



CHEL TENHAM

BOROUGH COUNCIL

Notice of a meeting of Planning Committee

Thursday, 20 February 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 - 16)
5. **PLANNING/LISTED BUILDING/CONSERVATION AREA
CONSENT/ADVERTISEMENT APPLICATIONS,
APPLICATIONS FOR LAWFUL DEVELOPMENT
CERTIFICATE AND TREE RELATED APPLICATIONS –
SEE MAIN SCHEDULE**
 - a) **13/01683/REM GCHQ Oakley, Priors Road** (Pages 17 - 56)
 - b) **13/01902/FUL 237 Cirencester Road** (Pages 57 - 106)
 - c) **13/01938/FUL Land adjacent to Wild Perry House,
Balcarras Road**
In consultation with the Chair and Vice-Chair, this application will now be decided under delegated powers, and will therefore NOT be considered at the meeting.
 - d) **13/02091/FUL 28 Victoria Terrace** (Pages 107 - 134)

- e) **13/02118/FUL 44 Naunton Park Road** (Pages 135 - 152)
- f) **13/01239/FUL 32 Church Road** (Pages 153 - 190)
- g) **13/02180/FUL 259 Gloucester Road** (Pages 191 - 218)

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

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

This page is intentionally left blank

draft minutes

Planning Committee

16th January 2014

Present:

Members (14)

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

Substitutes: None

Officers

Tracey Crews, Head of Planning (TC)
Martin Chandler, Team Leader, Development Management (MC)
Wendy Hopkins, Planning Officer (WH)
Karen Radford, Heritage and Conservation Manager (KR)
Lindsey Mulrairie, Trees Officer (LM)
Cheryl Lester, Legal Officer (CL)

1. Apologies: Councillor Wheeler.

2. Declarations of interest

5a: 13/01459/COU Castle Dream Stud

- Councillor McCloskey – *personal but not prejudicial* – is a member of the Cotswold Conservation Board; application site is in AONB.

5b: 13/01694/FUL Land adjacent to Dunalley Primary School

- Councillor Driver – *personal and prejudicial* – NSC was one of her mayoral charities
- Councillor Sudbury – *personal and prejudicial* – has friends who are staff of NSC

(Councillor Barnes confirmed that his interest in the previous application on this site was due to his connection with St Vincent's, which is not relevant here.)

5d: 13/02026/FUL 9 Sandy Lane

- Councillor Hall – *personal and prejudicial* – has personal friendship with the applicant's family and neighbour over and above being ward councillor

5e: 13/02055/LBC Phone Boxes, Promenade

- Councillor McKinlay – *personal* – is cabinet member for the Built Environment and CBC is the applicant, but has not been involved in this particular project; is also a member of Cheltenham Task Force.
- Councillor Garnham – *personal* – is a member of the Cheltenham Task Force, but has not been involved in this particular project.

5f: 13/02049/CACN Grounds, St Mary's Church

- Councillor Driver – *personal and prejudicial* – is a member of the Friends Committee which is organising the regeneration of the church grounds.

draft minutes

- Councillor Barnes – *personal but not prejudicial* – makes an annual contribution to the Friends of St Mary's but has no other involvement.

3. Public Questions

There were none.

4. Minutes of last meeting

Resolved, that the minutes of the meeting held on 21st November 2013* be approved and signed as a correct record *without* corrections.

[*NB: there was no Planning Committee in December 2013.]

5. Planning applications

Application Number:	13/01459/COU
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
View:	Yes
Officer Recommendation:	Permit
Committee Decision:	Permit
Letters of Rep:	26
Update Report:	Informative

WH introduced the application: the site is currently occupied on a temporary basis by a single gypsy/traveller family. The officer recommendation is for a personal temporary permission, subject to the conditions set out in the report

Public Speaking:

Mr Humphris, local resident

Many residents agree with the officer recommendation for a personal temporary three-year permission, in the name of 'Mrs Cox', not 'a traveller family'. They would like the original conditions of the Planning Inspector to be adhered to – allowing only two caravans on site, one static, one tourer for a dependant child – legally up to 16 years old, or 16-18 year old in full time education, but not 16-18 years old with spouse or children. Three large caravans are not needed and could result in unauthorised accommodation and too much intensification of development at the site.

On the matter of drainage, the 2011 Inspector was satisfied with site drainage, but the stable annexe with toilet and washing machine have since been added, and particularly in the summer grey water runs into an open drain in Mill Lane and often into an adjoining field full of sheep. Three caravans exacerbate this problem, and an ancient pond nearby has been filled with hardcore which adds to the overflow in wet weather.

The brick day room should be the subject of a separate application; questions whether it would still be needed, bearing in mind the stable annexe. A condition forbidding any further development of building or access to the site and obviating the need for retrospective vexatious applications would be appreciated. The emerging JCS Policy C4 deals with gypsy and traveller sites, and one criterion for their location states that any development is not within area of sensitive landscape. To date, CBC has

draft minutes

maintained and protected the character of the local AONB, and residents urge it to uphold this record by allowing Mrs Cox a temporary permission for three further years and upholding the Inspector's recommendations and conditions to protect AONB site until the situation regarding gypsy and traveller sites in the JCS area becomes clearer.

Member debate:

BD: these comments sum up the problem well. Concerned that the family are not really 'travellers' – if they were, they would stay just a few days and move on – so having trouble in squaring the circle in this respect.

HM: as a general comment, letters concerning the revised plans were sent out over the Christmas period and didn't give residents much time to respond. As it happened, the changes were minor and the drawings more accurate, but it would be good for the planning department to bear this in mind in future – if revisions are received during the Christmas holidays, residents should be allowed extra time in which to comment.

PT: looked at the site on planning view and noted that it is well kept, clean and tidy, but is concerned about the comment regarding sewerage – said Environmental Health should be contacted if this happens again. Regarding the three caravans, there was talk on planning view about limiting the number of days additional caravans can stay, such as for 30 days over a one-year period. Asked if officers have had any further thoughts about this.

BF: the Inspector made it clear that a temporary permission was all he was prepared to give, due to the sensitivity of the AONB and intrusion onto it. Is surprised Mrs Cox is applying now when the original permission still has almost a year to run. At the Appeal, great play was made about the breeding of horses, but suggests that most horses manage perfectly well on their own, and in any case, this site is no longer used as a breeding stud.

Having heard on the radio today (*Thursday 16th January*) that Eric Pickles, Secretary of State for Communities and Local Government, will be making a statement tomorrow (*Friday 17th January*) about traveller sites in Britain and in the AONB, is minded to ask for deferment until his views are known – there is still plenty of time, as the current permission doesn't expire until September. This move would be out of fairness to the parish council, neighbours, and the applicants themselves, who have spent a lot of money on the site and want to continue to improve it, and could find themselves having to pay to put it back as it was – replace the pond, remove fencing and the day room etc. This is a sensitive area, very visible from many points, and must be handled with great care. Therefore moves to defer until we know where we are going, following Mr Pickles' speech.

MS: could go along with BF's move to defer, but if this is lost, feels quite confident with the application and recommendation as stated. Would only ask that a condition be included requiring the proposed day room to be of similar construction to the stables, to match in with the two buildings making it less of an eyesore from the Cotswold Way. Also suggests that the siting of the two caravans should be behind the existing stables, not viewable from the top of the hill. If this can be achieved, people won't see much more than three wooden buildings when viewing the site from surrounding areas.

Members and CBC are between a rock and a hard place with this application, as we are short of additional traveller sites at present. This may change with the JCS, so a three-year permission is imperative – things can change in that time. The site is big enough to accommodate what has been applied for, and the work can be done discreetly, with the right conditions.

draft minutes

JF: also agrees with the idea of deferral, and isn't sure why this application is here now, with a year still to run on the current permission. Is nervous about granting another temporary permission – what will happen after three years? Another temporary permission? We are talking about the AONB, which is very special. Realises that travellers have got to have somewhere to go, and understands that the site is well run, but has read all the letters of representation for and against and is still uncomfortable with this application – feels it will be back to haunt us again.

RG: asked for the officer to give a response on the speaker's comments about drainage – it is important to get this matter sorted. There is talk about allocating land for travellers in a different place, but there are no G7 sites identified in Cheltenham. This site had been tidied up and is well run, and the applicant is seeking planning permission in the proper way, and is making an application now as her circumstances have changed – as is her right. Councillors are going to have to choose somewhere in Cheltenham as a traveller site in the future, and wherever that may be, it will cause harm to someone or some landscape. The recommendation for this application is not for permanent permission as the JCS will have to provide sites and could find somewhere better. The only issue he would like clarified is the drainage – does not support deferral based on what Eric Pickles might say. We have our own local plan and an emerging JCS to base decisions on. Minded to support a temporary use for three years.

HM: Will support BF's move to defer, as things may change fundamentally in the near future. Notes that the fencing on Mill Lane is more than 2m in height and therefore needs planning permission – did the applicant apply for permission for this? Agrees with PT's suggestion of limiting the number of days additional caravans can remain on site.

PJ: RG stole his thunder – would like to hear from the officer about drainage, and does not support deferral pending any changes which may be announced. This is an on-balance decision – as MS said, between a rock and a hard place – but suggests that having travellers settled on a site they care about could be more appealing than directing them to go where they want to go. Said the applicant is a traveller, and on balance supports the application, pending the officer's comments.

PT: won't support deferral, agreeing with RG that Members should make up their own minds, rather than wait to hear what Mr Pickles might or might not say. The situation with this family has changed – they are breeding horses, and have become part of the system. Horse-breeding is a country pursuit, needing fields and grass – this site is ideal. Regarding the fences referred to by HM, they are not overly intrusive and are covered by a substantial hedge for much of the time, thus not causing a great deal of harm to the AONB.

BD: for clarification, asked if the three-year permission start at the end of the current permission (*September*) or straight away? If the proposal is permitted, how can we stop other people from buying properties in the AONB and getting on-going temporary permissions to do work – this is the thin end of the wedge.

LG: as the recommendation is for a temporary permission, took the view that it would run for three years from now, though a cynic's view is that it could be added on the end making it a four-year permission. Encourages Members to support the application as it stands, but would like to hear a response from officers to Mr Humphris's presentation - came to committee certain which way to vote and speak, but he has raised several questions which need answers. Would be happier voting once he has heard what the officers have to say, as there may be a good case for deferral, depending on what their comments. Asked for TC to give an update on the JCS position on the selection, allocation and permission for gipsy and traveller sites for Gloucester, Cheltenham and Tewkesbury, and for Gloucestershire – this would be helpful before moving to the vote.

draft minutes

WH, in response:

- regarding deferral, is not sure what this will achieve. Regardless of what Mr Pickles might say, policy takes a long time to evolve and be adopted; in addition, the applicant could go to appeal for non-determination. Officer advice is therefore not to defer;
- regarding the status of the applicant, confirmed that Mrs Cox has established gypsy status – this is not in question at all;
- regarding drainage on site, the appeal Inspector felt that drainage provision was adequate for the site; if problems have arisen since, officers are not aware of it, but any issues can be secured via a condition;
- the number of caravans and the duration of their stay can also be conditioned;
- to MS's request that the caravans be sited behind the stable buildings, does not think that this would be physically possible, but can check to be sure;
- to comments that the site is no longer used as a breeding stud or for horses, the Inspector at the appeal gave permission for temporary residential occupancy for Mrs Cox and her partner at the time – any other use is not relevant to the application;
- to MS's comment about the finish on the day room, part of the previous appeal conditioned that facing materials should be render and tar, but this can be conditioned as timber akin to the stables on the site if Members so wish;
- to concerns about one temporary permission leading straight on to another, it is clear that this temporary permission doesn't allude to a permanent permission, so Members need not be too concerned about this. The temporary permission allows time to find more suitable sites. The Inspector gave great weight to the fact that we have to find a 5-year provision of sites, based on the established need of the district. This has been done, and we know that we must find two pitches between 2013 and 2031: one site between 2012 and 2017 and a further pitch 2028-31. So we need to find two pitches, not taking into account the duty to cooperate between districts if a neighbouring district can't fulfil its needs. A temporary permission is therefore good, as it gives us time to find other, less harmful sites;
- HM referred to the height of the fencing, also referred to by the appeal Inspector. There was already 2m fencing in existence on the site, installed by the previous owner. This has since been replaced by fencing which is very slightly higher than the original and which should benefit from planning permission, being over 2m in height. However, as this is only a temporary permission, so the question must be whether the slight increase in height over 2m can be considered harmful to the AONB for the duration of the temporary permission;
- regarding neighbours' concerns, Mr Humphris stated that neighbours generally support the officer recommendation, which allows the district time to find less harmful sites.

TC, in response:

- to LG's comments, said the JCS does two things: it identifies the quantum of need for gypsy/traveller sites, and establishes the criteria for identifying those sites – the Local Plan will deal with the allocation of the sites. The JCS won't do this, unless it becomes part of the strategic allocation; for example, a permanent pitch could be part of the North West Cheltenham development – there is a clear argument for this and it is large enough to accommodate a site – discussions are on-going;
- this application relates to a particular family which is unusual, but Cheltenham has a very small need for sites and the council knows who it is that requires them. The council has responsibility to respect the culture of gypsies and travellers and how they choose to live, and to provide sites for them, but Cheltenham is not yet at that stage;
- regarding BF's suggestion of deferral, we do not know what Eric Pickles will say tomorrow, but whatever this is, there will be no change in policy within one month. In addition, in one year's time, we won't have the Local Plan in place. A temporary

draft minutes

permission is therefore the right approach; in three years' time, we should have decided if this is an appropriate site or whether other, more appropriate sites have been identified.

BF: WH didn't answer the question as to whether the temporary permission would start now or when the current permission expires.

WH, in response:

- confirmed that the three years will commence from the date of the decision.

BF: there have been articles in the press about the removal of traveller status from travellers who don't travel, and to discount what the Secretary of State may say could be dangerous. Recalls the decision to allow offices to become residential accommodation – when it happens, it can happen very quickly.

LG: following TC's comments, asked whether this site with its temporary permission be one of a number of sites to be considered as a permanent site under the JCS? It might be an assurance to neighbours and Members to know whether we are dealing solely with a temporary period and a permanent site at this location doesn't come into the equation, or else that it does – local people deserve to know this.

TC, in response:

- all options to accommodate gypsies and travellers will be looked at, including this temporary site. It will be considered as part of the strategic assessment, alongside normal housing, and each possible site will be weighed up against the others.

PJ: with reference to any potential change in government policy which may be announced tomorrow: if Members make a decision today and there is a change in policy with a negative outcome, would that come into effect when the temporary permission lapses?

MS: moved to add conditions regarding materials used for construction of the day room and the siting of the caravans, as mentioned previously.

WH, in response:

- repeated earlier comment, confirming that the applicant, Mrs Cox, has established gypsy status;
- confirmed that if there is any material change in policy, any subsequent application in three years time will be considered against this;
- to MS, confirmed that there is no problem in conditioning the use of timber for the day room;
- regarding the siting of the caravans, thinks it will be very difficult to achieve what MS is asking for, and is not sure that we can achieve siting which would cause any less harm to the AONB. At the moment, the two caravans are parked gable-end on to the road, and it would take a great deal of engineering work to get them behind the stables. This would cost a lot of money, and as this is only going to be a temporary permission, it would not be reasonable to ask the applicant to do this. Therefore, cautions Members against this suggestion.

CC: asked BF if he still wanted to move for deferral or to withdraw that move.

BF: had listened to Members' and officers' comments, and realised that his proposed move would not be carried. Said Members should go straight to the vote on the officer recommendation.

draft minutes

GB: said the question of considering the length of time any additional caravans can stay on site hadn't been answered. Asked if this is something we can consider.

WH, in response:

- doesn't know what would be reasonable or normal here, and therefore proposes speaking to the applicant about her preferences, and also looking at other sites in neighbouring districts and asking what they do in those instances, then report back to the Chair and Vice-Chair for their approval.

CC: thinks this is sensible, suggesting the time limit could be anything from 30 days a year to holiday home conditions of 11 out of 12 months. We should have clarity here before agreeing.

Vote on officer recommendation to grant temporary permission for three years, with additional conditions on (a) materials used for day room, and (b) length of stay for additional caravans

11 in support

1 in objection

2 abstentions

PERMIT

Application Number:	13/01694/FUL		
Location:	Land adjacent Dunalley Primary School		
Proposal:	Provision of residential accommodation for people with disabilities, with associated care learning and activity facilities (Use Class C2)		
View:	Yes		
Officer Recommendation:	Permit		
Committee Decision:	Permit		
Letters of Rep:	67	Update Report:	None

Councillor Driver and Councillor Sudbury left the Chamber for this debate (see above)

MJC introduced the application, and reminded Members of the recent history of the site: there is an extant permission for development by St Vincent's, but this is an altogether different scheme

Public Speaking:

Mr David Ellis, Chief Executive of National Star Foundation, in support

Introduced himself to Members, and is speaking personally in support of this application, because it is so important. The report is thorough and clear, explaining the background, the existing permission, and how this scheme is a great improvement on it – a well-considered solution for a sensitive site, next to Pittville Park and in the conservation area. National Star has worked carefully with consultees, designers, users and stake-holders, and proposal is fully compliant with planning policy. Explained why this proposal is so important to the wider social benefit of those people with disabilities who use NSF's specialist provision. National Star is a Gloucestershire-based charity, established over 45 years ago, and providing specialist education, personal development, residential and other services for young people and adults with complex disabilities and severe disabilities. Its work is excellent and nationally significant, judged in 2012 to be outstanding by OFSTED, and recognised by the Care Quality Commission for its quality and standard of services. The work and plans for this site have been endorsed by the Education Funding Agency on behalf of the Department of Education, through the exceptional commitment of £2.2m towards this specialist facility. It will provide a safe and supported environment for young people with disabilities to practice and develop essential skills for their future adult lives, including access to education, employment for training, or simply to

draft minutes

communicate, gain freedom, and manage everyday tasks, which promote equality and allow them to be active members of society.

