
- 9.3** The applicant has responded to concerns set out within the previous refusal reason. To prevent the development from appearing cramped and overcrowded, the red line has been amended and the site area is now larger (the site area was originally 0.02ha, it is now 0.034ha). There is now more space about the proposed site for a dwelling not to appear cramped in this location. This amendment will also allow for a level of amenity space commensurate with the immediately surrounding neighbours.
- 9.4** In terms of the detailed design, siting and scale of the dwelling, these aspects would be fully considered at reserved matters stage but it should be noted that the design shown in the indicative drawings is of concern to officers. Notwithstanding this, these drawings are not actually required at this stage and are purely indicative; the committee would not be committed to this design should Members resolve to grant outline planning permission.

- 9.5** At this stage, the relevant consideration is the sites suitability for a dwelling, which Officers consider acceptable when assessed against the character and context of the local area, particularly in light of the amendments to the scheme.
- 9.6** The Architects' Panel has commented on this application, but did not comment on the previous application. They have stated in their response that the information is sufficient due to the application being outline, but that a full submission would be more appropriate. This is a view officers are in agreement with, but it is important to stress that the applicant is entitled to submit an outline application and this must be considered on its individual merits. Other concerns raised by Architects' Panel relate to the external appearance and design of the proposal and the lack of context.
- 9.7** On these issues, both members and officers have the benefit of a site visit when considering this application which allows the proposal to be assessed against the context of the area. In addition, the design concerns raised are also shared by officers, but as stated earlier in the report, these would need to be addressed through the reserved matters process.
- 9.8** Finally, the Parish Council has objected to the proposal as the re-submission does not change the views expressed with the previous application. These related to overdevelopment and concerns regarding access arrangements. Officers consider the site is of a sufficient size to accommodate a small dwelling and does not represent overdevelopment.
- 9.9** Based on the above, the proposal is considered to be in accordance with Local Plan Policy CP7 and is also consistent with the aspirations of the Council's adopted Supplementary Planning Document: Development on garden land and infill sites in Cheltenham.
- 9.10 Impact on neighbouring amenity**
- 9.11** Local Plan Policy CP4 requires development to protect the existing amenity of neighbouring land users and the locality.
- 9.12** As stated earlier in the report, letters of objection have been received from the occupier of the neighbouring property at 83b New Barn Lane. The concerns raised relate primarily to amenity issues (overlooking, loss of sunlight, noise and disturbance), but also relate to the proposed access.
- 9.13** The proposed siting of the dwelling has been amended through the application process. The applicant has increased the size of the site with the result that the proposed property has been moved north, towards number 81a New Barn Lane.
- 9.14** Whilst the drawings are only indicative, a light test has been carried out on the basis of these drawings and has demonstrated there would be no unacceptable loss of light as a result of the proposal as submitted. Notwithstanding this, officers consider the siting of the gable on the boundary closest to no. 83b New Barn Lane to be inappropriate and if outline consent is granted, would advise the applicant to reconsider this aspect of the proposal at reserved matters stage.
- 9.15** In relation to concerns regarding privacy, should a reserved matters application be forthcoming, conditions have been included to ensure there are no windows in the south facing roof slope and also to remove permitted development rights.

Access and highway issues

- 9.16** Local Plan Policy TP1 advises that development will not be permitted where it would endanger highway safety. The proposed dwelling would utilise the existing access onto New Barn Lane and the County Council have raised no objection to this.
- 9.17** Comments have been provided based on the layout within the most recent amendments to the scheme. These comments acknowledge that this is an outline application and that concerns regarding the proposed parking position and manoeuvring can be addressed at reserved matters stage.
- 9.18** Officers acknowledge that the proposal constitutes 'tandem development' as referred to in the Supplementary Planning Document: Development on garden land and infill sites in Cheltenham. Notwithstanding this, the guidance does allow for this sort of arrangement in some circumstances and when assessed against other criteria, this is considered acceptable in this instance. The access is already in situ and currently serves one dwelling; officers do not consider that an additional dwelling accessed from this driveway would be unacceptable. Where tandem development is concerned, the principal issue is one of context and this has fully discussed elsewhere within this report.
- 9.19** Officers consider the proposal would not endanger highway safety and is therefore in accordance with Policy TP1.

10. CONCLUSION AND RECOMMENDATION

- 10.1** To conclude, officers consider the concerns raised in relation to the previous application have been addressed by the amendments to this proposal.
- 10.2** Members are advised that this represents a balanced conclusion; officers accept that the proposal is flawed in some respects, as highlighted by the Architects Panel but issues relating to the design and layout of the site could be addressed through the reserved matters process should members choose to grant outline consent. When considering the issues relevant to this outline consent, however, the principle of the dwelling and the access are considered acceptable.
- 10.3** The proposal is in accordance with the relevant Local Plan policies and with the suggested conditions, meets the criteria set out in the Council's adopted Supplementary Planning Document: Development on garden land and infill sites in Cheltenham.
- 10.4** The recommendation is to grant outline planning permission, subject to the conditions set out below. An informative is also suggested to help guide the applicant develop a successful reserved matters submission.

11. CONDITIONS / INFORMATIVES

- 1 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of five years from the date of this permission. The development hereby permitted shall be begun not later than whenever is the later of the following dates:-
 - (a) the expiration of 5 years from the date of this permission;
 - (b) the expiration of 2 years from the final approval of reserved matters;
 - (c) in the case of approval on different dates the final approval of the last such matters to be approved.

Reason: As required by Section 92 of the Town and Country Planning Act 1990.

- 2 Approval of the details of the (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
Reason: This is an outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority.
- 3 Prior to the commencement of development, an annotated elevation with a detailed specification of all external materials and finishes (including all windows and external doors) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented strictly in accordance with the details so approved and maintained as such thereafter.
Reason: To ensure a satisfactory form of development in accordance with Local Plan Policy CP7 relating to design.
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and/or re-enacting that order with or without modification), no extensions, garages, walls, fences or other structures of any kind (other than those forming part of the development hereby permitted) shall be erected without planning permission.
Reason: Any further extension or alteration requires detailed consideration to safeguard the amenities of the locality in accordance with Local Plan Policies CP4 and CP7 relating to safe and sustainable living and design.
- 5 There shall be no windows in the south facing roof slope of the proposed dwelling.
Reason: To safeguard the amenities of the locality in accordance with Local Plan Policy CP4 relating to safe and sustainable living.
- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and/or re-enacting that order with or without modification), no additional openings shall be formed in the development without planning permission.
Reason: Any further openings require detailed consideration to safeguard the amenities of the locality in accordance with Local Plan Policies CP4 and CP7 relating to safe and sustainable living and design.
- 7 Prior to the commencement of development, a scheme for the provision or improvement of recreational facilities to serve the proposed dwelling(s) shall be submitted to and approved in writing by the Local Planning Authority. The dwelling(s) shall not be occupied until the approved scheme has been implemented.
Reason: To avoid any increase in the Borough's imbalance between population and the provision of outdoor play space and related facilities in accordance with Local Plan Policy RC6 relating to play space in residential development.

INFORMATIVES

- 1 This decision relates to an outline permission with all matters reserved except access. Whilst indicative drawings have been submitted to give an indication of the potential design and layout, the Local Planning Authority consider that these matters should be given more thought before the submission of the reserved matters application. The indicative elevations suggest an ill-conceived and poorly fenestrated building that fails to achieve the standards of design expected by Local Plan policy CP7. Furthermore, the suggested footprint, with its projecting gable located adjacent to the eastern boundary, creates an unnecessarily awkward relationship with the adjacent property, 83b New Barn Lane.

- 2 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 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.

| | | |
|--|--|---|
| APPLICATION NO: 13/01461/OUT | | OFFICER: Miss Chloe Smart |
| DATE REGISTERED: 23rd August 2013 | | DATE OF EXPIRY : 18th October 2013 |
| WARD: Prestbury | | PARISH: PREST |
| APPLICANT: | Mr Andrew Sullivan | |
| LOCATION: | Ramblers Rest, 81 New Barn Lane, Cheltenham | |
| PROPOSAL: | Outline application for the erection of a new dwelling | |

REPRESENTATIONS

| | |
|---------------------------|----------|
| Number of contributors | 1 |
| Number of objections | 1 |
| Number of representations | 0 |
| Number of supporting | 0 |

Whytehurst
83B New Barn Lane
Cheltenham
Gloucestershire
GL52 3LF

Comments: 13th September 2013
Letter attached.

Comments: 11th October 2013
Letter attached.

Comments: 20th December 2013
Letter attached.