Compared with the previous scheme, the two-storey element to West Drive is in line with street scene, with a smaller overall footprint and mass; smaller buildings, more dispersed throughout site, improve the view through the site, and landscaping acts as a transition between the school, park and surrounding residential area. The proposal will meet highly-specialised requirements, and provide an outstanding resource, enabling young people and adults with disabilities to be embraced as part of their community. The life-enhancing outcomes will be widespread, from the proximity to Pittville Park and ease of access to the town centre and wider facilities on offer in Cheltenham. Is grateful for feedback, time and advice received, and hopes Members will support the scheme.

Member debate:

JF: applauds all the work done by the National Star College, but voted against the previous application on this site, which was opposed by the Conservation and Heritage Officer and by English Heritage. This proposal is better, but English Heritage is still against it. Expects it will go through, but will vote against it and wants to state her position: it is adjacent to the listed Pittville Park and opposed by English Heritage; while applauding all the work done by the NSC, her objection is to the siting of this proposal, not to the applicants themselves.

RG: cannot agree with JF, and would like to see a condition making it compulsory for residents to take advantage of Pittville Park. It is so busy, even at Christmas, and the more people who use it, the more diverse they are, the better. Urges CBC and NSC to make access to the Park as easy as possible and encourage residents to use it.

BF: has read all the letters of support, and believes that Cllr Rawson's letter sums up all the reasons why Members should support this application. He (Cllr Rawson) has been involved with this site from the beginning, when the land was turned into a wildlife garden for Dunalley School. The previous application was for a very good cause, and this is an ideal place for people to live, giving them easy access to town and the chance to integrate in society, rather than be isolated. With the Park on the doorstep, this is a good 21st century design – not Georgian in style, but suitable for the area. It is an excellent application.

PH: voted against the previous proposal and was dismayed when it went through – the wildlife garden was enchanting, the back of the proposed buildings backed on to the Park, the service areas were visible from the Park, and it was altogether too intrusive. However, the principle of building on this site is clearly established, this scheme is a great improvement, and the NSC does such worthwhile work. Will vote for the proposal – Dunalley School has established a new wildlife garden, and although sad to see the land that was allotments years ago go, this scheme is excellent.

PJ: the application is good, and the best outcome for the community in the area. The report gives clarity of the Heritage and Conservation Officer's position. Agrees with RG that access to the Park should be all-inclusive.

LG: looked at all the letters of representation, which were pretty much 50/50 for and against – so not much help to Planning Committee Members. Voted against the previous application on the basis that Pittville Park is very well known and listed, and would suffer because of the construction nearest to the Park, but was in favour of the single-storey buildings. This application is for two-storey buildings, and is mindful of KR's objections and recommendation to refuse the previous application – great play was made of the prominent location of the proposal, its visibility from the Park, its proximity to the pathways, and effect on long-distance views. These were all reasons for refusal on single-storey

draft minutes

buildings, so is surprised that there is no update on these matters in this report. Realises that there will be something built on this site, but does not feel two storeys are the best idea.

Another issue for objectors is the question of noise and whether the amenity of the residents of West Drive will be affected once the building is up and running. Notes there are quotations from the NPPF in the report, but not to Paragraph 123, which states that steps should be taken to avoid noise from giving rise to any significant adverse impact on the health, tranquillity, recreational and amenity value of an area.

Having considered these objections, has looked back to the 50/50 representations, noting many in support of the NSC and its work. Understands and admires the College and what it does, but the fact that it does worthwhile work for people with disabilities and learning difficulties should not be the point on which we take a decision. The same argument was made for the YMCA, when the possibility of the problem of noise was taken into account and conditions attached. There is a suggested condition for external users of the facility, but it could be difficult to extricate external users from residents, so why not have a set cut-off time for all users? If the condition only applies to someone hiring the room out, residents could continue till 1 o'clock in the morning. Does not feel the issue of noise has been properly grasped. Officers may say that, until the building is up and running, the potential noise issue cannot be assessed, but this isn't right.

Will vote against the proposal on account of the two-storey construction and the noise issue, unless the debate convinces him otherwise.

AM: disagrees with LG. Planning permission has already been granted on this site, for a similar use and a similar number of people. Voted in support last time and will do so again. If this proposal is turned down today, what will have been achieved? The original application can still be built. The standard noise considerations which apply to any residential unit in the area will apply here, so there is no advantage in turning it down on noise grounds. On the question of whether this scheme is an improvement on the previous one, says yes, it is: it makes better use of the environment, the relationship with Pittville Park is improved, there are more breaks in the buildings, more greenspace looking through the site. Will support this proposal with more enthusiasm than he supported the previous scheme.

PT: is amazed at the concentration on the issue of noise. Is there a noise problem with St Vincent's School, or with children playing outside at Dunalley School? This application is for residential accommodation for disabled people, and if there is any problem of noise from the communal room, Environmental Health officers will intervene, as they would if any resident of West Drive had a noisy party. Has read all the letters of representation carefully, and thinks some of the comments are crazy. This scheme is a huge improvement on the previous one, slightly sunken into the ground, further back from the road, making use of the downward slope of the land. Does not consider it will cause any problem. Will vote in support.

BF: is amazed that people are preoccupied by the prospect of a modern building adjacent to Pittville Park. Leisure@ is close by, as are several modern blocks of flats. Dunalley School holds events in its hall which generate noise, Pittville Pump Room is an events venue, and noise from events at the racecourse can be heard all over Cheltenham – this is part of living in an urban area. Lives adjacent to Bournside School, and experiences both noise and light pollution at times.

RG: wants to be forceful in his support of this application, as some Members are saying they will not vote for it, or abstain. Yes, there will be some times when there is more noise – on a summer evening, for example – the view from Pittville Park will be affected, and life will change in the area, but will this be so bad that the proposal should be refused? Is sure the NSC will be horrified if noise

draft minutes

becomes an issue, and has undoubtedly considered the matter. In situations where opinion is divided 50/50 and Members find it difficult to make up their minds, considers they should follow the officer's advice – this is why we pay them. There is no great deal with noise here – if it becomes a problem, Environmental Health will get involved. Will be proud to approve the scheme; enjoys the Park and wants disabled people to be able to enjoy it too. We should support the proposal.

MS: voted against the previous scheme, but this is infinitely better – will vote in support this time. Is quite relaxed about the two-storey buildings - they are facing other two-storey buildings and won't compromise the Park. Had concerns about the communal room similar to LG's, and thinks conditions should be included, for an 11 o'clock close-down, though would prefer that this be purely for residents' use, and not hired out to external bodies.

KR, in response:

- referring to her recommendation on the previous scheme, confirmed that she was opposed to the principle of building here and to the details of the design, but the proposal was approved and due attention must be given to that;
- doesn't recall if English Heritage officers commented on the design of the previous scheme – an inspector from English Heritage had been in Cheltenham on another matter, walked round the site with KR and given the proposal some consideration, but does not think those comments were recorded;
- parks are listed like buildings, and Pittville Park is a Grade II listed park. English Heritage did not consider it would be much harmed by the previous proposal, but have now reorganised and only comment on Grade I listed parks;
- the principle of building here has been established, and the design of this scheme is much better than the previous. Had some reservations about the two-storey element, but Paragraph 134 of the NPPF states that where a development will cause 'less than substantial harm' to a heritage asset, this must be weighed against the public benefits of the proposal – and the particular use of the proposed building is very much a public benefit;
- in view of there being an extant permission, and the current proposal being better than that, is in support of the scheme.

MJC, in response:

- regarding the issue of noise, Block B is essentially a common room for users of the site, its size and footprint very much an ancillary part of the development. It is roughly the size of a triple garage – not huge – and although there has been a lot of concern locally about noise, the Environmental Health team has been involved at length, leading to the decision to include a condition restricting its use for external users, but in view of its size and position, do not feel it necessary to restrict its use for residents on site. Condition 12 relates to outside groups, restricting use from 9am to 11pm;
- it is quite common for school halls to be used by external groups and is up to the applicant to manage this. The suggested condition is reasonable, precise, enforceable, and can be monitored. Noise levels should not be a problem, due to the small-scale nature of the building and its position on the site;
- the use of Paragraph 123 of the NPPF would be out of context here, as it is concerned with the natural advise – would advise caution about using it;
- Local Plan policy CP4 deals with amenity, and the question to ask is whether this proposal will cause unacceptable harm to neighbouring amenity. Environmental Health do not consider it will and it would be very difficult to demonstrate;
- this is set out on Page 114 of the officer report, at point 7.4.

draft minutes

JF: has listened to everyone, and now accepts that this is a different application to the last, and that the principle of building on this site has been established. Has been persuaded – will vote in support.

Vote on officer recommendation to permit

11 in support

1 in objection

0 abstentions

PERMIT

Application Number:	13/01461/OUT
Location:	81 New Barn Lane, Prestbury
Proposal:	Outline application for the erection of a new dwelling
View:	Yes
Officer Recommendation:	Permit
Committee Decision:	Refuse
Letters of Rep:	1
Update Report:	None

MJC introduced the proposal, an outline application with all matters reserved, other than access. A similar application on this site was refused by committee some months ago; the main difference between that application and the current one is that the site is now larger. It has been consulted on in the usual way, and the recommendation is to permit, subject to a condition to guide the applicant at the reserved matters stage.

Public Speaking:

None

Member debate:

MS: disappointed that this application is back again so soon, and the fact that it is now on a larger bit of land does not make any material difference to the previous refusal reasons. This is over-development, in conflict with the SPD which is very clear about backland development's visual connection to the existing street. Planning Committee did the right thing last time in refusing. Policy CP7 is still applicable, residents of 83B New Barn Lane are concerned about the impact on their property, and the proposal is too crammed in – a quart in a pint pot. Moves to refuse for same reasons as used last time.

RG: supports this move. A house has already been legitimately constructed in the garden of 81 New Barn Lane, and now the applicant is trying to squeeze in another, with the only difference between this and the previous application being a little rectangle of land behind 82B. This is not enough to make any difference to the previous refusal reasons. The new application includes a shed and hardstanding, but the effect on 83B will be the same. The addition of the extra land does not win him over. The applicant may have the right to reply, but this doesn't mean the Committee has to agree.

HM: doesn't like outline applications. The elevational drawings are very bland - the officer says these will not be binding, but is unhappy with them and would like to see something with more imagination. The proposal still conflicts with policy CP7 and the SPD. Agrees with MS's move to refuse, but wonders why officers have changed their minds.

MJC, in response:

- to HM's question (and covering several other points at the same time): officers haven't actually changed their minds, as the recommendation for the previous application was

draft minutes

- also to permit. The Committee gave its view very clearly, and officers are now defending their refusal reasons at appeal – statements of case have been submitted;
- however, this application is materially different. The additional land overcomes the previous refusal reason that the proposal was cramped and overcrowded – with more land, the applicant has freed up what can be done with the development. The lay-out is only indicative, and the building could be moved to the south, in line with 82B, still leaving a reasonable amount of garden and space around, and not appear too cramped;
 - regarding the Garden Land SPD and policy CP7: officers always give the same answer to Members on the SPD – it gives key themes and proposals, but officers and Members need to understand and consider the context before deciding if a proposal is acceptable. From the site plan it is clear that this area comprises a variety of buildings, plot sizes and so on – the proposed dwelling would not be noticeable on this site plan. Officers use Nolli diagrams as a good way to understand the grain of an area, showing dwellings and buildings as small black blobs, and demonstrating that the grain here is indeed very varied and could take another dwelling;
 - the flaws with the design and lay-out drawings have been acknowledged, but the applicant doesn't have to submit elevational detail at this stage – the main consideration in the relationship to 83B. There are ways to make the scheme meet requirements at the reserved matters stage;
 - officers consider the proposal to be compliant with CP7 and the SPD, hence their recommendation to permit.

MS: MJC has spoken about the grain, but Members who don't know the area should be aware that the regular black dots on the left side of the site plan are mobile homes. Looking at these, it may appear that one extra dwelling doesn't matter, but it does.

BD: was not on planning view, unfortunately, but having looked at the drawings, asked where the extra land to the right is coming from? If it's from 83B, that property will be completely squashed.

MJC, in response:

- the extra land is owned by the applicant. The garden of 83B is shown on the drawing, and the additional land is taken from the garden of 81A.

Vote on MS's move to refuse, on CP7 and the Garden Land SPD

11 in support

0 in objection

3 abstentions

REFUSE

Application Number:	13/02026/FUL
Location:	9 Sandy Lane, Charlton Kings
Proposal:	Proposed refurbishment of property and erection of side and rear extensions (following demolition of existing garage)
View:	Yes
Officer Recommendation:	Permit
Committee Decision:	Permit
Letters of Rep:	2
Update Report:	None

Councillor Hall left the Chamber for this debate (see above)

draft minutes

WH described the application as above, with the officer recommendation to approve.

Public Speaking:

None.

Member debate:

PT: asked for an illustration of the existing house (*displayed on wall*). Cannot support this proposal. At the moment, it is an 'old-fashioned' house, in keeping with the street scene. Taking off the roof and turning the house into a modern edifice is not appealing – cannot support it in any way, shape or form. If it was a modern extension on the side or rear of the house, that might be OK, but taking the roof off will destroy the symmetry of the street.

KS: agrees with PT, and considers this application a travesty. This is a pretty house which fits in well with the street scene. Does not consider this approach appropriate here – 1970s houses aren't the most appealing, but this is pretty and in a prominent site. Has nothing against modern architecture but considers it the wrong approach here. A variety of architectural styles is good, and maybe a modern extension at the back of a property, but this proposal is not right in this location. There is a modern extension next door, but it is only a single storey and not visible from the street. The proposed scheme is very substantial, very noticeable, and will change the character of Sandy Lane. Cannot support it.

PJ: takes the opposite view and cannot refuse it. The character of Sandy Lane has been changed by previous applications, and this proposal is like a mini-Grand Design. The house is pretty, but it could be demolished and completely rebuilt. There is enough space front and back for the proposed scheme. Doesn't usually like modern designs, but likes this one.

BD: personally thinks the proposal looks horrible – but will support it anyway. Asked for clarification of the picture, in which the house next door is not visible from the road.

HM: like PJ, likes the application. The existing house is very solid but tired, and would need considerable restoration. The proposed scheme is exciting. Sandy Lane has many different styles of architecture, and there are other modern houses further up the road.

GB: on balance, will support the proposal but is concerned that on site, the 1.5-storey conservatory seemed to be very close to the neighbouring building on the right side - worried by this, but not enough to vote against it. There will be an impact on No. 7 – is there anything to be done to ameliorate this?

RG: this is a prominent site and the new building has to be right with materials and finish. Thinking about some of the schemes Members saw on the completed schemes tour, and the Condition 4, requiring approval of facing and roofing materials, urges officers to make an example of this proposal in enforcing that condition, so that it doesn't just look great on Day 1 but also five years down the line. The conditions are there, and need to be enforced to make sure the scheme looks right and stays so, unlike some new-build properties in Pittville which are already beginning to look tatty. Would like to see officers given the muscle to really enforce the conditions.

BD: supports this – it is so important that the building doesn't start looking tired and tatty.

WH, in response:

- to comments about the character of the street scene and whether the proposal is in keeping with this, Sandy Lane is a residential street with very mixed architectural style. There is a modern, flat-roofed dwelling next door to the application site. Some people

draft minutes

appreciate contemporary designs, and some don't, but Paragraph 60 of the NPPF states that planners should not attempt to impose architectural style or taste, or stifle innovation but should seek to promote and reinforce local distinctiveness. Planners shouldn't be 'architectural police' – there are always a number of approaches which will work;

- regarding the 1.5-storey element and its proximity to No 7 Sandy Lane, a light test has been undertaken and passed, and adequate daylight to the adjoining property is not an issue;
- regarding the prominence of the site, RG has picked up the matter of details, which is very important. If Members want to condition any particular details to be produced at greater scale, or more detailed drawings of any particular element, this could be requested;
- officers are in negotiation to promote and encourage more details to come forward as part of planning applications, as the devil is in the detail and they want to ensure that developments look good now and in five years' time;
- there is no specific condition for any particular detail at the moment, but Members can propose one if they like, or leave it to be agreed between officers and the Chair and Vice-Chair.

RG: is particularly concerned about where the different surfaces meet and how this will weather. Happy for this to be agreed with the Chair and Vice-Chair.

Vote on officer recommendation to permit

9 in support

4 in objection

0 abstentions

PERMIT

Application Number:	13/02055/LBC		
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		
View:	Yes		
Officer Recommendation:	Grant		
Committee Decision:	Grant		
Letters of Rep:	2	Update Report:	None

MJC introduced the application, at committee because CBC is the applicant. In accordance with this, if Members grant planning consent, it will be need to be ratified by the government to ensure the Council isn't abusing its power.

Public Speaking:

None.

Member debate:

KS: supports the application – considers it an innovative idea, and the phone boxes need to be used (although when she tried to use one recently, her money got stuck). It's good that they will stay in the Promenade, and this application is to be welcomed.

draft minutes

BD: pointed out that the proposed signs regarding the nearest working phone boxes shown on the drawing on the wall are incorrect – there is another one a lot closer on St George's Road. Would like to see a picture of what the finished phone boxes will look like. Hopes they will still look like phone boxes, as visitors like to take pictures of them.