Whyteburst

83b New Barn Lane, Cheltenham, GL52 3LF


BUILT

Recd 12 SEP 2013

ENVIRONMENT

**Miss Chloe Smart
Planning Dept
Cheltenham Borough Council
Cheltenham**

Thursday, 12 September 2013

Dear Miss Smart

Ref: 13/01461/OUT

Our objections are as follow.

The development is contrary to the Council's SPD Development on Garden Land and Infill Sites in Cheltenham, in that it would have detrimental effect on the limited amenity space which our property enjoys adjacent to the south side of the site, by reason of noise and general disturbance.

The recent refusal accurately identified that erection of a dwelling on this site constitutes a crowded and harmful overdevelopment. This remains so.

The building would overlook and block what little sunlight we get in our extremely small back garden and the effect, coupled with the soon to be built upward extension at 83 in front of us, will be to totally box us in.

Having visited the site prior to the last application the planning committee members will be aware that it is a very tiny site and that there is insufficient space to make any significant change of layout which would leave the it anything other than, as already identified, overcrowded and harmful.

In the interest of consistency I believe the Council should refuse this application.

In the event of permission being granted I request that conditions covering the following issues be included on any Outline permission granted.

- a) Only a single storey dwelling shall be erected on this site.
- b) Permitted development rights for any additional upper floors or windows in the roof shall be removed.
- c) The building shall not extend beyond the rear wall of my house.

Sincerely yours,



Whytehurst
83b New Barn Lane, Cheltenham, GL52 3LF

| | | | |
|---|-------------|------------------|--|
| Cheltenham Borough Council Environment Group | | | |
| PASSED TO | | | |
| REC'D | 10 OCT 2013 | | |
| Date of Response | | Type of Response | |
| Initials of Responder | | File Ref. | |

Ms Chloe Smart
Planning Dept
Cheltenham Borough Council
Cheltenham

Wednesday, 9 October 2013

Dear Ms Smart

Ref: 13/01461/OUT

Our objections are as follow.

The development is contrary to the Council's SPD Development on Garden Land and Infill Sites in Cheltenham, in that it would have detrimental effect on the limited amenity space which our property enjoys adjacent to the south side of the site by reason of noise and general disturbance.

Having visited the site before the original application the planning committee members will be aware that it is an extremely small site and that there is insufficient space to make any significant change of layout which would leave it anything other than, as already identified, overcrowded and harmful.

My research has failed to reveal any developments comparable to that proposed. Recent developments in the area permitted by the Council which might be cited as comparable all front directly on to the highway or have a great deal more space around them. I am unaware of any on plots which were officially described as overcrowded.

Access to the proposed dwelling is hazardous because vision to the east side is frequently obscured by delivery vans and customers vehicles visiting the adjoining busy shop.

The revised plan, which moves the parking space from the north to the south side, does nothing to reduce the crowded and harmful aspect accurately identified. Furthermore, the revised plan introduces an additional harmful aspect because the proposed dwelling will now overlap more than three quarters of our four meter wide rear garden, totally screen it from the limited sunlight it currently enjoys and reduce the natural light to rooms at the rear of our house, particularly the dining room which will be nearest to the overbearing dwelling.

The previous refusal was voted upon in the accepted democratic manner and I believe the Council should refuse this application with its additional harmful aspect in the interest of consistency.

In the event of permission being granted I request that conditions covering the following issues be included on any outline permission granted.

- a) Only a single storey dwelling shall be erected on this site.
- b) Permitted development rights for any additional upper floors or windows in the roof shall be removed.
- c) The building shall not extend beyond the rear wall of my house.

Yours sincerely

A large black rectangular redaction box covering the signature and any accompanying text or address details.

[REDACTED]
Wbytechurst

83b New Barn Lane, Cheltenham, GL52 3LF
[REDACTED]

PLANNING

Recd 20 DEC 2013

ENVIRONMENT

**Miss C Smart
Planning Dept
Cheltenham Borough Council**

Wednesday 18 December 2013

Dear Miss Smart

**Ref 13/01461/OUT Revised plans Outline application for erection new dwelling at
Ramblers Rest 81 New Barn Lane**

Our objections are as follow:-

The development is contrary to the Council's SPD Development on Garden Infill Sites in Cheltenham, in that it would have a seriously detrimental effect on the limited amenity space to the rear of our house (only 4 metres deep from house to boundary) which is already dominated on the northern boundary by the tall, increasingly spreading trees planted by the applicant. (photo 1 enclosed)

The revised, larger, now 2 storey building is planned to extend well beyond our 4 metre wide garden so will block what little sunlight we get to this amenity.(photo 2)

The applicant's assertion that removal of the apple tree, close to the 4 metre boundary, will improve the daylight is absurd because it is to be replaced by a building much taller than the tree and obviously much wider. (see photo 3)

May I refer the committee to the recent refusal which accurately identified that "erection of a dwelling on this site constitutes a crowded and harmful overdevelopment of this backland location, and in doing so fails to complement and respect neighbouring properties and the character of the locality." I believe you will agree that the revised plan does nothing to overcome this assessment.

Coupled with the soon to be built upward extension to the shop directly in front of our property the crowded and harmful overdevelopment of this site will totally box us in.

May I remind the committee that several years ago, following the grant of permission to the applicant for erection of an extraordinarily large garage at 81A, behind our house, the Local Government Ombudsman called for a valuation of our property to assess the impact upon us. The Council will have on record that, as a result, the LGO required it to make a compensation payment.

The planned dwelling will be much closer than the garage and will surely have an even greater impact.

Access is inadequate since it will necessarily be shared by the proposed development at 81, also by various vehicles at the applicants house at 81A together with tourists, racegoers and businessmen's cars using his tourist accommodations also at 81A. Furthermore, with the business premises next door at 83, a serious hazard is created with vision to the east side being frequently obscured by cars and lorries visiting or delivering to the shop. My photo number 4 illustrates the inevitable situation repeated many times seven days a week. Additionally the tourist accommodation at Ramblers Rest also attracts vehicles. This should be of concern to the Highways Authority.

I have failed to discover any developments comparable to that proposed. Recent developments on small sites locally either front directly on to the road or are at considerably greater distance from surrounding properties.

Photographs I have enclosed may help illustrate the detrimental effect the development will have. Nevertheless, I request that the planning committee gets a clear understanding of the potential impact by viewing the situation from our back garden amenity.

In the event of permission being granted I request that conditions covering the following issues be included on any outline permission granted.


- a) Only a single storey dwelling shall be erected at this site.
- b) Permitted development rights for any additional upper floors or windows in the roof shall be removed.
- c) The building should not extend beyond the rear wall of my house.
- d) The building should only be used as a single private dwelling and not as tourist accommodation for multiple occupancy.

This latter condition is requested because the applicant already operates a tourist accommodation business at Ramblers Rest plus the tourist accommodations at 81A.

Yours sincerely



4 photographs enclosed relevant to the objections.



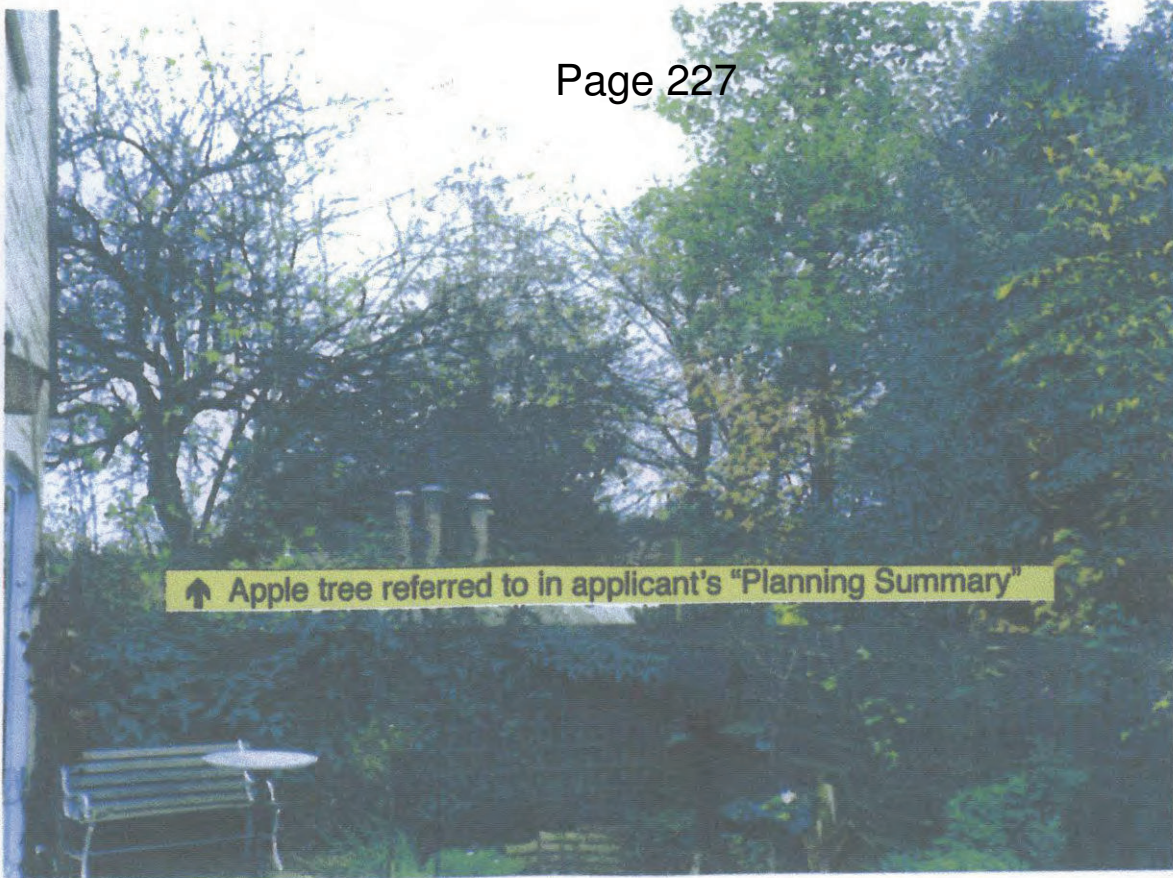
Our very small but valuable back garden amenity is a mere 4 meters wide. This photo, taken from our dining room patio door illustrates a worsening situation as the trees, planted by the applicant several years ago, grow and spread to deprive us of natural light. The building illustrated in the applicant's plan shows it would reach well beyond either side of the 4 meter boundary to the immediate left of this picture. It illustrates to an even greater degree than the original refused application that the site is **"a crowded and harmful development failing to complement and respect neighbouring properties etc."**