PT: is intrigued that one of the phone boxes will house a metered electrical supply. Also thinks it a good idea to keep one working phone.

MJC, in response:

- the electrical supply is to aid the markets on the Promenade – they will be able to hook up, and not have to rely on generators; thus the phone box will serve a dual use;
- regarding working phone boxes, there is a requirement to provide a certain number of these, but this is not part of the planning requirement. There are other working phone boxes in the town centre, functioning and accessible;
- the phone boxes will still be red and look as they do now, but will be completely refurbished, with doors re-hung, re-glazed etc; they will still read as red phone boxes, but in better condition;
- there will be signs on the phone boxes, stating that they are now managed by The Wilson, and directing people to the nearest public phone box.

BD: asked if these signs will be on the outside.

MJC, in response:

- this is described clearly in the report – they will be on the inside.

HM: asked for confirmation that they will still be red – they should be, as befits their iconic status.

BF: said the proposal was a novel idea and would be better than 'dead' phone boxes.

RG: is glad the phone boxes are being taken away in stages and not all at once.

GB: when they are used for art exhibitions, will people still go inside them to look at the art, and will they be locked at night? People have been known to use phone boxes for anti-social purposes.

MJC, in response:

- they will be used for art installations, and this most likely means people will go inside them to appreciate the art;
- is concerned that Members are straying into micro-management – this is a good scheme, and if Members accept, the phone boxes will be improved, managed and looked after a lot better than they are now.

Vote on officer recommendation to permit

14 in support – unanimous

PERMIT

draft minutes

Application Number:	13/02049/CACN
Location:	Grounds, St Marys Church, Well Walk
Proposal:	Felling of 3 trees and works to 7 trees within grounds of St Marys 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
View:	Yes
Officer Recommendation:	No objection raised
Committee Decision:	No objection raised
Letters of Rep:	0
Update Report:	None

Councillor Driver left the Chamber for this debate (see above) and the rest of the meeting

LM explained that this is a CBC application, and is required to improve light levels and personal security in the church yard. It is also part of the regeneration and general improvements to the area.

Public Speaking:
None.

Member debate:
PT: asked for clarification of which trees were coming out and which were to be worked on.

LM, in response:
- explained by reference to the drawing on the screen which trees were to be removed and which to be worked on. Only T4, T5 and T27 are to be removed.

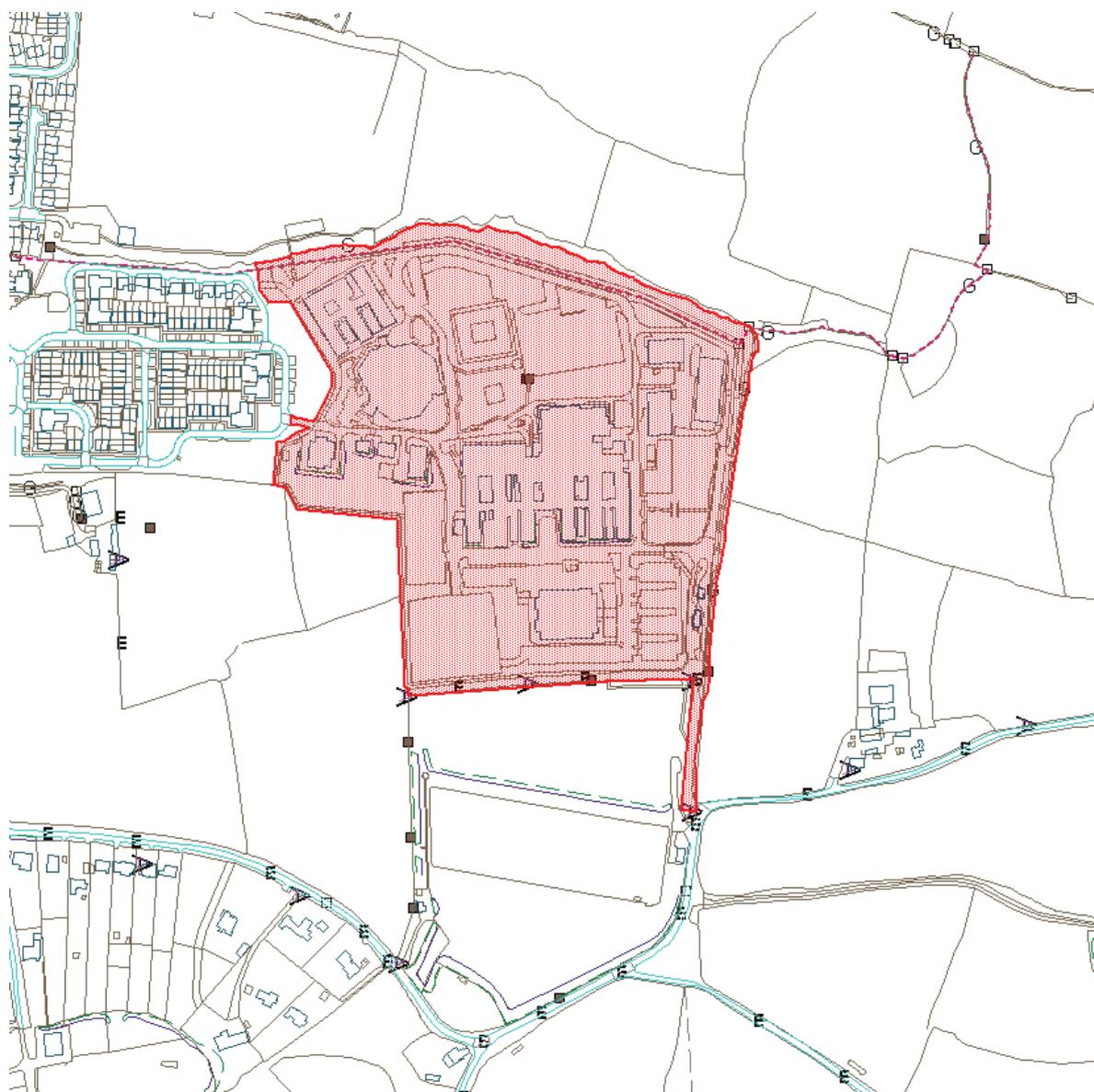
Vote on officer recommendation to raise no objection
13 in support – unanimous
NO OBJECTION RAISED

6. AOB
There was none.

The meeting ended at 8.10pm.

APPLICATION NO: 13/01683/REM	OFFICER: Mr Ian Crohill
DATE REGISTERED: 1st October 2013	DATE OF EXPIRY: 31st December 2013
WARD: Battledown	PARISH:
APPLICANT:	Mrs Emma Geater
AGENT:	Focus Design Partnership Ltd
LOCATION:	GCHQ Oakley, Priors Road, Cheltenham
PROPOSAL:	Approval of reserved matters pursuant to Outline Planning permission ref: CB11954/43 and ref:01/00637/CONDIT for the erection of 311 dwellings and associated roads, footways, parking, landscaping, drainage and public open space.

RECOMMENDATION:



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The report relates to application 13/01683/REM, an application for approval of reserved matters which forms, in effect, Phase 3 of the residential development on the former GCHQ site at Oakley, Cheltenham.
- 1.2 The application takes the form of approval of matters reserved by outline planning permission CB11954/43 granted 5th October 1998. The time limit by which details in pursuance of that outline had to be submitted was extended by permission ref. CB11954/55 granted 22 April 1999 (ten years from date of that permission) and by permission ref. 01/00367/CONDIT granted on 21 June 2001 (fifteen years from the date of that permission). The outline permission provided for a district centre (Sainsbury's supermarket) covering 1.6ha of site and 20ha were to be devoted to residential development. Members will be aware that the permission for the Sainsbury's store has been implemented and that phases 1 and 2 of the total residential development have also been completed.
- 1.3 The current reserved matters application relates to the external appearance, siting, design and landscaping of the third and final phase of the residential development with access to the majority of the development being off Priors Road and through Phases 1 and 2. The access was approved in detail form along with the outline in 1998, it is traffic light controlled and has been in use now for several years. The application proposes a total of 311 dwellings.
- 1.4 A number of Section 106 Agreements relate to the outline permission. Some of these agreements amended previous ones and some introduced new obligations to development of the site. Of relevance to the residential element within the total development, the s106 agreements governed:-
 1. The provision of equipped play space on the site. It identified a need to provide 3 local play areas within the total development, though provision is also made for the obligation to be discharged by paying a commuted sum.
 2. A commuted sum in respect of Education provision.
 3. Provision of an element of Public Art (£85,000 payable but relates to retail store element only)
 4. Affordable Housing
 5. Provision of CCTV (relates to retail store element only)
 6. New access arrangements

With regard to financial contributions for education provision, the s106 basically secured a contribution of £48,925 per twenty five dwellings, payable on occupation of each 25th dwelling.

Affordable housing was to be provided in the proportions of 12% for rent or shared equity and 6% low cost market housing in accordance with the s106 Agreement. The affordable housing for phases 1 and 2 has been provided within the relevant developments; the current application therefore provides for affordable housing at 12% of the total 311 dwellings.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Ancient Woodland
Area of Outstanding Natural Beauty
Landfill Sites boundary
Public Right of Way

Smoke Control Order

Relevant Planning History:

CB11954/43 Outline application for residential Granted 05.10.98 development (20 ha) and provision of district centre incorporating food superstore (1.6ha)

CB11954/55 Application under S73 to develop Granted 22.04.99 in accordance with planning permission CB11954/43 without complying with condition 1(a), to allow for applications for reserved matters approval to be made no later than 10 Yrs from the date of this permission.

01/00637/CONDIT Variation of condition 1 (a) (b) of permission CB11954/43 to provide a 15 year period for approval of the reserved matters. Granted 26.06.2001

06/00352/REM Residential development for Phase 1 Granted 11.05.06 consisting of 159 dwellings, garages, highway, drainage, landscaping and associated works (approval of matters reserved by Outline Permission CB11954/43 as amended by permissions reference CB11954/55 and 01/00637/CONDIT)

06/00380/REM Residential development for Phase 1 Granted 11.05.06 consisting of 103 dwellings, garages, drives, footpaths, highway, engineering, landscape and associated works (approval of matters reserved by Outline Permission CB11954/43 as amended by permissions reference CB11954/55 and 01/00637/CONDIT)

07/01296/REM Residential development for phase 2 comprising 53 dwellings. Approved April 2008

0701465/REM Residential development for phase 2 comprising 104 dwellings Approved April 2008

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

- CP 1 Sustainable development
- CP 2 Sequential approach to location of development
- CP 3 Sustainable environment
- CP 4 Safe and sustainable living
- CP 7 Design
- CP 8 Provision of necessary infrastructure and facilities
- PR 1 Land allocated for housing development
- GE 5 Protection and replacement of trees
- GE 6 Trees and development
- HS 1 Housing development
- HS 2 Housing Density
- HS 4 Affordable Housing
- RC 2 Youth and adult outdoor playing facilities
- RC 4 Casual play space
- RC 6 Play space in residential development
- RC 7 Amenity space in housing developments
- UI 2 Development and flooding
- UI 3 Sustainable Drainage Systems
- TP 1 Development and highway safety
- TP 2 Highway Standards
- TP 6 Parking provision in development

Supplementary Planning Guidance/Documents

Sustainable buildings (2003)
Sustainable developments (2003)
Flooding and sustainable drainage systems (2003)
Security and crime prevention (2003)
Travel plans (2003)
Planning obligations (2003)
Amenity space (2003)
Play space in residential development (2003)
Affordable housing (2004)
Planning obligations: transport (2004)
Landscaping in new development (2004)

National Planning Policy Framework 2012

4. CONSULTATIONS

Cheltenham Civic Society

13th November 2013

No Comment

Architects Panel

14th November 2013

2. Is the information sufficient to understand the application?

The information was very thorough with lots of plans, elevations and street scenes however we could not see any 3D images and it was felt that a couple of birds eye site plans to help explain the layout in relation to the topography would have been very useful.

3. Context

None provided that could be seen with regards the approach to the site through the existing housing.

4. Massing and Scale

We were concerned that some of the units are four storeys in height and these appear to have been positioned at the top of a bank at the approach to this section of the site, as such their positioning will exaggerate their impression of height.

We are not saying that we don't feel four storeys could be used on the site but we question the positioning of it.

At the same time there seems to be a large number of smaller detached units which has resulted in a layout that looks in places quite fragmented. It was felt that some of the most successful areas were the terraces of smaller properties and the denser areas of place making.

5. External Appearance

There was quite a range of appearances and on the whole these were felt to be appropriate.

6. Detailing and Materials

There was not a great level of information relating to specific details and there was some concern that the success of the shared surfaces will be down to the selection and

Page 21

combination of materials but on review of the key it appeared there was quite a lot of tarmac proposed.

7. Environmental Design

There was not a great deal of information relating to the environmental aspects of the site.

8. Summary

There were some aspects of the plans and elevations that suggested an interesting and well-designed scheme with a solid concept underlying it however it appeared that in some areas this had broken down a little resulting in the concerns raised above.

There was also considerable concern over the highway implications of this number of houses being accessed through the earlier housing scheme and ultimately onto Priors Road at one point.

9. Recommendation

This a significant site in terms of the location and size of the development into currently open space although we accept there is an extant outline approval for the residential use the scheme should deliver a high quality housing scheme for the town we feel the current scheme falls short of this. Refuse in the current form albeit we don't believe the scheme is that far from being acceptable.

Crime Prevention Design Advisor

24th October 2013

Letter available to view on line.

Severn Trent Water Ltd

21st October 2013

With reference to the above planning application the company's observations regarding sewerage are as follows:

I confirm that Severn Trent Water Limited has NO OBJECTION to the proposal subject to the inclusion of the following condition.

Condition

The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

If you require any further information please contact Rhiannon Thomas on 01902 793883.

Environment Agency

2nd December 2013

Thank you for your letter dated 3 October 2013 consulting us on the above application. We did not initially anticipate providing comments as the proposal does not feature in our checklist for consultation. We were previously involved at the Outline stage and influenced the development at that stage, including the principles of the surface water drainage for the site. Since then the Flood and Water Management Act 2010 has altered our responsibilities for flood risk - we maintain an overview for all forms of flooding, but we lead on fluvial flood risk and the Lead Local Flood Authority (LLFA) leads on surface water flooding and

drainage. As such we would not normally make bespoke comments on this application and would provide standard advice on surface water drainage.

In this instance however, we have become involved in the application in support of the LLFA in their role and our own overview role in terms of flood risk. Accordingly, in addition to our enclosed standard surface water drainage guidance we also provide the following comments for your consideration and that of the LLFA. Thank you for your 27 November email confirming that we can still provide comments at this stage.

Flood Risk:

There is a known flood risk downstream of the development site as referenced within the application. In accordance with guidance contained within the National Planning Policy Framework (NPPF) we would expect you and the LLFA to use this opportunity to seek to reduce the causes and impact of this risk as far as practicable. In addition, when determining any planning application we are keen to ensure, and would expect you to also ensure, flood risk is not increased elsewhere. This is not currently clear from the information submitted to date as it does not confirm the proposed drainage scheme will attenuate runoff to the required 1 in 100 year standard plus a 30% allowance for climate change.

Drainage Strategy:

We note the comments included within the Design and Access Statement in relation to the surface water drainage. Whilst we have no major objections to the principles of the proposed design included within the aforementioned document, unfortunately no detail has been submitted in this regard. Given this information has been presented in support of a detailed planning application we would usually expect more detailed information to be included at this stage. The proposed layout of the development will have a considerable impact on the availability of land for surface water drainage storage and features.

There are no calculations submitted, hence our comment above that it is not clear whether the site will be attenuated to the 1 in 100 year storm event plus 30% climate change allowance (as required by the NPPF). For a site this size it is anticipated that much more storage will be required than what is detailed. There is no information regarding what will happen in an exceedence event; given the steepness of the site this is an important factor.

It is unclear why the use of permeable paving is not more widespread; it should be utilised in all driveways and parking areas.

With regard to the notes included on drawing no. 0488-320 entitled 'Drainage Strategy', you and the LLFA should be satisfied that it has been adequately demonstrated that infiltration techniques are not suitable on this site through appropriate tests. There is no information in this regard.

We have previously discussed the inclusion of a balancing pond with the developers and their representatives and there is reference to such an inclusion on the associated drawing (item 13). It does not however appear to have been included within any of the drawings themselves. There is very little space available on site; it is unclear why the documentation appears to be contradictory and the attenuation pond removed.

The Drainage Strategy makes reference to 7 outfalls and 7 gullies; we note only two outfalls have been detailed on the drawing. It is unclear whether these are existing or proposed new outfalls.

Swales and overflow infiltration trenches are referenced as part of the proposals however there is very little detailed information in this regard.

Page 23

Again very little information has been submitted in relation to the proposed attenuation "tanks" and "culverts". It is also unclear who will adopt these features upon completion and how they will be maintained.

Conclusion:

It is unfortunate that the drainage of surface water from the site appears to have been considered after the detailed design. This is an opportunity to reduce the existing flood risk downstream and we would usually expect more information to be submitted in support of a detailed planning application.

20th January 2014

I write further to our previous letter dated 29 November 2013, our reference SV/2013/107371/01-L01. Following that letter we received an email dated 13 December 2013 from the applicant's drainage consultant Andrew Dennis of Focus Design. As per our discussions, we have been unable to provide a formal response to this information before now as my colleague Matt Kerry who has been involved with the detailed drainage discussions to date was on sick leave in December and following his return to work was involved with the Christmas and New Year tidal and fluvial flood incident. We apologise for this delay and thank you for confirming our comments are still required.

The 13 December email has confirmed the points and queries raised in our 29 November letter. We are satisfied that this email and the submitted Drainage Statement confirm the principles of the drainage strategy. Of key importance is the confirmation that the drainage scheme will deliver attenuation to the 1 in 100 year storm standard plus the 30% allowance for climate change as required by the NPPF and its Technical Guidance.

We still consider that detailed drawings showing the detailed drainage and SuDS features to be delivered will be needed for the scheme, however following our discussion we understand that you would be satisfied to secure such detailed drawings via a condition of any permission granted. Given that the principles are established and confirmed for the development, the Environment Agency would not need to have further involvement with the scheme at the discharge of conditions stage as we would anticipate either the Lead Local Flood Authority (LLFA) or the Land Drainage Officer would review the detailed drawings and oversee the implementation of the drainage scheme. Accordingly you may wish to attach a condition seeking detailed drawings based on the submitted Drainage Statement for review by the LLFA and/or the Land Drainage Officer.

Natural England

28th October 2013

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

This reply comprises our statutory consultation response under provisions of Article 20 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 Regulation 61 (3) of the Conservation of Habitats and Species Regulations 2010 (The Conservation Regulations) and Section 28(1) of the Wildlife and Countryside Act 1981 (as amended).

The proposal is for approval of reserved matters for 311 houses on land at Oakley, previously occupied by GCHQ. The southern part of the site is within the Cotswolds Area of Outstanding Natural Beauty (AONB) and the site is surrounded by the AONB to the west, south and east. The Cheltenham Circular walk runs along the eastern boundary. There are no European or nationally protected biodiversity sites within 2km of the proposal.

Protected Landscape

The proposal is for a large development partly within the Cotswolds AONB and surrounded by the AONB on three sides. The impact of this development on the AONB is Natural England's key concern. The NPPF states that great weight should be given to conserving landscape and scenic beauty in AONBs, which along with National Parks, have the highest status of protection in relation to landscape.

Development within the AONB and impacting on the setting of the AONB should be high quality and sensitive to the character of the AONB. It is Natural England's view that this proposal does not take into account the impacts on the AONB sufficiently: the layout is not sensitive to the landscape context; the density is too high; and the provision of green infrastructure is inadequate to mitigate the impacts on the AONB.

We would expect the LPA to consider opportunities for moderating any detrimental effects on the AONB, and to take account of the following:

1. The LPA should be mindful of development within the AONB which could affect the special qualities of the AONB. Any development should be designed sympathetically to the existing character of the AONB in the area, and consideration should be given to the extent to which the development can positively contribute to and complement the character and quality of the landscape in the area. Both the protected landscape and the size of the proposed development means that careful design is especially important.
2. The transition from the built up area to open countryside should be handled with care with sensitive design of buildings and layout of the development.
3. The scheme should be carefully designed to minimise visual impacts from public viewpoints by appropriate scale, spatial arrangement, density of the buildings and by incorporating green infrastructure into the scheme.
4. We advise that the choice of building style and building materials should be sensitive to the local vernacular architecture. I attach some information on Concept Statements, a tool to achieve high quality, locally distinctive design in development. We would also encourage the development to be an exemplar development in its use of resources and aim for at least level 4 of the Code for Sustainable Homes.
<http://naturalengland.etraderstores.com/NaturalEnglandShop/Concept%201>
5. The proposal should be guided by the Landscape Character Assessment for the area and the Cotswolds AONB Management Plan.
6. We would also strongly encourage the Council to seek the views of the Cotswold Conservation Board.

Green Infrastructure

Given the location of this large development partly within the AONB, Natural England would expect substantial and well designed green infrastructure to reduce the impact of the proposed development on the protected landscape. We would expect a greater part of the site to be developed as green infrastructure than is currently proposed and encourage further provision of green infrastructure as part of this development to reduce the impact on landscape and rights of way.

Green infrastructure can perform a range of functions including improved flood risk management, provision of accessible green space, climate change adaptation and biodiversity enhancement,. Evidence and advice on green infrastructure, including the economic benefits of GI can be found on the Natural England Green Infrastructure web pages.

Biodiversity enhancements

The development should aim to enhance the biodiversity of the site by including trees, hedges and ponds. These features should be part of a connected mosaic landscape that links to linear landscape features outside the site to provide important commuting routes for wildlife.

Page 25

The application provides opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats and the installation of bird nest boxes for house martins, house sparrows and swifts and habitat enhancement. The authority should consider securing measures to enhance the biodiversity of the site. This is in accordance with Paragraph 118 of the NPPF. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those.

Protected Species

If the LPA is aware of, or representations from other parties highlight the possible presence of a protected or Biodiversity Action Plan (BAP) species on the site, the authority should request survey information from the applicant before determining the application. The Government has provided advice on BAP and protected species and their consideration in the planning system.

Natural England Standing Advice is available on our website to help local planning authorities better understand the impact of development on protected or BAP species should they be identified as an issue for particular developments. This also sets out, when, following receipt of survey information, the authority should undertake further consultation with Natural England.

Contaminated Land Officer

4th October 2013

Please can you add the standard contaminated land condition to this application.

Tree Officer

30th January 2014

The Tree Protection Plan and Landscaping Plans, are in the whole, acceptable. The proposed tree planting is thorough and has a good variety of species which are well suited to their proposed locations. Also the pit details, aftercare and maintenance are well detailed. However some minor details are missing on Landscaping Plans; Drw No. 1507 07 Rev E the species of trees are missing for the trees in the parking areas for plots 83 - 86 and Drw No. 1507 09 Rev E the species of tree is missing east of plot 31 and the species of tree is missing east of plot 24.

There is still information outstanding that I would still like to see:

A Tree Constraints Plan (TCP) overlaid onto the proposed site plan and Arb Method Statement (AMS) all to BS 5837:2012, as previously requested.

The reasons these are required are to make an informed decision about the proposed development in relation to the protected trees. Protective fencing can be off-set slightly and therefore not a true reflection of a trees RPA. Where this occurs, paths, roads, services and other forms of hard landscaping can fall within the RPA and therefore would need to be installed either with a no-dig technique or be hand dug. An example of this is adjacent to T59 in the NW corner of the site, an attenuation tank and draining is to be installed-will any of this fall within the RPA of this TPO'd oak? Also the proposed roads adjacent to T113 and T115.

The TCP will indicate if the above is necessary for any of the retained trees and if so appropriate conditions will be recommended, if no-dig or hand digging is not required then these conditions are not necessary for this application.

Page 26

The requirement for the AMS is to outline the various site requirements; from storage of materials and sighting of temporary structures for contractors, any access facilitations pruning and details of no-dig and/or hand dig techniques. Also more specifically how the levels are to be altered in and around T97 with minimal harm to the tree. For a full list of requirements please refer to Section 6.1 of 'BS 5837:2012 Trees in relation to design, demolition and construction-Recommendations'.

Both the TCP and AMS are to ensure that this development can be facilitated with minimal harm to the TPO'd trees on site. Therefore it is far more prudent to ensure that these issues are resolved now, prior to a decision being issued, to confirm that the proposed development can proceed, without causing permanent harm to protected trees with a high amenity value.

Notwithstanding the above information being submitted I recommend the following conditions be attached:

Protective Fencing

Tree protective fencing shall be installed in accordance with the specifications set out within the Tree Protection Plan Drawing Number D3519 P3 Rev A and 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.

Hand digging within RPA

Works that are required to take place within the Root Protection Area(s) are to be undertaken by hand and no roots over 25mm are to be severed without the approval of a qualified arborist or the Local Planning Authority's Trees Officer.

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.

Arboricultural Method Statement

Prior to the commencement of any works on site (including demolition and site clearance) an Arboricultural Method Statement (AMS) to BS 5837:2012 shall be submitted to and approved in writing by the Local Planning Authority. The AMS shall detail the no-dig construction for parking areas, footpaths, roads and other forms of hard landscaping that fall within the root protection area of TPO'd trees; foundation details for properties near to TPO'd trees on and adjacent to the site; storage of materials and sighting of temporary structures for contractors and any access facilitations pruning. The development shall 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.

TRE04B No fires within RPA

TRE05B No service runs within RPA

TRE08B Arboricultural monitoring

TRE09B Submission of leaf guard details

Providing that CBC's landscape architect is also satisfied with the Landscaping Scheme, and we receive updates in writing for the missing tree species, please can the following condition be attached in respect of the landscaping;

Detailed Landscaping

The landscaping proposal shall be carried out no later than the first planting season following the date when the development is ready for occupation or in accordance with a programme agreed in writing with the Local Planning Authority. The scheme shall be

implemented in accordance with Drawing Numbers; 1507 05 Rev E, 1507 06 Rev E, 1507 07 Rev E, 1507 08 Rev E, 1507 09 Rev E and 1507 10 Rev E. The trees and all other planted materials shall be maintained for 5 years after planting and should they be removed, die, be severely damaged or become seriously diseased within this period they shall be replaced with another tree as originally required to be planted.

Reason: To preserve the visual amenities of the locality in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.

5. PUBLICITY AND REPRESENTATIONS

- 5.1 A total of 46 letters were sent out notifying local residents of the receipt of the application. In addition notices were posted on site and published in the local newspaper.

Number of contributors	19
Number of objections	17
Number of representations	2
Number of supporting	0

Neighbour comments are attached to this report.

6. OFFICER COMMENTS

6.1 Determining Issues

6.1.1 Outline permission for redevelopment of the whole of the GCHQ Oakley site was granted in 1998. That Outline permission, having been varied by extensions of time during which implementation could take place, is still extant. The principle of residential development on this site has therefore long been established. The outline planning permission (CB11954/43) and subsequent extension (ref:01/00637/CONDIT) requires Reserved Matters applications to be submitted on the final phase no later than 2016. Construction of phases 1 and 2 of the development is complete and the current application constitutes the third and final phase, all within the 2016 time period.

6.1.2 The application has been the subject of detailed scrutiny by Officers following its submission and concerns, which principally related to issues of detail relating to detailed highway design (not the access issue from Priors Road), landscaping, tree retention and affordable housing (type and mix, not amount) were brought to the attention of the applicants. Amended plans incorporating detailed changes have been received in various stages through the life of the application so far and the final set of drawings was received on 6th February. It was not considered necessary to give further publicity to these plans as they incorporated only detail changes whereas the representations received related more to matters of principle.

6.2 The site and its context

6.2.1 As has already been stated, the site is part of that formerly occupied by GCHQ. GCHQ vacated this last part of their site in December 2011 and since then the remaining buildings have been decommissioned. The area to the East of the site has recently been developed and apart from the Western boundary, the site is surrounded by the countryside. The southern part of the site falls within the Cotswolds Area of Outstanding Natural Beauty (AONB). The site's main access is from Priors Road, through the earlier phases. Another point of vehicular access is also available from Harp Hill, at eastern end of the site, restricted to 40 units by Condition 19 of the outline planning permission. The land the subject of the current applications is currently being cleared. The site measures

approximately 11.15 ha (27.57 acres). It is occupied with various redundant buildings. Existing mature trees are growing on the site, majority of them along the boundaries.

6.3 Design and Layout

6.3.1 Local Plan Policy CP7 requires development to be of a high standard of architectural design.

6.3.2 The density of the development is considered appropriate to the locality. An average net density of 28 dph is proposed across the application site. The proposed density takes into consideration factors such as the existing character of the surrounding area, the site characteristics such as the topography, the density patterns of surrounding areas and to make efficient use of land. The density of development proposed is what was generally expected from the outline permission. The applicants propose a range of dwelling types within the site - ranging from one bedroom apartments to 5 bedroom houses. The scheme will have a mix of tenures including open market housing, affordable and low cost homes. The number of affordable units is 37 which is 12% of the total numbers for the site.

6.3.3 The development itself incorporates green corridors that buffer the periphery of the site and meet the recreation ground to the north. The largest central feature space is located centrally on the site, on the high ground, enabling distant views. It also can be viewed from outside the boundary. The applicants state that this central green space offers an area for informal play activities. It is proposed that some existing vegetation on the site as well as that which forms the boundaries will be retained so as to retain the character of the site and maintain its semi rural edge appearance.

6.3.4 The scale and heights of the buildings have been designed to respond to the character of the space, the street hierarchy, the site's landscape and contextual setting, to which they relate. The majority of buildings across the site are to be two storeys. There are, however, also a number of 3 and 2.5 storey houses shown that would act as marker buildings located at corners within the development. There is a group of apartment blocks along the western boundary of the site. They are the tallest buildings on the site (3 and 4 storeys) and form a landmark entrance frontage. It is here that the tallest of the GCHQ buildings (in particular the 'green building') were located. The scale of the buildings proposed generally responds to those found locally with a mix of detached and semi-detached of varying size. Whilst, as already stated, the average density through the scheme is 28 dp, this density reflects two distinctly different character areas within the development: the southern part that falls partly within the AONB is of low density, approximately 20 dph and the area to the north and east is of medium to higher density, approximately 40 dph. The densities gradually lower towards the southern boundary. This pattern of density within the total Oakley development site accords with that which was envisioned from the original grant of outline permission and throughout the 2 previous phases.

6.3.5 The style of buildings proposed is contemporary but not overtly futuristic; taking cues from Cheltenham vernacular and the development in phases 1 and 2. As a result, a "sense of place" should be evident from the style of the development (street elevations will be available for Members to view at the meeting) It is an approach which has been supported by your Urban Design Manager. The Civic Society, however, have expressed 'no comment' and the Architects Panel are not completely convinced. It is considered, however, that design approach will result in a development which has a sense of place built into it. Officers are of the view that the design approach adopted by the applicant is one which is appropriate for such a large residential scheme which will almost establish its own context.

6.3.6 Two vehicular access points are provided into the site: The first utilises an existing site entrance along the western boundary which continues as the primary route, forming a loop that circles the northern part of the scheme. From this primary street, secondary and tertiary routes are shown to radiate as well as some small courtyards. Sections of the

primary route are proposed as shared surface, to be used jointly by vehicles, cyclists and pedestrians. A central square is located on the axis that follows the visual corridor from the site's highest point to the north. The secondary vehicular access is located to the south and also utilises an existing site entrance. It is a narrow lane and is located in the AONB and for this reason its use was restricted in the original outline permission to serve only 40 units. It will provide access to low density part of the scheme and has been designed as a windy lane between the buildings. It responds to the topography and provides several incidental green spaces. No vehicular connection between the two points of access is shown (again to meet the requirements of the Outline), however a network of footpaths would link the northern and southern part of the site, crossing the public open space.

6.3.7 On average, the scheme will provide at least 1.5 spaces per dwelling. Extra visitor parking spaces will also be provided, mainly along the primary street. A variety of parking arrangements have been provided. Most of the plots will be served by courtyard or curtilage parking, with most of the open market units owning a garage or carport. Provision for visitor parking is also made available.

6.4 Impact on neighbouring property

6.4.1 There has been a wealth of opposition to the scheme principally related to the question of access to Phase 3 through phases 1 and 2. Local residents claim that the standard of the roads in the two built phases are such that they cannot accommodate the necessary parking and at the same time provide through and safe passage for vehicles in phases 1 and 2, let alone 280 or so additional dwellings in phase 3.

6.4.2 The Highways Officer raises no objection (see below) and would not provide any technical support for any objection put forward on that basis. More importantly, in planning terms the fact that the majority of the development (other than a small number of 40 houses to be accessed off Harp Hill) is to be served off Priors Road is clearly established in the original outline permission. An application for the approval of matters reserved by an outline cannot deviate from that outline. Furthermore it is not open to the Local Planning Authority to re-visit the principles established by an extant outline permission. As has already been stated the outline granted originally in 1998 remains extant until 2016.

6.5 Highway matters

The Highway Authority responded on the application on 10 February following lengthy discussions with the applicant's agent and the securing of revised plans. The comments are as follows.

6.5.1 *"Outline permission for the whole site was granted consent on 5th October 1998, application number CB11954/43. A further permission (ref no: 01/00637/CONDIT) was granted on 21st June 2001 to extend the period for submission of reserved matters to 15 years, therefore that outline permission is still extant and is the valid fallback position.*

6.5.2 Fallback position

I have read the objections submitted to the Local Planning Authority (LPA) in relation to access being taken through phases 1 and 2; however the fallback position is very important and needs to be taken into consideration. Access to the site was assessed under the original outline permission, at that time the whole development would have been assessed, i.e. phases 1, 2 and 3. The problems in relation to car parking and road widths associated with phases 1 and 2 are being investigated as part of the ongoing adoption discussions between the developers and the Highway Authority (HA). Due to the extant outline planning permission we can only look at the layout of the proposed site, i.e. the area of land within the red line, it would be unreasonable to require the developer of phase 3 to mitigate the impact of phases 1 and 2 as this is dealt with by separate processes, the Section 38 adoption process.

6.5.3 Condition 19 Harp Hill

I note the objections that recommend the whole development should be served through the access from Harp Hill. Although there may be some merit in making more use of this access, all of this had been assessed on the original outline permission, condition 19 of that permission says:

'No more than 40 houses shall be served by the access onto Harp Hill at the east end side of the site.

REASON: The road network in the locality is not capable of accommodating the traffic associated with more than this number of houses'.

Given that the original outline permission is still extant it would be unreasonable to require the developer to amend this planning permission as again the suitability would have been assessed at the original outline stage and during the granting of the extension of time by 15 years.