Applicant's plan shows the proposed two storey dwelling will totally cover this area and considerably overlap our house to the south and our 4 metre wide garden amenity to the north. Together with trees he planted along our northern boundary this will inevitably affect the natural light to our dining room, kitchen and utility rooms.

4 metres from house to fence

PHOTO NO2

OBJECTION TO 13/01461/OUT REVISED PLAN



The applicants astonishing assertion (see his "Planning Summary para c) that removal of the apple tree, seen above, will 'result in an overall gain of light' is demonstrably absurd. His plans clearly show a two storey house which will indisputably be much higher than the tree and will extend well beyond our western boundary fence.

The patio window just visible on the left is the only natural source of light in our dining room. The two storey house together with the trees planted by the applicant along our northern boundary fence is absolutely bound to affect light to the rear of our house.



PHOTO
NO 3

OBJECTION TO 13/04/07 DATED 17.0.1

Taken from the western edge of the access to 81 and 81A New Barn Lane, exactly the position of a driver endeavouring to exit 81 or 81A, this typically illustrates the obstructed view to the east occurring many times daily as vehicles visit the adjoining shop. Furthermore, to the east the road curves increasingly to the left. With a clear road vehicles come into view roughly when level with the large house just visible right of centre.



| | | | |
|--|--|--|--|
| APPLICATION NO: 13/01461/OUT | | OFFICER: Miss Chloe Smart | |
| DATE REGISTERED: 23rd August 2013 | | DATE OF EXPIRY: 18th October 2013 | |
| WARD: Prestbury | | PARISH: Prestbury | |
| APPLICANT: | Mr Andrew Sullivan | | |
| AGENT: | Mr Ron Harrison | | |
| LOCATION: | Ramblers Rest, 81 New Barn Lane, Cheltenham | | |
| PROPOSAL: | Outline application for the erection of a new dwelling | | |

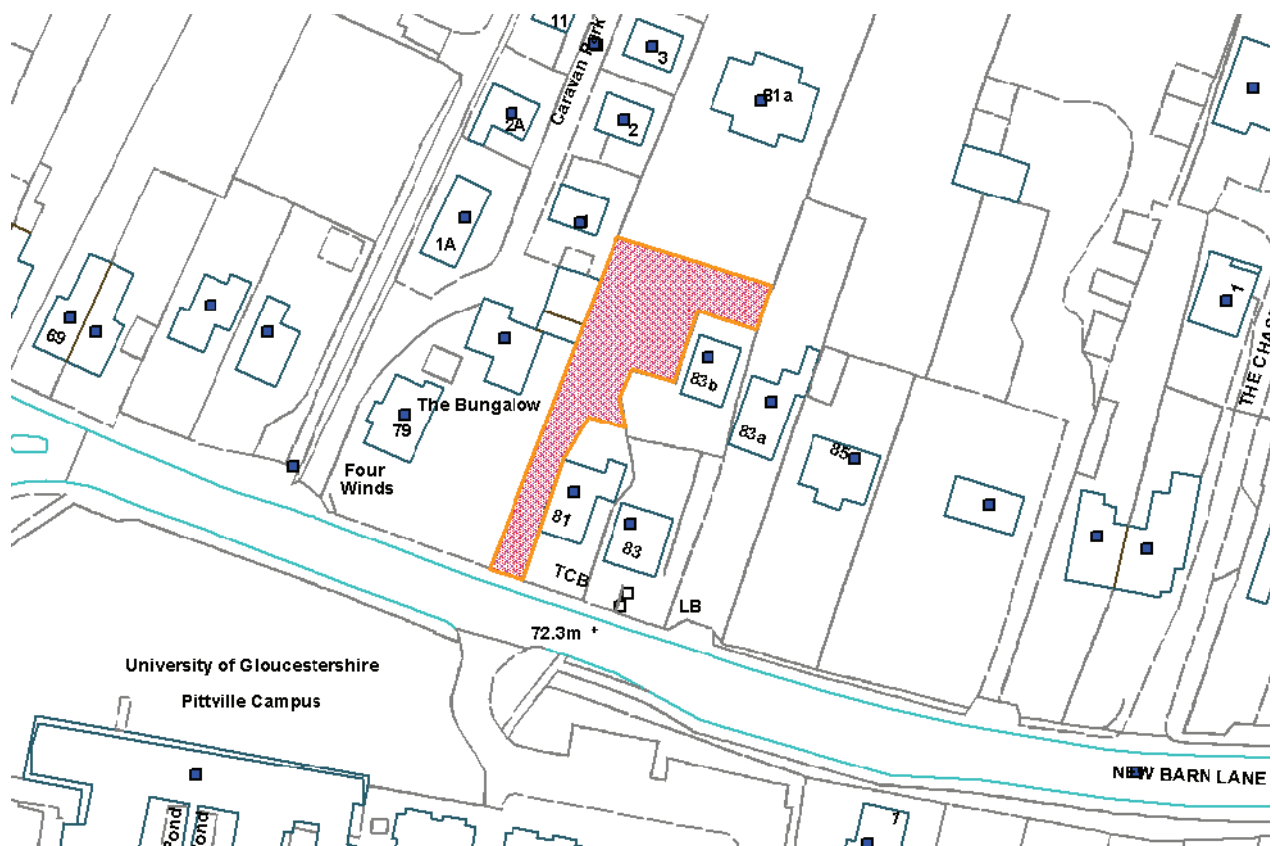
RECOMMENDATION: Grant

Update to Officer Report

The map generated by Uniform and included with the officer report published last week does *not* include the amended site boundary for this application.

This has now been amended and is reproduced below, to show the site boundary as it is on the revised drawings.

Please disregard the site map circulated last week.



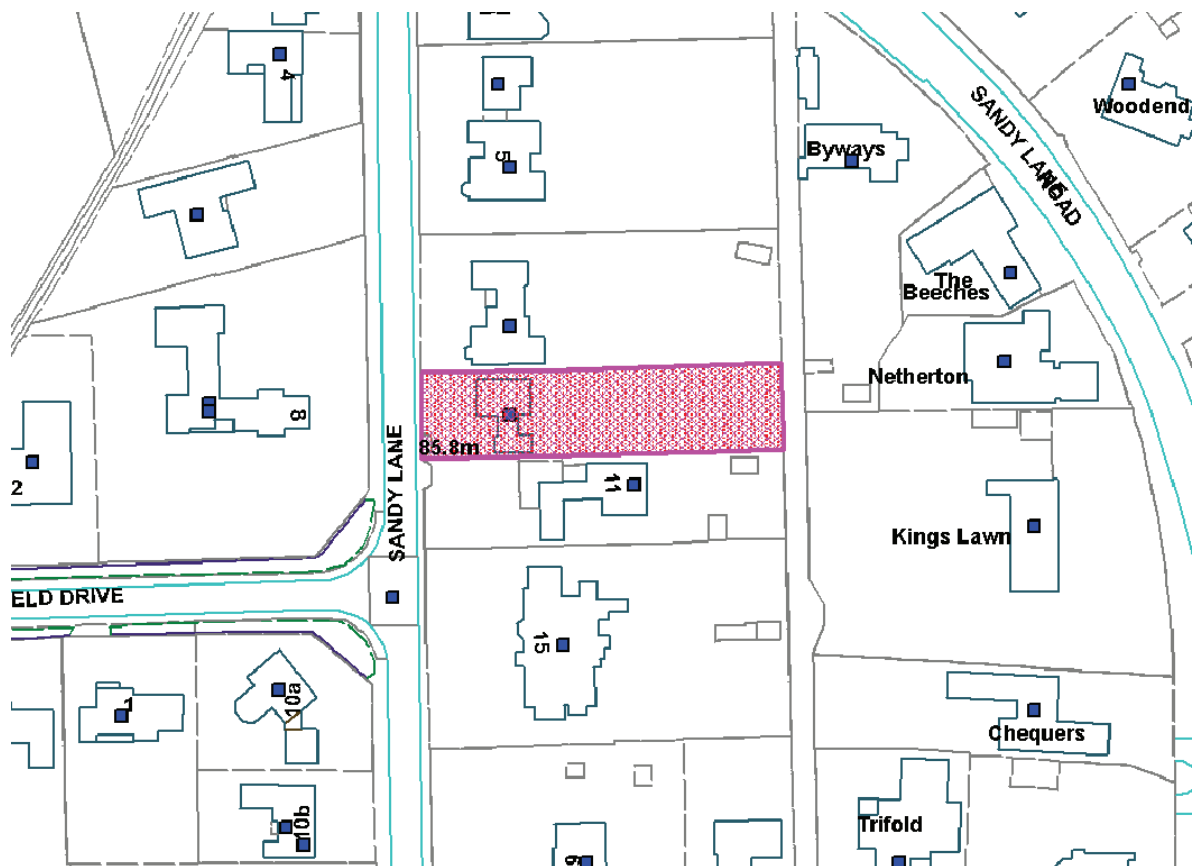
This site map is for reference purposes only. OS Crown Copyright. All rights reserved Cheltenham Borough Council 100024384 2007

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| | | |
|--|---|--|
| APPLICATION NO: 13/02026/FUL | | OFFICER: Miss Chloe Smart |
| DATE REGISTERED: 27th November 2013 | | DATE OF EXPIRY: 22nd January 2014 |
| WARD: Charlton Park | | PARISH: Charlton Kings |
| APPLICANT: | Mr Tim Clink, Oyster Marketing Ltd | |
| AGENT: | Mr Jason Pritchard | |
| LOCATION: | 9 Sandy Lane, Charlton Kings, Cheltenham | |
| PROPOSAL: | Proposed refurbishment of property and erection of side and rear extensions (following demolition of existing garage) | |

RECOMMENDATION: Recommendation to follow



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is set within a large plot in a residential area along Sandy Lane and relates to a detached property constructed in the early 1960s.
- 1.2 The applicant is seeking planning permission for a number of extensions and alterations to the property which are of contemporary design.
- 1.3 The application is before planning committee as the Charlton Kings Parish Council has objected to the proposed works.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Landfill Sites boundary
Smoke Control Order

Relevant Planning History:

13/01697/PREAPP 1st November 2013 CLO

Proposed side and rear extension following demolition of the existing garage

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 4 Safe and sustainable living
CP 7 Design

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Contaminated Land Officer

28th November 2013

No comment.

Parish Council

10th December 2013

Objection. Out of keeping with street scene

Tree Officer

11th December 2013

The Tree Section has no objections to this application providing the following condition can be attached;

TRE03B Protective fencing

Glos Centre for Environmental Records

10th December 2013

The Biodiversity Report is available to view on website.

Building Control

6th December 2013

Consider restrictions on unprotected areas if within 1.0m of the boundary.

Cheltenham Civic Society

5th December 2013

This is an innovative approach, which we welcome.

5. PUBLICITY AND REPRESENTATIONS

| | |
|-------------------------|---|
| Number of letters sent | 7 |
| Total comments received | 2 |
| Number of objections | 2 |
| Number of supporting | 0 |
| General comment | 0 |

- 5.1 Seven letters have been sent out to neighbouring properties and two letters of representation have been received raising objection to the proposal. These are attached to this report.

6. OFFICER COMMENTS

- 6.1 Officer comments and a full recommendation will follow by way of an update to this report.

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| | | |
|--|---|---|
| APPLICATION NO: 13/02026/FUL | | OFFICER: Miss Chloe Smart |
| DATE REGISTERED: 27th November 2013 | | DATE OF EXPIRY : 22nd January 2014 |
| WARD: Charlton Park | | PARISH: CHARLK |
| APPLICANT: | | |
| LOCATION: | 9 Sandy Lane, Charlton Kings, Cheltenham | |
| PROPOSAL: | Proposed refurbishment of property and erection of side and rear extensions (following demolition of existing garage) | |

REPRESENTATIONS

| | |
|---------------------------|----------|
| Number of contributors | 2 |
| Number of objections | 2 |
| Number of representations | 0 |
| Number of supporting | 0 |

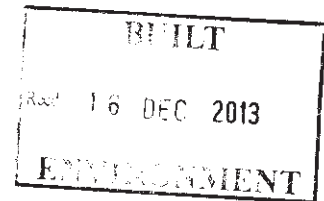
7 Sandy Lane
Charlton Kings
Cheltenham
Gloucestershire
GL53 9BS

Comments: 16th December 2013
Letter attached.

11 Sandy Lane
Charlton Kings
Cheltenham
Gloucestershire
GL53 9BS

Comments: 18th December 2013
Letter attached.

**7 Sandy Lane ,
Charlton Kings.
Cheltenham,
Glos. GL53 9BS.**



Miss Chloe Smart
Planning Officer
Cheltenham Borough Council
PO Box 12 Municipal Offices
Promenade
CHELTENHAM GL50 1PP

12th December 2013

Dear Miss Smart,

Your Reference 13/02026 2013

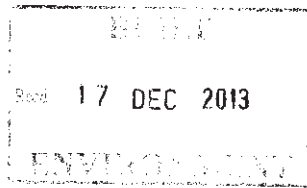
With regard to the above application, my wife and I have studied the available documents very carefully and have come to the conclusion that only two considerations have a problem for us - namely visual impact and amenity.

For many years we have lived with a hedge grown by the previous owner, which being kept at about 3 metres high, kept light and warmth from the sun from our lounge (our main living room). When we discovered that the property had been sold, we contacted the new owner who kindly said he would cut the hedge down to a reasonable height which he subsequently did. The result was a dramatic improvement to the light and sun into our lounge.

The building of section F on plan 1228-308 would not only replace the offending hedge with a brick wall, but also considerably interfere even more with the enjoyment of our property.

Yours faithfully,





11 Sandy Lane
Charlton Kings
Cheltenham
Glos. GL53 9BS.
16 December 2013.

YOW. Ref. 13/02026/FUL

Dear Madam.

Re:- No 9 Sandy Lane, Charlton Kings

Thank you for your recent letter concerning a planning application for side and rear extensions to NO 9 Sandy Lane, Charlton Kings.

As the resident owner of No 11 Sandy Lane I do have some concerns with the proposed plans.

The two properties are very close together, with only a pathway between the existing garage and the boundary fence. My property is a flat roofed bungalow with a small upper level area at the rear of the building. The rear of the building is not visible from the road outside. Proposed drawings do not give this impression.

The proposed side extension will be considerably larger than the present garage at ground level. All the existing new garage

Wall be part of the side extension or closer to the boundary fence? Can the developer confirm how close to the boundary fence the new extension would be built? I note the upper level is to overhang at the side, front and rear, making the upper level larger and longer.

To make space for this new length wall trees and tall hedges would be removed and new fencing erected. As the existing fence is of open rails and palings construction, with shrubs giving an open aspect to the garden, could the developer please confirm the height and type of new fencing to be erected between the two properties.

I look forward to a reply regarding any queries I have raised.