6.5.5 Construction Method Statement (CMS)

Should it be the intention to take the majority of the construction traffic through the existing development (Phases 1 & 2) then this is a cause for concern as it has the potential for additional conflict between large vehicles and vulnerable road users. A condition requiring a CMS was not attached to the original outline permission but I believe it is important in order to maintain highway/public safety, therefore should you think it reasonable please ensure a condition requiring a Construction Method Statement is attached to any permission granted. As part of the CMS the HA will also require a photographic survey of the surrounding highway network likely to be affected by the construction, and the developer will be required to put right any damage under Section 59 of the Highways Act 1980.

6.5.6 Internal layout

Concerns on the design were raised early in the planning process by the Highway Authority, mainly in relation to proposed road widths, car parking, and safe and suitable access for vulnerable road users. Discussions have been ongoing between the applicant/developer, the LPA and the Highway Authority to overcome these issues, and the Highway Authority are now generally happy with the layout now proposed on drawing no: 0488-102 Rev E. The only real outstanding issues are the dropped kerb/tactile crossing details that will need to be provided at junctions, given that these amendments will be minor and would be within the extent of the proposed highway boundary the details can be agreed at the Section 38 technical approval stage. I do still have concerns about the proposed steps adjacent to the car parking for plots 144 & 146 being placed adjacent to the highway, the Stage 2 Safety audit which will be required as part of the Section 38 will almost certainly pick up that pedestrian safety barriers will be required to stop vulnerable road users running out into oncoming traffic, therefore it is likely they will need to be moved back further from the highway.

6.5.7 *The HA raised the issue of the numbers and allocation of car parking on the proposed scheme. One of the main problems with phases 1 and 2 is that the reserved matters were assessed on the basis of the maximum car parking standards of an average of 1.5 spaces per dwelling that were in force at the time, this left many of the dwellings with only a single car parking space. The applicant/developer has taken the comments on board in relation to car parking and provided a better scheme, generally 2 spaces per dwelling are being provided and where only a single space and a garage is being provided the garages are 3m by 6m which does allow for some storage space and a car to be parked at the same time. Concerns were raised by the HA in relation to the number of 3 and 4 bedroom dwellings that were being provided with one space and a garage, the developer has now reassessed the allocation and replaced some of the garages with car ports and provided additional dedicated car parking spaces. In areas where low levels of car parking is being proposed, the developer has ensured additional visitor spaces are provided and/or the road widths are suitable to accommodate additional on-*

street parking whilst not affecting the swept path of a refuse vehicle. It is for these reasons the proposed car parking levels/arrangement are now accepted. The road serving plots 125-133 & 156-162 appears to be a shared surface environment with narrow pinch points that would fall well below the County's deemed to satisfy standard of 6m, however this will not be a vehicular through route and will only serve a small number of dwellings, and as vehicles will be travelling at slow speeds I do not believe highway safety will be severely compromised. I note that this area has not been included on the adoption plan; this road will not be suitable for adoption by the Highway Authority and will need to be subject to a private road agreement. 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 that the developer has managed to overcome the original concerns raised by the Highway Authority with regards to safety of the proposed layout, and that the highway impact of the development was assessed on the original outline permission, it would not be reasonable to object to the scheme on highway safety grounds."

6.5.8 It is for those reasons that he recommends that no highway objection be raised and suggests certain conditions that it may be appropriate to attach to any reserved matters approval granted.

6.6 Drainage

6.6.1 The Wyman's Brook flows outside the site northern boundary with a ditch, that discharges to the Brook bounding the east of the site. The existing drainage within the site is discharged via several outfalls to the ditch and Brook. Condition 5 of the outline planning permission requires a surface water drainage infrastructure system be approved prior to construction. In accordance with the National Planning Policy Framework the proposed drainage of the site has been designed to mimic the existing drainage regime for the site as closely as possible whilst trying to improve the conditions for the site and surrounding area. The discharge rates from the site are therefore constrained to a maximum rate equivalent to the existing runoff rates, however to provide a betterment it is proposed to reduce the amount of SW run off by a further 20%.

6.6.2 To provide these improvements to the rate of discharge leaving the site it will be necessary to attenuate the flows within the boundary of the site, within the physical constraints of the site. The two main constraints of the site are that infiltration is not suitable on the site due to made ground and poor infiltration rates and also that there is a significant slope over the majority of the site making above ground storage impractical in most locations. The south of the site is slightly flatter than the north and therefore it is proposed to attenuate the 100 year storm event, including climate change, within an attenuation pond. The 30 year storm event would be stored within culverted pipes, along with all the storage for the north of the site. As part of the private drainage further SUDs measures are to be incorporated that will include permeable pavements for some private drives and courtyards, overflow infiltration trenches and swales all of which would provide improved water quality. Also water butts would be provided which would help reduce the volume of water leaving the site further reducing the risk to the downstream areas of the site.

6.6.3 It should be noted that Severn Trent Water raise no objections with regard to the drainage strategy proposed and that the Environment Agency in their most recent letter confirm that they are now satisfied with the drainage strategy and that the submitted Drainage Statement confirm the principles of the drainage strategy. Of key importance is the confirmation that the drainage scheme will deliver attenuation to the 1 in 100 year storm standard plus the 30% allowance for climate change as required by the NPPF and its Technical Guidance. They still, however, consider that detailed drawings showing the detailed drainage and SUDS features to be delivered will be needed for the scheme, and are agreeable that these could be secured via a condition of any permission granted.

6.7 Affordable Housing

6.7.1 The provision of affordable housing on this site is determined by the s106 agreement, attached to the original outline planning permission approved in 1998, as amended.

6.7.2 The Borough Council's Housing section confirm, following a meeting with the applicants that, in light of the existing s106 agreement, a mutually agreed affordable housing provision has been reached. The affordable housing mix is as follows:-

- 10 x 2 bedroom apartments (all shared ownership)
 - 5 x 2 bedroom houses (1 shared ownership and 4 affordable rent)
 - 15 x 3 bedroom house (all affordable rent)
 - 7 x 4 bedroom houses (all social rent)
- Total 37 units**

6.7.3 The revised plans for the development confirm the location and distribution of the affordable housing dwellings and this too is acceptable to Borough Council Housing Officers. For completeness they also consider the following should be drawn to the applicant's attention by way of an informative attached to any reserved matters approval issued:

- It should be noted that any 4 bedroom affordable housing should be set at social rent levels to take account of the impact of the Benefit Cap, which would render 4 bedroom accommodation unaffordable for households on a low income, if set at an Affordable Rent of 80% of market rents.
- Any service charges on the affordable dwellings should be eligible for Housing Benefit.
- We would expect all the affordable housing to meet minimum internal floor area size measurements, design and quality standards as described by the Homes and Communities Agency.
- All the affordable homes should meet the Code for Sustainable Homes Level 3 (or equivalent measure).
- In the case of affordable housing all ground-floor properties should be designed to meet current Lifetime Homes Standards.
- We would expect that the shared ownership units will be let at a level that is affordable in accordance with the Council's SPG and having regard to local incomes and house prices.

6.8 Landscape and visual impact

6.8.1 It will have been noted from the consultations section above that it is Natural England's view that this proposal does not take into account the impacts on the AONB sufficiently. Furthermore they consider that the layout is not sensitive to the landscape context; the density is too high; and the provision of green infrastructure is inadequate to mitigate the impacts on the AONB

6.8.2 Officers do not agree with this view and over the period of determination there have been protracted discussions between the Council's Landscape and Tree Officers which have informed the final drawings now submitted for determination.

6.8.3 It must be remembered that the site is predominantly occupied by various redundant office buildings and associated parking for vehicles and associated roadways. Small pockets of open space and courtyards exist but are generally devoid of vegetation, with grass lawns being the predominant green element. The site falls in a northerly direction

from approximately 120m at the southern boundary to approximately 85m to the north and is covered by the various buildings associated with the GCHQ. A level change of approximately 2 metres occurs along the southern boundary to the Hewletts Reservoir and another level change of approximately 3 metres occurs between the northern boundary along Wymans Brook.

6.8.4. Added to this is the fact that the site is relatively well screened from its surroundings, by the boundary wall and higher landform to the southern boundary, and existing hedgerows and trees to the majority of the site boundaries. Views of the site from public footpaths are predominantly screened by boundary vegetation. However, there are views of the site from the short stretch of public footpath to the rear of Wessex Drive and the stretch of footpath to Cheltenham Circular Footpath due to the close nature of views. Private views of the site from residential properties to Aggs' Hill and Harps Hill will be mostly limited to first floor windows, due to intervening vegetation and landform. It is the public views of the site which include the AONB to the south that are important given that they contribute to the setting of the overall area listing. However views from Harp Hill and Aggs' Hill to the south and east of the Site are relatively well screened due to intervening vegetation.

6.8.5 The size and massing of the existing GCHQ buildings and general lack of vegetation within the site means the existing site is generally visible from surrounding public viewpoints particularly during winter months without the benefit of screening from foliage. During summer months this impact is greatly reduced and only certain views of the main 'green building' is visible above hedge and tree lines. Overall the site is generally well screened due to boundary vegetation, surrounding pockets of woodland and ancient field boundaries with associated field trees. Whilst the landform rises substantially to the east of the Site and north to Cleeve Common it is considered that the development scheme could be implemented with minimal visual impact.

7. CONCLUSION AND RECOMMENDATION

It is considered that the application as now presented to committee accords in all respects with the extant outline permission. Furthermore, the development complies where necessary with the requirements laid down in the various Agreements under S106 that accompanied that outline permission. It is recommended, therefore that the reserved matters be approved subject to conditions.

This page is intentionally left blank
Page 34

APPLICATION NO: 13/01683/REM		OFFICER: Mr Ian Crohill	
DATE REGISTERED: 1st October 2013		DATE OF EXPIRY : 31st December 2013	
WARD: Battledown		PARISH:	
APPLICANT:	Persimmon Homes		
LOCATION:	GCHQ Oakley, Priors Road, Cheltenham		
PROPOSAL:	Approval of reserved matters pursuant to Outline Planning permission ref CB11954/43 and ref 01/00637/CONDIT for the erection of 311 dwellings and associated roads, footways, parking, landscaping, drainage and public open space.		

REPRESENTATIONS

Number of contributors	19
Number of objections	17
Number of representations	2
Number of supporting	0

The Oaks
 Harp Hill
 Charlton Kings
 Cheltenham
 Gloucestershire
 GL52 6PR

Comments: 13th January 2014

I have been sent a letter from your department regarding the above application, relating to the erection of 311 dwellings on the GCHQ Oakley site. I have tried to view the detailed plans on your web site, but an error shows up saying "exception error" so I cannot see them.

However, there is a very significant and real need to evaluate the traffic flow in this area. I live at The Oaks, Harp Hill, GL52 6PR having recently moved there a few months ago from the Montpellier area.

Harp Hill is currently used as a mini motorway, with high speeds and excessive volume of traffic for what is essentially a lane. People come off the B4075 Hewlett Road to avoid the junction with the A40 London road due to excessive traffic build up. Queues are often as far back as the junction with Atherley Way from the A40, hence the use of Harp Hill as a short cut, as people try to get to the A40. They currently come up Harp Hill before turning onto Greenway Lane before connecting with the A40 again in Charlton Kings opposite the Esso petrol station. Greenway Lane has had traffic calming measures introduced, I can imagine for exactly the reasons I state for Harp Hill. I have been on Harp Hill 2 months, and have had 3 significant near miss accidents on coming out of my property, one near miss on trying to enter my property (car behind was travelling far too fast, and did not expect anyone to be stopped turning into a property.

Harp Hill is currently, already dangerous, excess speed, volume of traffic, and is not structured for the current volume of vehicles travelling along it. It is simply not possible to add 311 dwellings to a location that will substantially increase further this traffic. What is already a potential death trap will become without doubt a major source of incidents.

Harp Hill is meant to provide access to local properties and for the recreational users of Cleeve Hill, it is not designed as an A road, not even a B road.

Page 36

Possibly a study of traffic flow at the A40/B4075 junction can reduce queuing times at peak periods, certainly the current 4 directional flow is too high for the junction, one direction needs to be rerouted to reduce traffic light sequences. The incentive for a short cut is time, and only reducing traffic delays at this junction (without a new relief road being built) will impact on decisions of drivers.

Considerable thought must go into the road situation surrounding the development, Cheltenham already has a terrible traffic issue, and this development will only impact further on this. 311 dwellings is far too high for the infrastructure surrounding the plot if no relief road is created to take people onto the A40 to enable access out toward Oxford. I can imagine similar scenarios for the roads leading into Cheltenham town centre. The road network cannot cope with more vehicles without a change to the capacity; it is madness to keep building houses when anyone who lives in the town can clearly see the road network is inadequate. It is incomprehensible that the council can agree to more houses being built without having in place a suitable traffic management scheme. It seems it will need total gridlock before any sense is forthcoming. That will be too late.

I do hope I do not have to suffer a serious road incident on Harp Hill to prove my point, but I repeat, the current traffic flow is already too fast and dangerous without the impact of another 400 plus vehicles in the same location.

Thank you for your time

High View
Harp Hill
Charlton Kings
Cheltenham
Gloucestershire
GL52 6PR

Comments: 27th October 2013

HOW WILL HARP HILL BE ABLE TO COPE WITH VEHICLES FROM 311 NEW RESIDENCES?
ARE YOU WIDENING ANY OF THE ADJOINING/EXISTING ROADS?
ARE YOU BUILDING NEW ACCESS ROADS?
HAVE YOU PREPARED NEW TRAFFIC PLANS?

43 Yorkley Road
Cheltenham
Gloucestershire
GL52 5FP

Comments: 14th October 2013

Whilst the principle of the development has been established through the outline permission, I consider that the application fails to deliver a sustainable development for the following reasons:

1. Mix of the market units is inappropriate. Only one 2-bed house proposed out of a total mix of around 15% 2 bed units, virtually all apartments. Greater mix of smaller dwellings is required to meet the needs of local people.
2. Affordable housing mix is also too narrow. More dwellings required. Too many apartments. Battledown already has a number of apartment blocks.
3. Some elements of innovative / interesting design. However, a number of areas lack high quality design.

Page 37

4. Site layout lacks legibility any permeability in places. Looks like a maze in parts.
5. Apartment blocks at the front of the site appear bulky and dominate the frontage. This is further enhanced by the rising ground levels. Certain apartment blocks also lack architectural detailing on certain elevations.
6. Apartment blocks do not appear to have any amenity spaces.
7. Lack of usable green space on the site. Significant sized site should have more public open space for residents to enjoy. Hard standing dominates.
8. Plots 109, 221, 294 & 297 lack sufficient natural light to rear elevation main habitable rooms through roof lights.
9. Parking court adjacent existing Battledown development lacks natural surveillance.
10. Parking to plot 40 too isolated from dwelling.
11. Proximity of plot 40 to 44 could result in a loss of privacy. Same for plot 43 to 41.
12. Whilst appreciating that the level of affordable housing would have been lower than current requirements, it is very unfortunate that only 12% of the development will be for social housing.

In conclusion, the proposed mix, design and layout require further work to help provide a high quality design that integrates and enhances the surrounding area.

The development so far on Battledown lacks any architectural design or interest. Therefore, this is a great opportunity to enhance the built environment in this area.

47 Yorkley Road
Cheltenham
Gloucestershire
GL52 5FP

Comments: 23rd October 2013

I have only lived on this estate for a few months but am already deeply concerned by the amount of traffic chaos that I have experienced. With an extra 300 - 600 cars using the same entrance/exit route I fully expect the problems to get considerably worse.

I agree with everyone else when they say that the current system of having one entrance/exit route is simply unworkable and a danger to everyone. We have been informed that when working on Phase 1 and Phase 2 the entrance by Sainsburys was built to incorporate Phase 3! Well, in my opinion that thought process was simply not good enough. I would like to know why Phase 3 could not have their own entrance/exit which was previously used by employees of GCHQ?

The roads in the estate are littered with cars parked on the roads and on bends causing very dangerous blind spots. On numerous occasions I have had to reverse back to allow a car coming the other way to get through and witnessed near head on collisions!

The health and safety of residents living on the estate needs to be a primary concern and I do wonder how on earth a fire engine or ambulance could get through the parked cars in an emergency!

In my opinion the building of many more apartments on the estate is the wrong way to go and they look devoid of create thought.

Phase 3 would also inhibit the views of Cleeve Hill for residents living on Yorkley Road with numerous trees cut down and wildlife also affected.

In my opinion I believe that the thoughts and very real concerns of local residents will count for nothing anyway as the need for housing and profit for those concerned always takes priority.

51 Yorkley Road
Cheltenham
Gloucestershire
GL52 5FP

Comments: 12th November 2013

Objections for the following reasons:

Proposed access through the current development, and in particular Yorkley Road, for proposed car parking for circa. 12 cars, to be able to access and utilise the proposed allotment in the adjacent recreation field. It should be noted that when accessing allotments people come and go frequently every day of the week. The roads created currently within Phase 1 and 2 could not cope with this continued frequency and additional traffic. The noise of constant visitors arriving and departing with gardening equipment, shutting of car doors/car boots and further clanging of the proposed chain/metal fencing to be used for access will also be a noise nuisance and will be continual on all days of the week. The proposed car parking spaces and allotment are too close to adjacent properties on Yorkley Road and Goodrich Road and noise nuisance should be noted. This will be continual with frequency of visitors through all hours of the days and nights. It should be noted that the car parking spaces proposed will be just below the windows of adjacent properties on Yorkley Road and Goodrich Road.

Consideration should also be given with regards the teenage youths who currently group together most weekend evenings/nights on this plot of land. They are currently out of harm's way on this plot and not vandalising properties or cars, despite being very clearly heard when they talk as the land is close to the properties on Goodrich Road and Yorkley Road. What will these youths be able to do instead and where can they go? We must hope that they will not be vandalising the TWO parks in Yorkley Road any more than they have currently. What safety measures will be put in to place for the protection of cars which have allocated parking spaces right next to the parks? Currently there is no policing of these parks during the evenings. Vandalism and noise nuisance are already a concern to adjacent properties. Will there be a prevention of further noise nuisance and vandalism?

In addition to the frequent coming and going of traffic for the proposed allotment, I further object to the access for a further circa. 500 cars. The current infrastructure cannot cope. Cars are abandoned on grass areas due to lack of parking for the numbers of residents within the currently occupied buildings and trees and bushes have been driven over as the roads are too narrow for cars to manoeuvre. There have already been several domestic animals killed in this area as they have not seen traffic approaching and neither has traffic seen them. Concern that this will one day happen to a child or adult.

It should be noted that the roads are currently of extreme danger due to the sharp bends and clusters of cars parked. When there is ice on the roads during the winter periods the dangers further increase, in particular around the blind spots. There is DANGER OF DEATH.

Current lack of car parking space causing hazards. How can any increase to vehicles in this area enable a flow of traffic? Consider residents coming and going from driveways near Sainsburys. Already a hazard.

Page 39

How can emergency vehicles access current properties and where will they park? There is CURRENTLY NO SPACE FOR PARKING AND DIFFICULTY FOR MANOEUVRE OF ALL VEHICLES. This is a considerable HEALTH AND SAFETY CONCERN.

It is noted in the glossy brochure entitled Land at GCHQ Oakley Development Phase 3 From the Ground Up, under the section entitled New Homes, The Key Facts, that the height of the apartment buildings will not exceed the height of the existing buildings on the site. This is INCORRECT. The proposed apartment buildings do indeed EXCEED THE HEIGHT of the current white buildings. The current buildings are one floor only, THE PROPOSED BUILDINGS ARE NOT ONE FLOOR ONLY. It should be noted that the HEIGHT of the proposed apartment buildings will create a LOSS OF LIGHT between the hours of 6am and 10am as the sun rises from behind this site. The current properties on Yorkley Road and Goodrich Road will be impacted by LOSS OF LIGHT between the hours of 6am and 10am as the sun rises from this position. It should be noted that properties do not have windows for all aspects and therefore this is the ONLY LIGHT RECEIVED ALL DAY.

It should further be noted that properties within Phase 1 and 2 of the current development will lose the enjoyment of views to the area of outstanding natural beauty. Proposed BUILDING HEIGHTS EXCEED what is currently in situ.

It should be noted that the proposed plans for Phase 3 seek to cut down the majority of the trees in the area which have been in situ for many years. As expected within an Area of Outstanding Natural Beauty there are numerous wildlife that currently live in this habitat. What will happen to this wildlife as there are only numerous dead or otherwise new and stick like plants planted by Taylor Wimpey in which animals cannot live. Do the council or developers propose to rescue all the animals before any demolition and re-home them as much as is possible in the local area or are they intended to be killed/die during the demolition?

35 Goodrich Road
Cheltenham
Gloucestershire
GL52 5FT

Comments: 16th October 2013

I think the properties is a great investment and most welcome but certainly with the road as it is we are struggling to access our current properties; with the increasing traffic this in itself will become a safety hazard with no doubt someone bound to be injured. I have seen this on occasions; to be honest it almost happened to me because of vehicle parking in unreasonable locations and making blind spots for oncoming traffic.

I have tried addressing this on your recommended website but struggling to access. I would like to voice my concerns and hopefully it would be counted in with all other complaints of the same.

Priors Road as it is currently is a health and safety hazard, not mentioning further up on the road where blind section on bend to access the road to the properties close to currently GCHQ .

I have on many occasions as well as many others been traffic jammed for over 30 minutes at the entrance of Priors Road because of heavy vehicle traffic from Sainsbury's offloading trucks. Also the road is blocked by people parking on side of their properties with just about a car width and making it impossible to pass through.

With increase traffic on this road can only be a hazard waiting for an accident to happen someone is bound to get ridden over. I have seen it, it's a disaster at times and eventually the government will be held to responsible should some life be taken because our concerns have not been taken into account.

Page 40

Hopefully this email is in reach of the right persons and the concerns are taken seriously with regards to health and safety of the current traffic not mentioning what still to come.

Comments: 22nd October 2013

I was asked once again to voice my opinion. I tend agree with most of the house owners in the estate that a second entrance to the estate via Harp Hill is excellent idea to ease of the traffic. This will ease a vast amount of traffic for people who want to go home instead of pass by Sainsbury's, especially for those staying further on top of the estate. We must also take in consideration that the people on the estate have families and friend and this also adds to the traffic jams. The current traffic entering Priors Road will not only be traffic for the people living in the estate but all passing traffic in the surrounding areas accessing Sainsbury's for the afternoon shopping. In most days this is a traffic jam I do not want to imagine, with further increase from home owners' traffic.

I have witnessed on many occasions where kids on skate boards were almost run over because of the traffic and the blind bends/spots cause by current cars parking ridiculously on the side of the roads blocking the roads. I have been forced reverse the car just to allow the current traffic to flow. I live at the top of the estate and witness near misses many times; I can see this is waiting for an accident to happen where alternately the council will be held responsible as this has been reported on more than one occasion. There have been incidences where I have left my car at the entrance of Priors Road until the traffic jam has cleared. Most of the local residents have young kids living on this estate and therefore my main concern is for there safety. We must remember kids are easily distracted and I am sure one incident is far too many. It's early stages therefore a further access consideration can be easy planned for and justified as a health and safety. Therefore access from Harp Hill can only be welcomed and a blessing to you and everybody living on the estate.

28 Clearwell Gardens
Cheltenham
Gloucestershire
GL52 5GH

Comments: 21st October 2013

Phase 3 Oakley

I'm not against the development, but I cannot accept the current proposals for VEHICLE ACCESS.

As a resident of Phase 1 of the Oakley development the traffic is already a problem (mainly because of the cars parked on Clearwell Gardens and Redmarley Road). Many times I have to reverse in order to allow other traffic to pass, both Clearwell Gardens and Redmarley are in many areas one-lane roads because of the huge numbers of cars parked on the road (due to the serious lack of off-road parking spaces available). Redmarley Road, next to Sainsbury's, is a serious problem as it is the only access to such a large number of houses. Any issue on that section could prevent emergency services reaching hundreds of houses.

I'm very concerned about the extra traffic the Phase 3 development could create. Adding more than 100-200 cars daily (very pessimistic view, more likely 500+) to these roads will cause havoc and increase the danger for all the residents (many of the pedestrian crossings and pavements are already blocked by parked cars at the moment).

Because I cannot see how parking can improve on these two roads (Clearwell Gardens and Redmarley) in the future (it will only get worse in time when people can afford more cars per household) the only solution I can see it is to not allow traffic through existing development and to provide access for the whole new development to Aggs Hill. It has already being used by a large number of GCHQ employees for so many years so I cannot see why this should be a problem.

Page 41

Comments: 20th January 2014

Looking at the revised layout drawing published here on the 2nd Jan 2014, I can NOT see any changes that address the main concern raised by the residents of stage 1 and 2 of the development: vehicle traffic on the existing roads. Based on this I strongly object to the current plans for the vehicle access.

I'm also surprised than not everybody in the estate is aware of the stage 3 development and the fact the hundreds of vehicles will use these roads when this stage is complete. It looks like the letters regarding the application were not sent to every household in the estate. Quite shocking in my opinion!

37 Clearwell Gardens
Cheltenham
Gloucestershire
GL52 5GH

Comments: 23rd October 2013

I live in Clearwell Gardens and feel the road cannot support the proposed plans. Parking is already an issue and the Road is not wide enough to support all the extra traffic.

26 Brockweir Road
Cheltenham
Gloucestershire
GL52 5FW

Comments: 9th October 2013

NOTE: Some of my neighbours before they purchased their houses had searches conducted and they were informed that the final stage development included the top of Brockweir Road becoming a cul-de-sac, resulting in the access/exit for us going out of the top of the site onto the bottom of Aggs Hill. Evidently then, Taylor Woodrow were aware of the impending traffic flow problem. This is potentially a major traffic flow problem that needs sorting out before the final development starts.

Phase 3 development Oakley

1. VEHICLE ACCESS

Your statement - FROM THE GROUND UP document September 2013 - "The upgraded road junction serving Sainsbury's and the existing development has been constructed to a capacity which can accommodate the delivery of the final phase" is from my experience as a resident of Phase 2 totally untrue. This situation will get worse when the petrol filling station is installed.

The present entrance/exit from this estate is fraught with danger. At the traffic lights on Priors Road the two lane out and the one and sometime two lane in route is a problem. At the bus stop point the road is reduced to an 8 feet gap one way. The large lorries delivering to Sainsbury's have great difficulty accessing the depot. The Local council has resorted to leaving stickers on cars where the dustbin lorries have access difficulty. The Fire Brigade found when they tested the site they had to mount kerbs and negotiate around parked cars because of the narrow routes around the estate.

The present 1 and 2 phases are not constructed to a parking density of 2.33 cars per household, AS IS INTENDED - YOUR STATEMENT - FOR PHASE 3. In fact, many of the houses have no allocated parking but use the road immediately outside their houses. This and the fact that a lot of houses have been purchased as letting opportunities and as a result have more than the expected one car per household, has caused parking problems throughout the estate.

Page 42

During the snow falls of the winter two years ago, the site was littered with cars that could not get up the estate and it was only a light fall of snow.

I see that you have also introduced in Phase 3 social engineering into the estate. Those who can afford the most expensive houses the "preferred 40" have their own access on and off of the estate. The remaining 271 households with up to 2.33 cars per household (let's round this up to 631 cars) have to join the other phase 1 and 2 residents (300 plus households) in fighting to get onto Priors Road.

The present road layout cannot handle this.

SOLLUTION

1. Entrance/Access for all of Phase 3 should be out through the top point and not just the "preferred 40" householders, there should be no car access down through phases 1 and 2.

2. If this is not acceptable then the road system must allow all of the estate residences to drive from the top to the bottom using either entrance point.

I, for one, need to get to the A40 at least three times a week, using either Greenway Lane or Ham Lane. Other residents are in the same situation if they are going towards Oxford, Cirencester, the M5 Junction 11a or the South West side of Gloucester. At the moment the route used is off the Estate at Priors Road junction and then up over Ham Hill. The shorter route would be out through the top of the estate to the top of Ham Hill away from the heavy traffic already on Priors Road in the mornings. The reverse would apply in the evenings.

I don't know who I am sending this email to but assume that it is to Persimmon. I would appreciate a reply and would recommend that you talk to us residents to achieve a satisfactory resolution for what will be a traffic flow problem.

Another problem for us residence is how the heavy goods vehicles are to access the estate during the Phase 3 building period?

Send your representatives here to visit us concerned householders.

6 Ruardean Walk
Cheltenham
Gloucestershire
GL52 5GG

Comments: 22nd October 2013

Phase 3 Oakley

I'm not against the development, but I cannot accept the current proposals for VEHICLE ACCESS. The current use of 2 roads (Clearwell Gardens and Redmarley) as filters for the development is unacceptable as a number of other people have said the roads are no more than single track lanes, this is due to the number of cars parked on the side of the road due to the inadequate off road parking supplied on Phase 1 and 2. Looking at the plans the main section of Phase 3 will have to use the existing 2 filter roads this will increase the traffic by my estimate of 200/300 cars a day(I believe this is an conservative estimate), we already have issues with Sainsbury's delivery vehicles not being able to gain access to the store due to the parked vehicles this then causes traffic from the estate to back up so the additional traffic phase 3 will introduce will only serve to make matters worse. We were informed that the hole of Phase 3 would have complete access from Aggs Hill and not as it appears the chosen 40 odd houses.

Comments: 10th January 2014

I have just reviewed the new 'revised drawings' following receipt of a letter from Cheltenham Borough Council Planning office dated 7/1/14 and was hoping (possibly naively) that some

Page 43

attention may have been taken following the number of residents who have commented on this application, referring to the access and the increased number of vehicles using the 2 (two) existing main roads through the estate.

From what I can see nothing has changed apart from a nice little pond being added, the concern over the increased number of vehicles using the already overcrowded roads seems again to have been over looked /ignored.

I have stated before that I am not against the planned development but strongly believe that this issue needs to be re-looked into. The existing two main roads throughout the estate merge into one near the superstore; this area is a major safety issue with cars parked all over.

The two main roads are not much better due to the lack of car parking on the estate and yet looking at the plans, it is still the intention to have the minority of "exclusive" type housing have its small access road and the vast majority of the proposed estate using the existing already overcrowded roads.

15 Alvington Drive
Cheltenham
Gloucestershire
GL52 5FS

Comments: 12th November 2013

I am writing to express my concerns over aspects of the proposed Oakley Phase 3 development: specifically the proposal that, with the exception of 40 units at the very top of the site, all the remaining 311 units will only have vehicular access to and from Priors Road.

The existing road widths and parking of cars already create a number of pinch points and problems with the flow of traffic in and out of the estate. Additional traffic will exasperate this existing problem.

There are insufficient car parking spaces, especially near the blocks of flats. As a consequence cars park on the roadway and on sharp corners. In addition there is extra traffic created by the Sainsbury store both by shoppers and delivery vehicles.

With the present volumes of cars at Oakley the road system can just about cope. An potential extra 500- 600 cars will create traffic problems even if access to the estate is allowed via Harp Hill as well as Priors Road.

To restrict access to Priors Road will increase traffic volumes to such a point that gridlock will occur at busy periods, making life unpleasant for all residents in the area. At peak periods it will also be difficult for emergency vehicles to gain access to the site.

I strongly suggest that to mitigate the inevitable increase in inconvenience to both existing and future residents, access via Harp Hill must be available to everyone, making access flexible when problems occur.

Additionally, given the potential development to land North of GCHQ Phase 3, I think the development would benefit from a more strategic approach to green open space to connect up the wider landscape to benefit people and wildlife. I would like to also see as environmentally sustainable development as possible.

4 Clearwell Gardens
Cheltenham
Gloucestershire
GL52 5GH

Comments: 3rd November 2013

I have no objection to the building of 311 houses in the Oakley Phase 3 development. However, I strongly object to the proposal of providing access to the homes via either Clearwell Gardens or Redmarley Road; the road layout in the estate is poorly designed and the problems are exaggerated by cars parking on the road due to the limited off-road parking spaces for existing residents.

The traffic for the new homes should be routed via the existing GCHQ site entrance and not Clearwell Gardens or Redmarley Road, particularly as the roads leading to the entrance of the GCHQ site were more than capable of serving the employees who used to work there.

6 Brockweir Road
Cheltenham
Gloucestershire
GL52 5FW

Comments: 8th October 2013

We have a number of concerns regarding the extra traffic this development will generate and the affect this will have on access to the current and new development.

1. We believe that the whole of the new development should be accessible via the existing entrance off Greenway Lane/Aggs Hill.

The existing entrance to the development on Redmarley Road is a bottleneck for traffic entering/exiting the development and shopping at Sainsburys.

Should this road become blocked for any reason, the whole development will become inaccessible for residents, and more importantly emergency services.

We note that the Design and Access Statement of the development plan has restricted access via Greenway Lane/Aggs Hill due to the area being an Area of Outstanding Natural Beauty and the entrance being narrow. However this entrance previously served the GCHQ site and 1000's of employees so we believe that a precedent for this level of access has been set and this should not stand in the way of the development being fully accessible from both entrances.

2. We would like to see parking enforcement measures in place on the entrance to the development on Redmarley Road.

Due to local residents and Sainsbury's customers parking (including in the bus stop) on this road it is effectively a single file road which already creates problems accessing the development. The extra traffic from the new development will only make this situation worse. Therefore we would like to see double yellow lines on Redmarley Road combined with regular visits by traffic wardens to ensure that cars parked there are fined and the road kept clear for ease of access to the development.

3. We would also like to see traffic calming measures put in place throughout the existing development, specifically on Brockweir Road and Yorkley Road.

These two roads are both long and straight and have no cars parked on road, therefore existing traffic drives down the street very quickly creating a dangerous situation for local residents as car parking is on the opposite side of the street from the houses on Brockweir Road. However my

Page 45

main concern is that this is an existing residential development with several families with young children, and considering the locations of the playgrounds on the development (right next to the roads leading into the new development) this extra traffic will pose a huge risk to local residents and their children.

Therefore we propose that something should be put in place (eg speed-bumps) to restrict the speed of traffic on the development. This should also add weight to the argument for making the entire development from both entrances to reduce the volume of traffic transiting the development.

Comments: 5th November 2013

I am writing in regards to the Reserved Matters Planning Application for Phase 3 of the development on the former GCHQ Oakley site to ensure that current issues with Phases 1 & 2 are taken into account:

Adoption issues of existing roads and development

General issues of current road layout and access to be considered for the Phase 3 planning application

Adoption issues of existing roads and development:

After discussion with the Highways Authority, we understand that there are several issues with the adoption of the existing roads which are currently sitting with Taylor Wimpey to resolve, these include:

- Roads on the left of the estate (travelling into the estate)
- Street lighting
- Gulleys
- Potholes
- Road layout of the entry junction to the estate
- Others?

Mr Baker and Highways Authorities: could you please advise what the current status is and what the plan is going forwards taking into account Phase 3. Will the adoption of Phase 1 & 2 be independent from Phase 3?