Yours faithfully



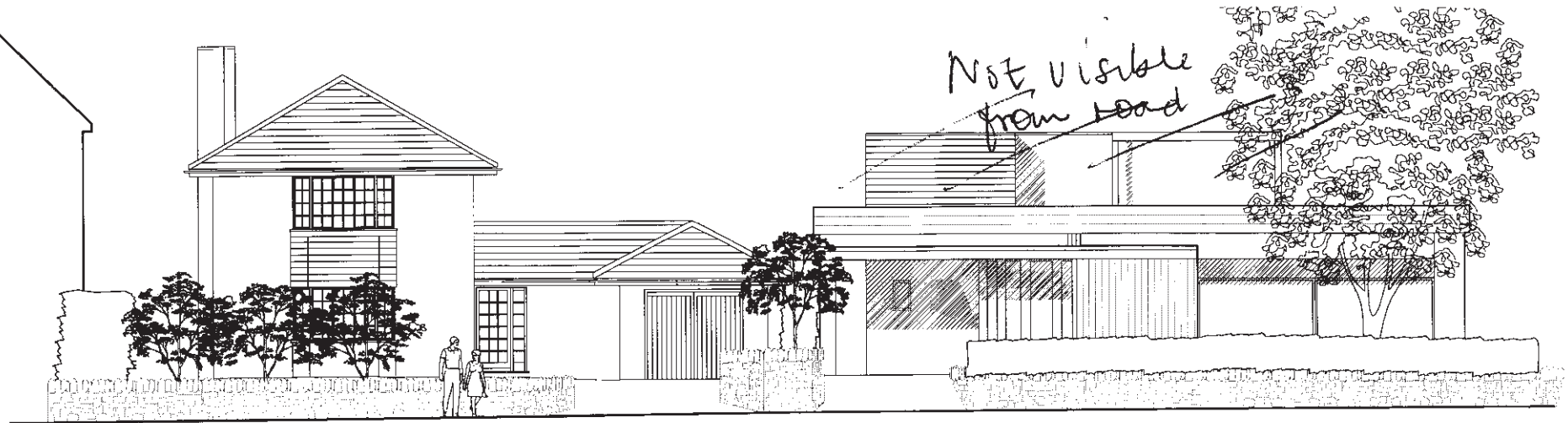
Manning Dept.
 Catterham Borough Council
 P.O. Box 12.
 Municipal Offices.
 Catterham CR50 1PP.



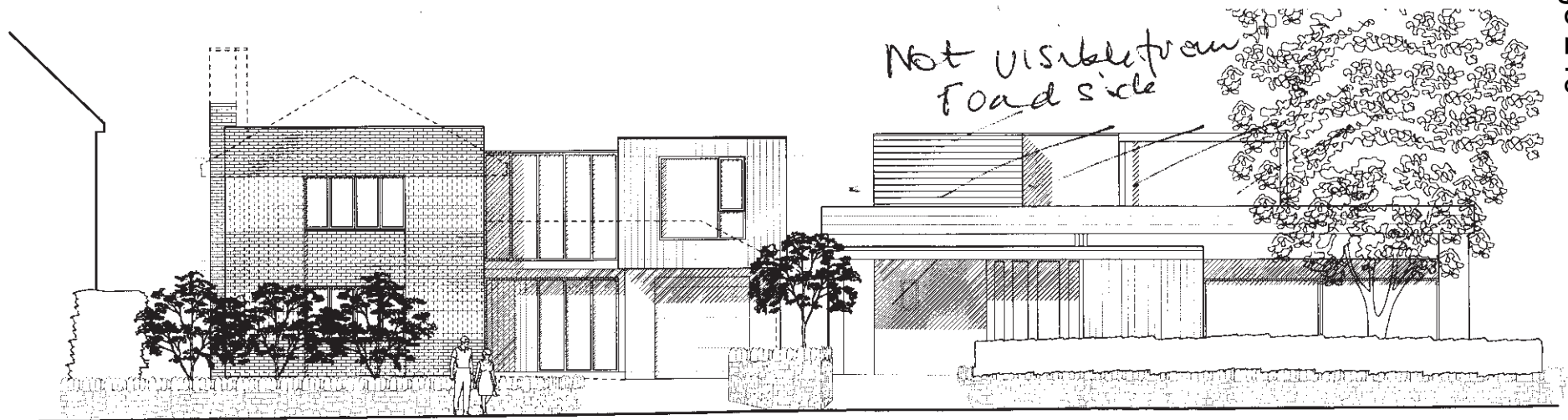
VIEW OF NO.9 AND NO.11 FROM SANDY LANE



FRONT ELEVATION OF NO.11 SANDY LANE



EXISTING STREET ELEVATION Scale 1:100



PROPOSED STREET ELEVATION Scale 1:100

| <p>General Notes:</p> <p>Copyright © EdgeDesignWorkshop Ltd. 2013</p> <p>This drawing is not to be reproduced, copied or given to a third party without express permission.</p> <p>Do not scale drawings. Dimensions given.</p> <p>All dimensions shall be verified on site before proceeding with the work.</p> <p>All dimensions given in millimetres unless stated otherwise.</p> <p>All drawings to be read in conjunction with other consultants drawings and specifications.</p> <p>EdgeDesignWorkshop Ltd. are to be formally notified of any discrepancies.</p> | <p>Specific Notes:</p> <p>FIRST FLOOR EXTENSION POSITIONED 1m FURTHER BACK FROM SANDY LANE IN LINE WITH L.A. PRE-APPLICATION COMMENTS</p> | <table border="1"> <thead> <tr> <th>Revision</th> <th>Date</th> <th>Drawn</th> <th>Checked</th> <th>Details of revision</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table> | Revision | Date | Drawn | Checked | Details of revision | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | <p>Project: 9 SANDY LANE, CHELTENHAM, GL53 9BS</p> <p>PROPOSED REAR AND SIDE EXTENSIONS FOLLOWING DEMOLITION OF GARAGE</p> <p>Drawing Title: EXISTING AND PROPOSED STREET ELEVATIONS</p> <p>Date: 25 11 2013 Scale: 100 @ A3</p> <p>Drawn By: SBS Checked By: JDP</p> | <p>EdgeDesignWorkshop Ltd.</p> <p>Number 07 Royal Well Place</p> <p>Cheltenham, Glos. GL50 3DN</p> <p>0044 (0)1242 528 111</p> <p>mail@edgedesignworkshop.com</p> <p>www.edgedesignworkshop.com</p> | <p>Status: PLANNING APPLICATION</p> <p>Job/Dwg/Rev No.: 1228_331</p> <p>EdgeDesignWorkshop</p> |
|--|--|---|----------|---------------------|-------|---------|---------------------|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|---|---|--|
| Revision | Date | Drawn | Checked | Details of revision | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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|-------------------------------------|---|-----------------------------------|--|
| APPLICATION NO: 13/02026/FUL | | OFFICER: Miss Chloe Smart | |
| DATE REGISTERED: 27th November 2013 | | DATE OF EXPIRY: 22nd January 2014 | |
| WARD: Charlton Park | | PARISH: Charlton Kings | |
| APPLICANT: | | | |
| AGENT: | Mr Jason Pritchard | | |
| LOCATION: | 9 Sandy Lane, Charlton Kings, Cheltenham | | |
| PROPOSAL: | Proposed refurbishment of property and erection of side and rear extensions (following demolition of existing garage) | | |

Update to Officer Report

1. OFFICER COMMENTS

1.1. Determining Issues

- 1.1.1. The main considerations in relation to this application are the design and the impact of the proposal on neighbouring amenity.

1.2. Design

- 1.2.1. Local Plan Policy CP7 requires development to be of a high standard of architectural design and to complement and respect neighbouring development.
- 1.2.2. The applicant proposes a number of alterations which would change the overall design and appearance of the existing dwelling from a traditional hipped roof property to an overtly contemporary house with a flat roof. These alterations include the removal of the hipped roof and increase in eaves height, the erection of a two storey side extension and single storey rear extension.
- 1.2.3. The applicant proposes a two storey extension at the side of the original dwelling to replace the existing entrance and garage. A central glazed area would form the entrance to the property and would be set back 3.7 metres from the front elevation of the parent dwelling.
- 1.2.4. The two storey extension would then step forward from this glazed 'link' to a ground floor set back of 3.15 metres from the front elevation of the original dwelling; this is the same set back at ground floor level as the existing garage. The first floor projects beyond the ground floor, but would still achieve a set back of 1.45 metres from the front elevation of the original property.
- 1.2.5. The two storey side extension would have a depth of 13.05 metres at ground floor level and a depth of 15.95 metres at first floor level. The first floor would overhang the ground floor at the front and rear, creating a projecting box effect.
- 1.2.6. The proposed rear extension would project 8 metres from the rear elevation of the original dwelling, with a height of 3.45 metres. The design includes a central spine wall which would project a further 2.8 metres.
- 1.2.7. The applicant proposes a roof terrace to the rear of the proposed glazed entrance, which would sit in between the spine wall and the two storey extension. The terrace would be enclosed by a glazed balustrade set back 4.9 metres from the end of the spine wall and 2 metres from the proposed rear bedroom.