Mr Baker: as Taylor Wimpey currently owns the roads are there plans for an agreement with Persimmons (Phase 3 developers) with road usage of Phases 1 & 2 for construction traffic access to Phase 3? (Including road upkeep, cleaning and repairs)

Issues with current road layout:

- Redmarley Road - single point of access + traffic bottleneck.
- This currently serves supermarket + estate traffic and will serve Phase 3 + Petrol Station + Allotment traffic
- On street parking effectively makes this a single track road
- Existing traffic in this bottleneck is already causing collisions, near misses, congestion, delivery issues for supermarket, but most importantly access issues for emergency services
- On several occasions ambulances and fire-engines were delayed entering the estate and we have witnessed several collisions
- In the event of road works on Redmarley Road how will the development even be accessed?
- How is this junction supposed to cope with an extra 600+ cars from phase 3 and the Petrol Station?

Other issues with current roads

- As set by the covenants of the development and the planning permission the speed limit is 20 mph, but is not enforced

Page 46

- The straight stretches of road directly adjoining the playgrounds are subject to reckless driving and speeding, endangering children's safety
- Several houses have parking spaces on the opposite side of the road, making crossing the road for car access dangerous
- The strictly no parking zone in the bus stop by Sainsbury's is not enforced, and is regularly used as an easy parking option for Sainsbury's shoppers, increasing the congestion in the bottleneck of Redmarley Road
- Redmarley Road is also used as an easy parking option for Sainsbury's adding to the congestion

We would therefore like traffic calming measures in places across the development and restricted parking measurements enforced on Redmarley Road. We have several photographs highlighting the traffic problems around Redmarley Road and can send them on request.

Whilst there was snow and ice last winter, most vehicles found it impossible to access and leave the estate due to the gradient of the roads. Rubbish was not collected for a month due to this, and residents abandoned their cars at the bottom of the estate creating more congestion at the entrance making access difficult. We would therefore request that Taylor Wimpey (as the current road owners) install grit bins on the development, these should be maintained by the council. The land for Phase 3 is even steeper, this will only cause more cars to be abandoned in bad weather making the problem worse.

In summary we would like our concerns to be considered as part of the Phase 3 Reserved Matters planning application and we would like to understand how you think our concerns can be addressed and not just worsened by Phase 3.

Comments: 29th January 2014

Having looked at the revised proposals for Phase 3, there are no indications that the plan has been modified to lessen the traffic flow problems that will result from the plan in its current implementation.

We would again like to stress the safety issues that a single access point to large development will bring about. The access point via Redmarley Road is barely adequate for the existing development, and is in effect a single track road due to on street parking. Local residents should not be blamed for this issue as:

- Sainsbury's customers contribute a large amount to this parking problem.
- The design of phases 1 & 2 provided inadequate levels of parking for residents, hence the on street parking. Section 6.7 of the Government's Manual for Streets states that: *Parked cars can have a significant influence on response times. Developments should have adequate provision for parking to reduce its impact on response times.* This is clearly not the case.

Finally, the addition of a filling station at the Sainsbury's supermarket and the extra traffic from hundreds of new houses will only add to traffic pressure at this bottleneck.

I would hate to think that an ambulance or fire engine would be unable to access the development causing deaths due to this planning decision which seems to centre around the developer's desire for an 'exclusive' portion of the estate with its own private access. This does not chime with the spirit of social inclusion that is supposed to be embodied in new developments.

At the very least, the granting of permission for this development should be accompanied with a requirement to introduce yellow lines to prevent parking on Redmarley Road, or even better making the whole of Phase 3 accessible via Harp Hill. This was the main entrance for the GCHQ site when it was in operation, and that was able to handle several thousands of cars per day.

Finally, the layout of the existing development is not conducive to keeping traffic at a low speed. Brockweir Road has a straight section more than 70m in length and we have seen cars driving in excess of 50mph there. Neither is it conducive to even traffic flow across the estate; residents will soon discover that using the right hand side of the estate will be easier and quicker. Another access road from the existing phases to Phase 3 on the left of the estate is required to encourage more even traffic flow.

31 Goodrich Road
Cheltenham
Gloucestershire
GL52 5FT

Comments: 26th October 2013

Redmarley Road and Clearwell Gardens cannot withstand more traffic. It is too built up and badly designed anyway. More cars mean greater risks of accidents in an already very haphazard road. Access to planned new estate via Harp Hill ONLY please.

33 Clearwell Gardens
Cheltenham
Gloucestershire
GL52 5GH

Comments: 11th November 2013

Access to the development via Redmarley Road is already a bottleneck - (particularly with parking allowed on the road after Sainsbury's access) and the situation will be exacerbated with the number of houses proposed in Oakley Phase 3 (with access via Redmarley Road). Sainsbury's delivery is already experiencing difficulties. With traffic parked in this section of Redmarley Road there is an accident waiting to happen with a potential danger to local residents and children.

34 Clearwell Gardens
Cheltenham
Gloucestershire
GL52 5GH

Comments: 9th October 2013

I am responding to the invitation for comments related to the document "Land at GCHQ Oakley: development phase 3".

I would like to provide comments in two parts.

Phase 1 & 2

Firstly, before the council can consider the development of phase 3, I think it is incumbent upon them and the developer, Taylor Wimpey, to complete phases 1 & 2.

It is fair to say that there have been some improvements on the site. However, the responsiveness and customer-focus of the developer, and the ability of the council to manage the handover from this developer, has left a lot to be desired.

I would like to highlight a number of issues that need to be addressed. I am unclear as to whether the site has been formally handed over to the council (this has been the subject of ambiguity for some time) and, therefore, with whom the responsibility lies for addressing these matters.

Page 48

Trees: I have been in correspondence with the managing agent of the site, Trinity, about the large number of dead trees that were planted by Taylor Wimpey. I have marked the dead trees in red on the attached. I have also marked dead trees that were removed but never replanted in orange on the attached. I am encouraged by a planned review of the site by Trinity with their contractors. I have attached some photos for illustration (photos are available on the documents tab).

There once was a tree here - it was damaged by a Taylor Wimpey works vehicle when they were building the storm drain, but never replaced.

Pavement: There are also pavements where Taylor Wimpey has never finished the surfacing. I have marked these in blue on the attached. I have also attached some photos.

Collapsing Paving: It is apparent that the ground was not prepared properly for the paving on the development. In a number of places this paving is collapsing. I have included photos for illustration.

Unfinished Paving or Surfacing: There are a number of areas where the paving was never finished off - particularly around signage

Areas not being maintained: There are areas near the Sainsbury's store which are full of rubbish and that are not being maintained. The design of the area around the former show homes creates a rubbish trap behind the railings.

The area closest to the football fields has never been maintained and contains boarding and discarded fencing that was not removed by Taylor Wimpey when they left the site.

Road Signs: One of the most depressing things about the development are the road signs that have been damaged by Taylor Wimpey works vehicles but never replaced or repaired. These are in the entrance to the estate. The Redmarley Road sign is my particular favourite.

Other unfinished areas?: There are a couple of other areas where I would be interested to know whether Taylor Wimpey has fulfilled its obligations. For instance, this wall towards the front of the estate looks suspiciously like it should have a gate of some sort. This row of houses also looks like Taylor Wimpey has used scaffolding poles rather than proper railings?

Phase 3

Whilst I welcome the development of the old GCHQ site, there are some significant issues that need to be considered.

I am very concerned about the amount of traffic that will be funnelled through the development. As outlined in the Phase 3 brochure, the density of the Phase 1 development is very high and there is a bottleneck into the entrance of the estate. There is a significant lack of parking at the front of the development and cars are parked on either side of the pavement which impact on the flow of cars in and out of the development.

There is a complete lack of parking control around the Sainsbury's development. There is a serious need for double yellow lines to be painted. The bus stop is frequently used for parking, and there are often cars parked on both sides of the road, again, limiting the flow of traffic. I have raised previously with the council my concerns about access for emergency vehicles to the site at peak times.

The thought of 311 additional dwellings with a multiple of cars per dwelling funnelling through the development will make the situation much worse. It would make far better sense for road access to the entire Phase 3 development to be predominantly via Harp Hill. This would limit the impact on the majority of residents living in this area.

22 Leckhampton Road
Cheltenham
Gloucestershire
GL53 0AY

Comments: 4th October 2013

The Cheltenham Circular Path, which is a public Right of Way, runs along the eastern boundary of the site and must not be built over. Footpath Section, Mid-Glos Group the Ramblers

20 Clearwell Gardens
Cheltenham
Gloucestershire
GL52 5GH

Comments: 25th October 2013

I also strongly object specifically to the proposed vehicular access to Phase 3 is via Priors Road/Redmarley Road/Clearwell Gardens.

Somewhat surprised by the document called 'From the Ground Up', which states that the current junction and road layout has been constructed to fit Phase 3 traffic access.

The current issues experienced at access and with Phase 1 development occur several times a day and includes:

- Near misses of collision of cars versus cars
- Near misses of collisions of cars versus pedestrians
- Near misses of collision versus cars/pedestrians versus
- Sainsburys lorries delivering at the store - These incidents are not just located at Sainsburys entrance but also further up on Redmarley Road and Clearwell Gardens. The current design is woefully inadequate and dangerous due to:
- Narrow width of road at points to only a single car width
- in conjunction with:
 - Blind bends
 - Road traverses at an incline
 - Inadequate allocated parking with in the current development, which causes further stricture of the road, blocks access to drives and blocks safe viewing.

Interestingly, the document did not mention the number or impact of cars accessing Phase 3 - but it is sure to be 500 cars plus. This sort of exponential increase in vehicle and journey numbers will not only increase health and safety issues, but also affect living standards of residents.

The resolution to this already exists, in that Phase 3 has current access via Harp Hill. This historically is used as a shortcut to Charlton Kings/A40/Cirencester Road as well as previous access to hundreds of staff to the former GCHQ. site.

I would also like to note the following:

- Within the document section of the developers application there is no consultation from highways or traffic/access survey or assessment. I would have thought this was a fundamental element for an application of this magnitude.
- The document from Persimmons titled 'From the Ground up' only makes reference that comments can be sent to a separate Hotmail addresses. With nil mention of official planning comments in form of objection via CBC planning online site or the application reference number. This could potential lead to fewer public comments being submitted.

4 Brockweir Road
Cheltenham
Gloucestershire
GL52 5FW

Comments: 15th November 2013

I object to the application on the basis that the development by Taylor Wimpey was not designed or implemented to take the volume of traffic generated by the further development proposed.

The Taylor Wimpey development has neither been completed nor adopted and maybe if this was the case improvements in the already over-burdened infrastructure could be made before a 3rd phase considered.

Thank you

APPLICATION NO: 13/01683/REM		OFFICER: Mr Ian Crohill
DATE REGISTERED: 1st October 2013		DATE OF EXPIRY : 31st December 2013
WARD: Battledown		PARISH:
APPLICANT:	Mrs Emma Geater	
LOCATION:	GCHQ Oakley, Priors Road ,Cheltenham	
PROPOSAL:	Approval of reserved matters pursuant to Outline Planning permission ref: CB11954/43 and ref: 01/00637/CONDIT for the erection of 311 dwellings and associated roads, footways, parking, landscaping, drainage and public open space.	

REPORT UPDATE

The comments of the Council's Landscape Architect have not appeared in the schedule. They are copied below and they have in fact already been passed onto the applicant's agent for their information. It will be noted that conditions in accordance with her suggestions are included in the list of conditions below.

Principle Public Open Spaces and SuDS Scheme

Drawings:

Liz Lake Associates

Landscape Strategy Dwg. No. 1507 01

Detailed Planting Proposal Sheet 4 of 6 Dwg. No. 1507 08

Detailed Planting Proposal Sheet 5 of 6 Dwg. No. 1507 09

Focus on Design

Planning Layout Dwg. No. 0488-102

External Works Sheet 1 of 5 Dwg. No. 0488-104-1

External Works Sheet 2 of 5 Dwg. No. 0488-104-2

Both the extent and design of the wildflower areas should be reconsidered.

The Landscape Strategy drawing shows the public open spaces as being comprised mostly of amenity grass, with soft, flowing lines. This would provide both visual and practical amenity for the proposed development.

However, the other drawings show these areas to be extensively planted with wildflowers. While being visually attractive in summer, this reduces practical amenity, since wildflower areas cannot be walked on or used for informal play.

The shapes of the wildflower areas do not flow well - the outlines seem to have been arrived at by using the 'offset' command in the cad program. Some of the shapes are impractical e.g. the wildflowers to the south of the Tilia cordata near Plot 17. Wildflower areas should be designed to have naturalistic, flowing forms which will be aesthetically more pleasing and easier to mow around than pointed shapes.)

Consideration should also be given to the appearance of these areas in winter. Experience elsewhere in Cheltenham has shown that they can have an 'untidy' appearance which is not popular with the public.

Suggest the following:

- Remove all proposed wildflower areas and replace with amenity grass except in the area of the attenuation pond (shown on the Insert of the Landscape Strategy drawing).

- Smaller areas of wildflowers could be woven through this general area to provide food and habitat for wildlife and visual amenity in summer. However, the greater part of the public open space should be amenity grass in order to provide practical amenity for the proposed development.

- The wildflower mix selected is acceptable. Consider adding some areas of annual wildflowers. Although they require re-seeding each year, including annuals as well as perennials in a wildflower scheme can extend the nectar season. Experience elsewhere in Cheltenham has shown that their longer flowering season is welcomed by the public.

Units 134 - 174 and Units 93-99

Drawings:

Liz Lake Associates

Landscape Strategy Dwg. No. 1507 01

Detailed Planting Proposal Sheet 4 of 6 Dwg. No. 1507 05

Detailed Planting Proposal Sheet 5 of 6 Dwg. No. 1507 07

Focus on Design

Planning Layout Dwg. No. 0488-102

External Works Sheet 3 of 5 Dwg. No. 0488-104-3

- The central steps between Unit 134 and Unit 174 extend into the road. This should be remedied as it potentially dangerous.

- The lower pedestrian pathways terminate in parking plots. This means that pedestrians would have to step into the road - and this is not designed as a shared space.

- There is an upper walkway, but this might be perceived as semi-private space. The pedestrian path needs clarification.

- Access to the lower ground floor of Units 171-174 should be kept clear. The External Works Sheet shows planting across the access whereas on the Planting Strategy drawing it is kept clear. The two drawings should be in accord.

- Bin Store, Units 93-99: There is potentially a problem with the location of this bin store as it is outside a bedroom window. Consideration should be given both location and screening of the bin store.

General Comments

Access to Rear Gardens

Each proposed dwelling should be provided with paved access from the front of the dwelling to its rear garden. Paved access should also be provided from rear doors to the garden gate.

Retaining Walls

Given the nature of the site, retaining walls are required in a number of gardens. Where this is so, consider constructing the retaining structure in steps of not more

than 450mm height separated with planting beds. Terracing the garden in this way would be less visually obtrusive than a solid wall, when viewed from the house.

Paving Materials Alignment

There are a number of instances where areas of granite effect setts could be better aligned with the adjacent paving materials. Please ask the engineers to contact me directly as this is something best discussed on the phone.

Planting

The structural planting proposed in the Planting Strategy is acceptable. As previously suggested, detailed assessment of planting proposals will be carried out at conditions stage.

Conditions Required

Please could the following conditions be applied to planning permission:

- LAN02B Landscaping scheme (short version)
- LAN03B Landscaping - first planting season
- A long-term maintenance plan for the landscaped areas should be supplied.

In addition, please find below suggested conditions that should be imposed on any approval of reserved matters granted.

1. The development shall be started on or before whichever is the later of the following dates:-
 - (a) Three years from the date of the outline permission;
 - (b) Two years from the date of this decision.Reason: To enable the Local Planning Authority to review the development should it not be started within the time specified.
2. The development hereby permitted shall be carried out in accordance with drawing numbers 1507-01A received 2 January 2014; 0488-114; 0488-103A; 0488-109-2A; D35 19P3A; 1507-05E; 1507-06E; 1507-07E; 150708E; 1507-09E; 1507-10E and the revised House Type booklet received 23 January 2014; 0488-102E; 0488-102-4B; 0488-104-1B; 0488-104-2B; 0488-104-3B; 0488-104-5B; 0488-104-10B; 0488-105-1B; 0488-105-2A; 0488-106A; 0488-107B; 0488-108B; 0488-109-1; 0488-110B; 0488-111B; 0488- 112D; 0488-113B; 0488-302-1A; 0488-302-2A; 0488- 302-3A; 0488-320B and Parking Matrix issue 3 received 6 February 2014
Reason: To ensure the development is carried out in strict accordance with the approved drawings.
3. Prior to the commencement of any building works, large scale design and details (including materials and finishes) of the following shall be submitted to and approved in writing by the Local Planning Authority: verges, eaves detail, parapets, rainwater goods, sill and head treatments, reveals, all external doors and windows (including furniture & fittings), sill & head details, extract vents and flues, window guards together with any external lighting within the development. The design details shall be accompanied by elevations and section drawings (as appropriate) to a minimum scale of 1:5 together with full size cross section profiles of mouldings. The scheme shall be implemented strictly in accordance with the approved details.
Reason: To ensure a satisfactory form of development.

4. Prior to the commencement of development sample panels of all facing and roofing materials and all hard surfacing materials of at least one square metre shall be constructed on site to illustrate the proposed palette of materials. The sample panels shall be approved in writing by the Local Planning Authority and thereafter retained on site until the completion of the scheme to provide consistency.

Reason: To ensure a satisfactory form of development.

5. All windows shall have either sliding sash or side hung opening mechanisms (with no top hung windows) and shall be of timber construction, finished in a colour to be agreed in writing by the Local Planning Authority and the external doors shall be in a painted timber construction and thereafter so maintained to the satisfaction of the Local Planning Authority. All windows and doors shall be set in reveals of at least 75mm from the face of the building.