- 1.2.8. In addition to the above, the applicant has amended the scheme to include a two storey box bay window at the front of the property. This follows advice from the Architects Panel (although formal comments are yet to be received) that the front elevation of the retained building would benefit from a greater level of interest and modelling. Officers consider that this amendment does improve the proposal.
- 1.2.9. The applicant proposes a range of materials for the development which are as follows:
- Brickwork, render and timber cladding (walls)
 - High performance single ply membrane (roof)
 - Powder coated aluminium (windows and doors)
- 1.2.10. The materials proposed are considered of a high quality and would complement the character of the original dwelling.
- 1.2.11. An objection has been received from Charlton Kings Parish Council on the grounds that proposed works are not in keeping with the street scene. Whilst the overall design will differ significantly from the existing property, officers consider the principle of a contemporary design approach is acceptable. The innovative design approach is also welcomed by the Cheltenham Civic Society.
- 1.2.12. There are a wide range of architectural styles in the area, with the two properties adjacent to the application site of a different design to the existing property and no uniformity within the street scene.
- 1.2.13. Overall officers welcome the contemporary design approach the applicant is proposing. The proposed extensions are considered subservient to the main dwelling and the high quality materials would complement the dwelling and surrounding development.

1.3. Impact on neighbouring property

- 1.3.1. Local Plan Policy CP4 requires development to protect the existing amenity of neighbouring land users and the locality.
- 1.3.2. Two letters of objection have been received in relation to the proposal. The first letter of objection is from the occupiers of no. 7 Sandy Lane, with the main concerns relating to the visual impact and light levels of the proposed rear extension. The letter also refers to the hedge between the two properties which was recently reduced in size, improving conditions for the occupiers of no.7.
- 1.3.3. In response to this concern, the applicant has confirmed that at the time the land was surveyed, there was a hedge in a similar position to the proposal which measured 4.5 metres in height. The proposed extension would have a height of 3.5 metres, which is one metre lower than the previous boundary treatment.
- 1.3.4. Notwithstanding this, a light test has been carried out which has demonstrated there will be no unacceptable reduction in light levels to the neighbouring property.
- 1.3.5. The occupiers of no.11 Sandy Lane have also commented on the proposal, with concerns regarding the proximity of the extension. The proposed two storey extension will be set 0.45 metres from the boundary at ground floor level and 0.3 metres at first floor level. The ground floor of the proposal is the same distance from the boundary as the existing garage.

1.3.6. The side extension will be higher than the existing garage, however officers are satisfied the design and scale of the proposed extension is acceptable. Furthermore, when considering the layout of the neighbouring property, where the area adjacent to the boundary is a flat roof parking area and the main two storey element of the dwelling is set further within the site, there would be no unacceptable impact in terms of light.

1.3.7. Finally, whilst not raised as an objection, officers consider a comment is helpful regarding the proposed roof terrace. The suitability of a roof terrace in this location has been considered and as the terrace is set within the proposed extension and away from the boundary officers consider there will be no unacceptable loss of privacy to adjacent properties.

1.3.8. When considering all of the above the proposal is not considered to have any unacceptable impact in terms of a loss of privacy and light levels to neighbouring properties. As such, the proposal is considered in accordance with the relevant policy and protects the amenity of neighbouring land users.

1.4. Other considerations

1.4.1. In addition to concerns relating to neighbouring amenity, the occupier of no.11 Sandy Lane also commented on the drawings submitted as these suggest the two storey element to the rear of no. 11 is visible from the road.

1.4.2. Whilst it is appreciated that this element of the neighbouring property is not visible from the road, the applicant has submitted an elevation showing the neighbouring property which is a true reflection of the neighbouring property. The block plan assists in further understanding the adjacent properties and their positioning within the neighbouring sites.

1.5. Trees

1.5.1. The proposal would include the removal of existing trees within the rear garden. The Borough's Tree Officer has been consulted on the proposal and has raised no objection, providing a condition is included requiring the applicant to install protective fencing.

2. CONCLUSION AND RECOMMENDATION

2.1. Based on the above, the proposed alterations and extensions are considered acceptable in terms of Local Plan Policy CP7.

2.2. The proposal would have no unacceptable impact on neighbouring amenity and therefore meets the requirements of Local Plan Policy CP4.

2.3. As such, the recommendation is to approve this application, subject to the conditions set out below.

3. CONDITIONS/INFORMATIVES

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with drawing numbers 1228_328_A, 1228_325_A, 1228_327_A and 1228_326_A received 7th January 2014.

Reason: To ensure the development is carried out in strict accordance with the approved drawings.

- 3 Tree protective fencing shall be installed in accordance with the specifications set out within BS 5837:2012. The fencing shall be erected, inspected and approved in writing by the Local Planning Authority prior to the commencement of any works on site (including demolition and site clearance) and shall remain in place until the completion of the construction process.

Reason: In the interests of local amenity, in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.

- 4 Prior to the commencement of development, samples of the proposed facing materials and roofing materials shall be submitted to and approved in writing by the Local Planning Authority, and the materials used in the development shall be in accordance with the samples so approved.

Reason: To ensure a satisfactory form of development in accordance with Local Plan Policy CP7 relating to design.

- 5 All first floor side elevation windows shall be glazed with obscure glass and maintained as such thereafter.

Reason: To safeguard the amenities of the adjoining properties in accordance with Local Plan Policy CP4 relating to safe and sustainable living.

- 6 The proposed rear elevation picture window shall be non-opening as shown in drawing number 1228_328_A received 7th January 2014 and maintained as such thereafter.

Reason: To safeguard the amenities of the adjoining properties in accordance with Local Plan Policy CP4 relating to safe and sustainable living.

INFORMATIVES:-

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 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.

| | | |
|-------------------------------------|---|-----------------------------------|
| APPLICATION NO: 13/02026/FUL | | OFFICER: Miss Chloe Smart |
| DATE REGISTERED: 27th November 2013 | | DATE OF EXPIRY: 22nd January 2014 |
| WARD: Charlton Park | | PARISH: Charlton Kings |
| APPLICANT: | | |
| AGENT: | Mr Jason Pritchard | |
| LOCATION: | 9 Sandy Lane, Charlton Kings, Cheltenham | |
| PROPOSAL: | Proposed refurbishment of property and erection of side and rear extensions (following demolition of existing garage) | |

Update to Officer Report

The following comments have been received from the Architects' Panel.

1. Is the information sufficient to understand the application?

The scheme can be understood from the drawings submitted.

2. Context

The scheme is for the extension and remodelling of the existing house and therefore sits between 2 existing houses. The extension and remodelling does not have an impact on the scale of the building in the street scene, only on the aesthetics of the house.

3. Massing and Scale

The vertical scale on the frontage is comparable with the neighbouring buildings although the section of building to the south does become 2 storeys and will provide a larger elevation to the neighbour. In general terms the scheme is sufficiently broken up to reduce the impact and provide some interesting internal and external spaces.

4. External Appearance

The change in aesthetic is interesting and provides some visual interest. we do have concerns over the proportions of the brick box to the frontage and would have liked to have seen the more successful rear elevations reflected to the street. The extension of the dividing wall would also have worked to provide some consistency through the scheme.

5. Detailing and Materials

As with all buildings of this type the success of the scheme will be in the detailing.

6. Summary

The proposal is an interesting one and one which could provide a high quality dwelling. We do have concerns on the front brickwork element and the potential for overlooking from the rear projecting bedrooms but both of these could be easily refined.

7. Recommendation

We would like to see some refinement before we could support the scheme.

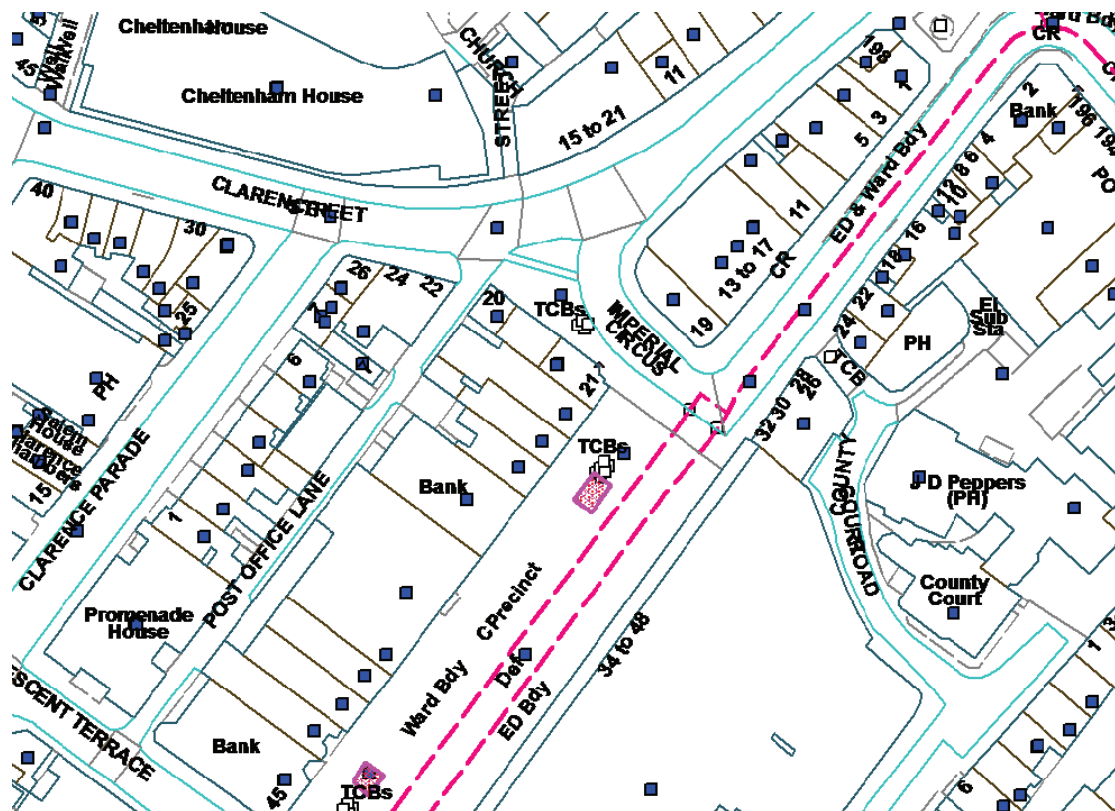
The officer recommendation remains to approve, subject to conditions set out in the previous update (9th January).

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| APPLICATION NO: 13/02055/LBC | OFFICER: Mrs Emma Pickernell |
| DATE REGISTERED: 30th November 2013 | DATE OF EXPIRY: 25th January 2014 |
| WARD: Lansdown | PARISH: |
| APPLICANT: | Mr Howard Barber |
| AGENT: | n/a |
| LOCATION: | 6 Telephone Kiosks, Promenade, Cheltenham |
| PROPOSAL: | Refurbishment of existing phone boxes to be used for temporary display of art installations: 6 kiosks outside 23 Promenade 4 kiosks outside 43 Promenade |

RECOMMENDATION: Grant



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site comprises 10 phone boxes on the promenade. A group of 6 located outside 23 Promenade and 4 located outside 43 Promenade. The kiosks are Grade II listed structures.
- 1.2 It is proposed that the Local Authority adopt the kiosks and Listed Building Consent is sought for their refurbishment. They would be decommissioned of telephone apparatus and refurbished by a specialist contractor. The design and access statement states that a detailed method statement will be prepared however in essence the refurbishment works involves stripping back the kiosks, repainting, re-glazing them and re-hanging the door with new leather straps. Each kiosk would be fitted with a brass light bulb assembly and low voltage bulb. Each kiosk would then be re-installed in its original location. The kiosks would then be used to house art installations. Signage on clear film would be applied to the inside of the glazed panels stating that the kiosks are managed by the Cheltenham Art Gallery and Museum (The Wilson), directing people to the nearest public telephone box.
- 1.3 The application is brought to committee for determination as the applicant is Cheltenham Borough Council.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area
Core Commercial Area
Listed Buildings Grade 2
Central Shopping Area
Smoke Control Order

Relevant Planning History:

88/00939/LA 4th August 1988 REF

4no. Kiosks, The Promenade Cheltenham Gloucestershire - replace the original dome glass engraved "Telephone" in maroon on cream background by glass engraved "Phonecard" in white on green background

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 3 Sustainable environment
CP 4 Safe and sustainable living
CP 7 Design
BE 9 Alteration of listed buildings

Supplementary Planning Guidance/Documents

Central conservation area: Montpellier Character Area and Management Plan (Feb 2007)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Heritage and Conservation

20th December 2013

1. The design of the phone boxes considered in this application is the Jubilee K6 design kiosk produced in 1936. It was designed in 1935 by Sir Giles Gilbert Scott, the famous Edwardian architect.
2. These iconic kiosks have become a cherished and characteristic feature of many British towns. These kiosks located in the Promenade have an historic association with the adjacent building which is now Waterstones bookshop. This building was originally the main Post Office to the town.
3. However in more recent times they are not being used as public phone boxes, but instead have suffered a variety of anti-social behaviour problems.
4. This application is to re-use the phone boxes to house items of art together with associated signs. The principle of this proposal is welcomed and is considered to be a very innovative new use for these iconic structures.
5. The general detailed information on the proposed refurbishment is acceptable, however the Design and Access Statement does state that a method statement will be submitted by a specialist contractor for their removal and re-instatement of the kiosks in due course. I suggest a condition is attached to ensure that this method statement is received.

CONCLUSION: approve subject to conditions

Conditions:

LIS02B Design details

Prior to the commencement of development, a method statement detailing the following including materials and finishes shall be submitted to and approved in writing by the Local Planning Authority:

1. the proposed method of removal and relocation of the phone kiosks
2. the detailed refurbishment of the phone kiosks

The works shall thereafter be implemented strictly in accordance with the agreed details.

Reason: To ensure that the design of the details listed are appropriate to the character of the building, which is listed as being of architectural or historic interest, thereby preserving the special architectural or historic interest which it possesses in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and national guidance set out in the NPPF. These are important details which need to be constructed in a manner which ensures that they serve to preserve the special interest of the building.

LIS03B Disturbed surfaces to be made good

All new and disturbed surfaces shall be made good at the time of development using materials of matching composition, form and finish to those of the listed building.

Reason: To ensure that the character, appearance and integrity of the building is not prejudiced, thereby preserving the special architectural or historic interest which it possesses in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and national guidance set out in the NPPF.

5. PUBLICITY AND REPRESENTATIONS

| | |
|-------------------------|----|
| Number of letters sent | 19 |
| Total comments received | 2 |
| Number of objections | 0 |
| Number of supporting | 2 |
| General comment | 0 |

- 5.1 The application was advertised by a site notices, a notice in the paper and letters sent to 19 nearby properties. Two letters of support have been received and are attached to this report.

6. OFFICER COMMENTS

6.1 Determining Issues

As an application for listed building consent the main issue is whether the proposal has an acceptable impact on the listed structures.

The NPPF states that in determining planning applications local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation and the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality.

The phone boxes at present have become a target for anti-social behaviour and are rarely used. Figures provided by British Telecom indicate that over a 12 month period an average of one call every two hours was recorded for the whole group. A new, viable use for the kiosks has been identified which will result in the refurbishment of these listed structures, thereby enhancing their appearance. Their use as housing for art installations would deliver obvious cultural benefits and be an amenity for residents and visitors. As such the proposal is considered to be wholly in the spirit of the approach outlined in the NPPF. The proposal has the support of the conservation officer, subject to conditions to ensure that the refurbishment is carried out in an appropriate manner.

6.2 Other Matters

A representation has been received regarding a potential future use of a kiosk. This is not relevant to the consideration of this application, however has been forwarded to the gallery.

7. CONCLUSION AND RECOMMENDATION

- 7.1 For the reasons outlined above the application is recommended for approval subject to the conditions detailed below and referral to the Secretary of State. This is necessary because the application has been made by the local authority and relates to listed structures.

8. CONDITIONS / INFORMATIVES

- 1 The works hereby granted consent shall be begun before the expiration of five years from the date of this consent.
Reason: To accord with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with drawing numbers CBC_UD_L_PPE_P_PB2, BC_UD_L_PPE_P_PB3, CBC_UD_L_PPE_P_PB4, CBC_UD_L_PPE_P_PB5, CBC_UD_L_PPE_P_PB6, CBC_UD_L_PPE_P_PB7, received 29/11/13.

Reason: To ensure the development is carried out in strict accordance with the approved drawings.

- 3 Prior to the commencement of development, the detailed design including materials and finishes of the following items shall be submitted to and approved in writing by the Local Planning Authority:

1. The proposed method of removal and relocation of the phone kiosks
2. The detailed refurbishment of the phone kiosks

The works shall thereafter be implemented strictly in accordance with the agreed details.

Reason: To ensure that the design of the details listed are appropriate to the character of the building, which is listed as being of architectural or historic interest, thereby preserving the special architectural or historic interest which it possesses in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and national guidance set out within the National Planning Policy Framework and the Historic Environment Planning Practice Guide. These are important details which need to be constructed in a manner which ensures that they serve to preserve the special interest of the building.

- 4 All new and disturbed surfaces shall be made good at the time of development using materials of matching composition, form and finish to those of the listed building.

Reason: To ensure that the character, appearance and integrity of the building is not prejudiced, thereby preserving the special architectural or historic interest which it possesses in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and national guidance set out within the National Planning Policy Framework and the Historic Environment Planning Practice Guide.

INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 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.

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| | | |
|--|--|---|
| APPLICATION NO: 13/02055/LBC | | OFFICER: Mrs Emma Pickernell |
| DATE REGISTERED: 30th November 2013 | | DATE OF EXPIRY : 25th January 2014 |
| WARD: Lansdown | | PARISH: |
| APPLICANT: | Mr Howard Barber | |
| LOCATION: | 6 Telephone Kiosks Outside 23 Promenade Cheltenham | |
| PROPOSAL: | Refurbishment of existing phone boxes to be used for temporary display of art installations: 6 kiosks outside 23 Promenade 4 kiosks outside 43 Promenade | |

REPRESENTATIONS

| | |
|---------------------------|----------|
| Number of contributors | 2 |
| Number of objections | 0 |
| Number of representations | 0 |
| Number of supporting | 2 |

Flat 3
Britannia House
21 Promenade
Cheltenham
Gloucestershire
GL50 1LE

Comments: 6th December 2013
We're all for it, art please!

31 Marle Hill Parade
Cheltenham
Gloucestershire
GL50 4LG

Comments: 22nd December 2013

My name is [REDACTED], I am a 3rd year Radio Production student at the University of Gloucestershire. As part of my course I have created an interactive sound art installation called, Dial-A-Poet.

Dial-A-Poet consists of sound recordings of poets reading their own work to which I then designs a soundscape to go with each recording, based on the theme or story of each poem and therefore making each one different from the next.

Dial-A-Poet then takes the physical form of a pay-phone which will house the recording. This is what makes my project unique because it involves the listener, who instead of being a passive audience member and listening to a poem they would actually have to interact and use the phone to listen to the poems on offer. This make the experience more personal because only one person at a time is be able to listen to a poem through the phone.

Dial-A-Poem works with poets from the University of Gloucestershire such as those studying Masters in Creative Writing as well as poets from the Gloucestershire area and further a field.

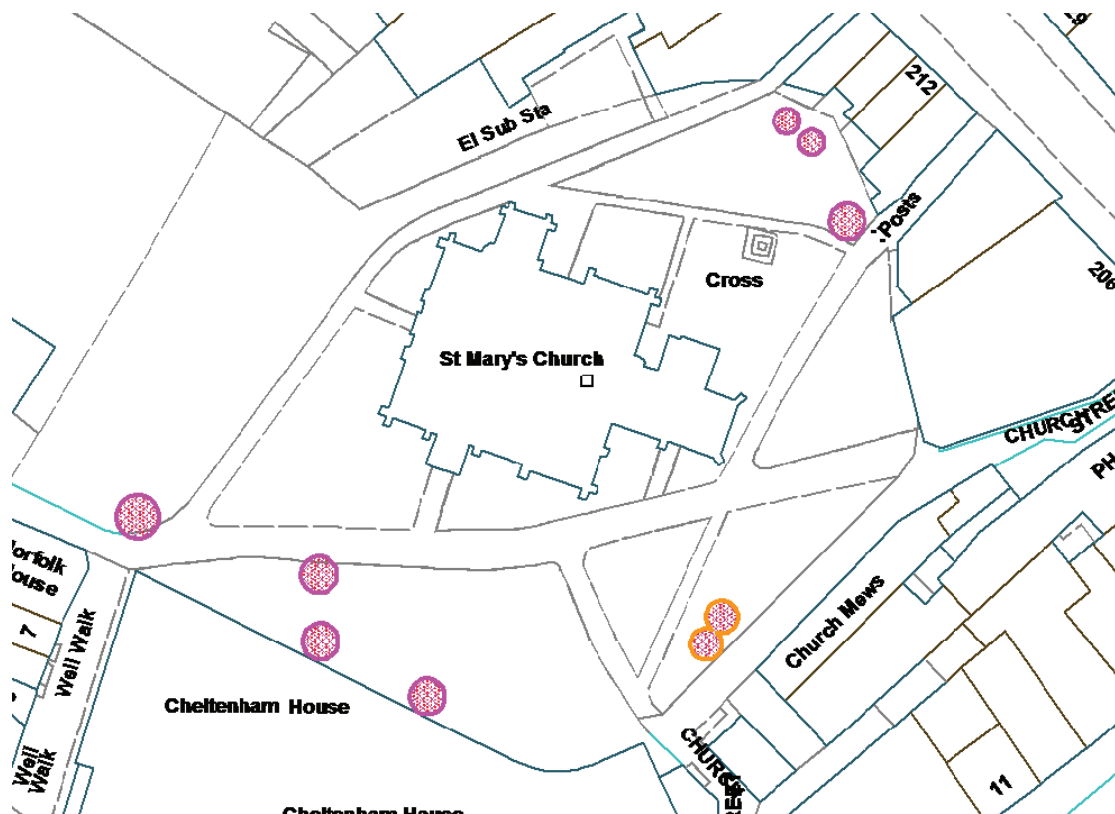
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Dial-A-Poet has been accepted to be part of the Cheltenham Poetry Festival which starts during the last week of March and runs through out the first week of April 2014.

I would like my project to be part of the art that goes into the phone boxes once they have been refurbished and placed back.

| | |
|--|---|
| APPLICATION NO: 13/02049/CACN | OFFICER: Miss Lindsey Mulraine |
| DATE REGISTERED: 12th December 2013 | DATE OF EXPIRY: 23rd January 2014 |
| WARD: Lansdown | PARISH: |
| APPLICANT: | Cheltenham Borough Council |
| AGENT: | Ms Jessica Jones |
| LOCATION: | Grounds, St Mary's Church, Well Walk |
| PROPOSAL: | Felling of 3 trees and works to 7 trees within grounds of St Mary's Church, see 'Tree Work Schedule' submitted with notification for full information. NB: Further works also taking place following routine Health and Safety inspections by the Tree Section, these works do not require a formal notification but details of these works have also been included for information, see additional information for further details |

RECOMMENDATION: Permit



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This conservation area notification is for the felling of 1 Horse chestnut, 1 Lime and 1 Lawson cypress and for various works to 7 other trees, within the grounds of St Mary's Churchyard.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Ancient Monument
Conservation Area
Core Commercial Area
Listed Buildings Grade 1
Public Right of Way
Residents Associations
Central Shopping Area
Smoke Control Order

3. POLICIES AND GUIDANCE

GE5 - The council will resist the unnecessary felling of trees on private land and will make Tree Preservation Orders when appropriate.

4. CONSULTATIONS

Cheltenham Tree Group
18th December 2013
Agree.

5. PUBLICITY AND REPRESENTATIONS

| | |
|-------------------------|-------------|
| Number of letters sent | None |
| Total comments received | 0 |
| Number of objections | 0 |
| Number of supporting | 0 |
| General comment | 0 |

- 5.1 No letters were sent out but 4 site notices were erected at each of the entrances to the church yard.

- 5.2 **Comments Received** No comments received

6. OFFICER COMMENTS

6.1 Determining Issues

This conservation area notification has been brought before Planning Committee as Cheltenham Borough Council is the applicant. All the works within the notification have been discussed and agreed with the Tree Section and are also being carried out in conjunction with health and safety works following recent inspections by the Tree Section (information attached to notification as Addition Information).

6.2 The site and its context

The churchyard is owned by the Church of England, however, Cheltenham Borough Council has responsibility for maintenance of the churchyard under the provisions of the Burials Act 1853. It has been some time since the churchyard has had an injection of revenue spent on it and as such has become overgrown in certain areas, which has in turn lead to anti-social behaviour.

This application for tree works is being made as part of the overall regeneration and improvement of St Mary's Churchyard. Some of the works is required to increase light levels in various areas in order to increase feelings of safety and visual appearance. Along with tree works, some shrub removal/maintenance will also be taking place to help with the light levels and personal security.

6.3 Other considerations

There are other areas in which the regeneration is taking place alongside the tree work, some of these are; bulb planting, art work and repaving. For more details and information on the overall improvements please contact Howard Barber, Public Space Designer, who will be able to help.

Some of the funding for this project is being obtained from the Civic Pride Reserve but there will also be a top up required from a grant.

7. CONCLUSION AND RECOMMENDATION

- 7.1** Taking into consideration the benefits of the overall improvements to St Mary's churchyard, the Trees Officer recommends members do not object to this conservation area notification.

8. CONDITIONS / INFORMATIVES

There are none.

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