Reason: To ensure a satisfactory form of development

6. No development shall take place until further details of the landscaping and planting scheme (following discussions between the Council's landscape Architect and the applicant's Landscape Architect) have been submitted to and approved by the Local Planning Authority. The scheme shall include all landscaping, tree and/or shrub planting and associated hard surfacing (which should be permeable or drain to a permeable area) and shall specify species, density, planting size and layout. The scheme following approval by the Local Planning Authority shall be carried out in the first planting season following the occupation of the buildings 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.

7. The landscaping proposals approved in accordance with condition 6 above shall be carried out no later than the first planting season following the date when the development is ready for occupation or in accordance with a programme agreed in writing with the Local Planning Authority. All planted materials shall be maintained for 5 years after planting and any trees or plants removed, dying, being severely damaged or becoming seriously diseased within this period shall be replaced with others of similar size and species to those originally required to be planted.

Reason: To ensure that the planting becomes established and thereby achieves the objectives of Local Plan Policies CP1 and CP7 relating to sustainable development and design.

8. A management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas, other than small privately owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of any of the residential units hereby approved. The landscaped areas shall be managed in strict accordance with the approved management plan thereafter.

Reason: To ensure that the development is maintained in a manner that is sympathetic to the site and its surroundings in accordance with Local Plan Policies CP1 and CP7.

9. Before any work on site is commenced drawings showing details of the drainage and specific features of the sustainable urban drainage system, based on the Drainage Statement submitted with this application, the principles of which are hereby established, shall be submitted to the Local Planning Authority for review and approval by the Lead Local Flood Authority or the Land Drainage Officer. The drainage scheme shall be implemented in accordance with the details and SUDS features so approved.

Reason: To ensure that the development is provided with a satisfactory means of drainage and to reduce the risk of creating or exacerbating any flooding problems.

This page is intentionally left blank
Page 56

1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This is a full application for the re-development of a relatively large site on the Cirencester Road within Charlton Kings parish. The application proposes the erection of 9no. dwellings following the demolition of The Little Owl public house, together with alterations to the existing access, and associated landscaping.
- 1.2 Post submission, following negotiations with the applicant and their agent, a number of revisions have been made to the layout and design of the scheme resulting in a reduction in the number of proposed dwellings from 10 to 9. The scheme would now provide for a mix of 7no. four bedroom houses and 2no. three bedroom houses; with all of the houses benefiting from additional living accommodation at basement level.
- 1.3 The application is before planning committee following an objection from the parish council.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Landfill Site boundary
Public Right of Way
Smoke Control Order

Relevant Planning History:

None of any relevance to this application

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development
CP 3 Sustainable environment
CP 4 Safe and sustainable living
CP 7 Design
HS 1 Housing development
RC 1 Existing community facilities
RC 6 Play space in residential development
TP 1 Development and highway safety

Supplementary Planning Guidance/Documents

Development on garden land and infill sites in Cheltenham (2009)

National Guidance

National Planning Policy Framework

4. CONSULTATION RESPONSES

GCER

15th November 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.

Environmental Health

22nd November 2013

In relation to application 13/01902/FUL for the site of the Little Owl Public House, 237 Cirencester Road, Charlton Kings, Cheltenham, GL53 8EB please can I add the following conditions and informative:

Condition: For the construction phase to be kept within the times of work as stated: "No construction work at the site is to take place outside the hours of 7:30am - 6:00pm Monday - Friday and 8:00am - 1:00pm Saturdays."

Reason: To protect the amenity of residents of nearby residential property

This proposal includes an amount of demolition of existing buildings, this will inevitably lead to some emissions of noise and dust which have a potential to affect nearby properties, including residential property. I must therefore recommend that if permission is granted a condition is attached along the following lines:

Condition: The developer shall provide a plan for the control of noise, dust, vibration and any other nuisances from works of construction and demolition at the site. The plan should also include controls on these nuisances from vehicles operating at and accessing the site from the highway. Such a plan is to be submitted to and approved by the Local Planning Authority before work commences on site.

Reason: To protect local residents

Query: within the application there is a mention of crushing works to be completed during the demolition work - please can I request further information on this in relation to the period of time when crushing is expected to take place and also if the developer will be approaching the Council's Environmental Protection Team in order to agree suitable limits on the levels of noise being produced by construction and demolition activities at the site. This is likely to take the form of an agreement under section 61 of the Control of Pollution Act 1974.

Informative/Query: Please could I ask what type of sound insulation scheme is intended for the windows in the residential units for protecting the habitable rooms from noise road traffic?

Parish Council

26th November 2013

OBJECTION

- Inadequate car parking allocated.
- Density of site housing excessive.
- Concern over right of way and access to it from adjacent properties. Access & egress from site considered dangerous.
- Concerns over trees (Lombardy Poplars) and maintenance of same and site. Due to height of development there are light concerns and oversight into bedrooms on adjacent homes. Drawings need checking as one has a 20m high brick wall, not in keeping with surrounding properties.

Tree Officer

28th November 2013

There are several anomalies and further clarification required within the application:

1) The existing line of young Lombardy Poplar trees along the northern side of this site are marked as being retained on Proposed Site layout Drawing P003 as well as The Proposed Street Scenes Drawing P008 where it is stated that the 'Poplar trees to boundary in front of new houses', whilst the Arb Report Para 3.3 describes this line of poplars to be removed. The Tree Section is in agreement with the arb consultant in his description that the line of poplars are 'unsuitable for long term retention because of possibility of causing structural damage'-this species in maturity have a very high water demand and anecdotal experience indicates that such trees are prone to failure thus adjacent property on and off the site will succumb to increased levels of risk as well as a potential source of anxiety for adjacent residents.

Similarly the tree Constraints Plan demonstrates that if allowed to grow to full height, that such trees will cast shadow onto properties on Lyefield Court. Any such privacy/screening will only be effective during periods when the trees are in leaf. Also, it is not clear who is to own/manage/take responsibility for these (or any alternative tree replacement) trees should the proposed development proceeds. As such if this proposal is to receive permission, it is recommended that these poplars are removed and an alternative replacement species is planted which will be more harmonious within the site context in the longer term.

2) The proposed Street Scenes drawing shows the retained poplars situated within what can only be described as a raised planter. It is not clear how such altered soil levels of the rooting areas are to be treated should the planters. Such a reduction in soil level is likely to remove 1 metre depth of soil (approx) less than 2 metres from the trunk and within the root protection area. Trees will likely not tolerate such a reduction of soil level.

3) There is a cypress hedge (G3 as per arb drawing) outside the site but within it's sphere of influence if allowed to grow to full height and likely cause significant shading on the site (see Tree Constraints plan). Account should be taken during the design of the site such a hedge be retained into the future-its future management lies with the hedge owner not with those who may become affected (unless any formal High Hedge Complaint results in a remedial notice being served on the owner. Such remedial notices do little to foster good relations between neighbours.

Incidentally, the Block Plan P002 shows the extent of the property boundary extending beyond the position of the close boarded fence currently acting as a site boundary. Similarly the Block Plan also shows the extent of the boundary beyond the position of the current fence line.

As such whilst no tree on site is of TPO'able quality, the Tree Section cannot support the current application in its current form.

Crime Prevention Design Advisor

28th November 2013

In my capacity as Crime Prevention Design Advisor for Gloucestershire Constabulary I would like to express some concerns about the planning application at Cirencester Road, Charlton Kings with reference number 13/01902/FUL.

I would like to draw your attention to the site specific comment available on the accompanying site plan title 13.01902.FUL - Cirencester Road, Charlton Kings site plan.

Crime and Disorder Act

Gloucestershire Constabulary would like to remind the planning committee of their obligations under the Crime and Disorder Act 1998, Section 17 and their "duty to consider crime and disorder implications (1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various

Page 61

functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area."

Design and Access Statement

This application's Design and Access Statement has briefly mentioned crime prevention and site security, however further information would be appreciated to answer the following concerns:

- The design of this development should address the possibility of criminal activity as a result of the increased permeability offered by the footpath
- The description of the garage will be cluttered and congested, whether this building is used for vehicles or storage the construction and security features should be considered
- The use of copper as an architectural detail should be included with care; the desirability of copper should necessitate the need for security fixings, forensic marking or replica materials.
- The adoption of the Secured by Design standards would address security needs for the garden sheds
- The bins and caddies need to be sensitively stored in order to remove the street clutter

As part of the sustainability assess, security should have been incorporated as this will affect the present and long term future of this development.

"Security and personal safety are matters that are generally taken for granted, but crime and the fear of crime has a significant impact on the way we live. Careful design of the built environment can reduce opportunities for crime and improve feelings of safety." Cheltenham Supplementary Planning Guidance - Security and Crime prevention

Planning Policy

Cheltenham Borough Council's Local Plan which contains Policy CP 4:

Development will be permitted only where it would:

(c) make adequate provision for security and the prevention of crime and disorder;

and

(b) not, by nature of its size, location, layout or design to give rise to crime or the significant fear of crime or endanger public safety.

Paragraph 58, National Planning Policy Framework, DCLG 2012

"Create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion."

Crime and the Carbon Footprint

In the last 12 month 8 crimes have occurred in the surrounding streets:

2 Burglaries

4 vehicles intentionally damage

2 forced entry into a garden

The carbon cost of crime is based on a formula created by Prof Ken Pease for converting the financial costs of crime into the energy expenditure of the emergency services and criminal justice service as they respond to criminal events. In Gloucestershire this roughly equates to 257,012 tonnes of CO2 generated in 2012, with Cheltenham contributing 65,680 tonnes of CO2. Over the past 12 months 201 crimes occurred in Charlton Kings which generated 452.6 tonnes of CO2.

Secured by Design

Secured by Design focuses on crime prevention of homes and commercial premises and can reduce crime by 60%. To assist in achieving these security levels the door sets and windows installed in these buildings should comply with BS PAS 24:2012. Laminated glazing should also be used on glazed door panels, windows adjacent to doors and any additional glazing which is easily accessible to provide additional security and resilience to attack.

Cheltenham Civic Society

5th December 2013

We liked the innovative design, which makes good use of the space, in particular on account of the basement dining rooms.

Architects Panel

13th December 2013

2. Is the information sufficient to understand the application?

Yes - the presentation was clear and comprehensive.

3. Context

Predominantly two-storey housing of mixed ages and styles, but generally traditional. Part three storey development immediately adjoining to the north.

4. Massing and Scale

Houses on road appropriately scaled with a traditional form. Simple, robust and successful. Houses to rear appear slightly over scaled due to boxy, contemporary style that makes the whole scheme incoherent. Is the rear of the site a bit too dense?

5. External appearance

Traditional, simple appearance with modern touches works well on street, but contemporary style to rear less successful with fussy modelling trying to break up boxy forms.

6. Detailing and materials

Simple, robust mix of traditional and modern materials to street quite pleasing, but fussy interaction of elements to rear is less successful.

7. Environmental design

No apparent inclusion of any renewable energies or specific environmental design.

8. Summary

We were unsure why the units to the rear adopted their contemporary style when a successful approach was already working to the street.

9. Recommendations

We could not support this application in its current form and would suggest that the design of the street units be used to the rear as well.

GCC Highways Planning Liaison

5th February 2014

I refer to the above planning application received on 7th November 2013 with revised plan no: P003 Rev E.

The existing use on the site is a public house (A3) of 587sqm with 30 car parking spaces (according to the application form), this is the accepted fallback position, i.e. what the site

can be used for without the need for further planning permissions. The proposal is now for 9 dwellings with 18 dedicated car parking spaces. A Transport Statement (TS) dated October 2013 has been submitted to assess the impact of the development upon highway safety, the TS assessed the impact of 10 dwellings however the proposal has now been reduced to 9 dwellings, and given the reduced impact upon the highway the TS is still accepted.

The TS clearly demonstrates that although there may be a few extra vehicles on the network during the AM peak (08:00-09:00), the impact of the development during the PM peak (17:00-18:00) would be significantly reduced with a reduction of 29 vehicular movements, and a total reduction over the 24 hour period of 268 two-way movements, it is for these reasons that it would be unreasonable to recommend refusal on impact upon the highway network.

With regards to the vehicle access, the proposed development will make use of existing access location, albeit with minor amendments, the same level of visibility will be available to the north and south. Although the access point will be narrowed the general arrangement will be improved and formulised as a result of the development, therefore it would not be reasonable to recommend refusal on the basis of the site access, especially with the significant reduction in number of vehicle movements.

Two dedicated car parking spaces are being provided within the site for each dwelling and this is considered to be an acceptable level. 2 on street visitor spaces are also being provided which would accord with local standards, and notwithstanding this a 6m shared surface road is being provided which will also accommodate a certain level of additional on street parking. Parking already occurs on Cirencester Road itself without evidence of severe or significant highway safety dangers occurring, therefore should vehicles be forced to park on Cirencester Road highway safety should not be significantly compromised, this could happen at the moment should the pub car park be full.

The proposed layout is considered appropriate for the level of development, with the shared surface (6m) and service strip (2m) being a suitable width to accommodate both pedestrians and vehicles, including vehicle parking, and the services required to serve the development. A turning area suitable for a 9.86m long refuse has been provided and is considered suitable, I appreciate the tracking shown on drawing B/EJLITTLEOWL.1/01 Rev A has been completed on a slightly different layout to the revised plan (P003 Rev E), however the adoptable turning area is the same and is accepted.

According to our records public footpath ZCK/45/2 runs through the site, this path needs diverting under the Town & Country Planning Act 1990. It should be processed before any construction can take place. **However, it should be noted that this would be subject to public consultation and potential objections, which could lead to the extinguishment/diversion order ultimately failing.** Until an order has been made, confirmed in writing and brought into operation, the legal line of a public right of way remains unaltered. **As it is a criminal offence to obstruct the highway (including public rights of way) without lawful authority or excuse, any development works or building materials on the line of the path will render the development liable to prosecution.** The granting of planning permission does not in itself constitute authority for any interference by a Developer with a public right of way. Before a right of way can be legally diverted or extinguished, Gloucestershire County Council must agree to make an order.

The National Planning Policy Framework 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 significant reduction in number of vehicle movements it would be unreasonable to recommend refusal on this application on highway safety grounds.

I recommend that no highway objection be raised subject to the following conditions being attached to any permission granted:-

1) *No dwelling on the development hereby permitted shall be occupied until the access roads, including surface water drainage/disposal, vehicular turning heads, street lighting, and footways where proposed providing access from the nearest public road to that dwelling have been completed to at least binder course level in accordance with the submitted plans, and those access roads, shall be retained and maintained in that form until and unless adopted as highway maintainable at public expense.*

REASON: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.

2) *No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.*

REASON: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.

Note: The applicant is advised that to discharge condition 2 that the local planning authority requires a copy of a completed dedication agreement between the applicant and the local highway authority or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

3) *The car parking (including garages and car ports where proposed) and manoeuvring facilities serving each dwelling shall be completed in all respects in accordance with the submitted details (drawing number: P003 Rev E) prior to the occupation of that dwelling and shall be similarly maintained thereafter for that purpose.*

REASON: To ensure an acceptable level of car parking and appropriate manoeuvring facilities are provided and maintained, in the interests of highway safety.

4) *No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:*

- *the parking of vehicles of site operatives and visitors*
- *loading and unloading of plant and materials*
- *storage of plant and materials used in constructing the development*
- *wheel washing facilities*

REASON: To minimize disruption, congestion and hazards on the public highway, in the interests of highway safety.

INFORMATIVES:

1) The proposed development may require an amendment to the footway crossing and the Applicant/Developer is required to obtain the permission of the County Council before commencing any works on the highway.

2) The Road Traffic Act 1988, Section 34, makes it an offence to drive a motor vehicle without lawful authority on any footpath. The applicant is advised they need to be able to demonstrate they have an existing private vehicular right and therefore have "lawful authority". If the applicant is unable to prove an existing private vehicular right they must

gain the written consent of the landowner and then apply to the Highway Authority for a licence to permit them to drive motor vehicles on the footpath.

3) In the interests of highway safety, the public footpath must not be obstructed or encroached upon, the surface damaged or made dangerous during or after works. The applicant is advised to contact the Gloucestershire County Council Public Rights of Way Team on 01452 425577.

4) The site is affected by a Public Right of Way and a diversion order will be required, the applicant is advised to contact the Gloucestershire County Council Public Rights of Way Team on 01452 425577

Tree Officer – revised comments

10th February 2014

The Tree Section has no objection to this application. However it is not clear from the plans if T1 (Norway maple) is to be retained. If so this needs to be made clear and protection as described in the Arb Report needs to be installed prior to the commencement of all works on site. Similarly G1 (the conifer hedge) situated outside the site needs its root protection area protected as per the specification in the Arb report.

The new revised site plans say that the line of Lombardy poplars and a new “birch hedgerow” is to be planted. It is not clear what is meant by “hedgerow”-it is presumed that this is meant to read “line of trees” as birch do not make hedging material! As such please could a detailed description as a part of a wider landscaping scheme be submitted and agreed. Details of the birch must include, number of trees to be planted, species, size, root type and tree pit details. Similarly other new trees are marked on this drawing and as such details of these trees must be submitted and agreed by this LPA prior to the commencement of construction.

Parish Council – revised comments

11th February 2014

OBJECTION

- Plans contradictory (9 or 10 homes)
- 1st floor window overlooking neighbour (less than 10m)
- Concerns over public footpath and access to the same for existing users
- Insufficient car parking.

5. PUBLICITY AND REPRESENTATIONS

5.1 Letters of notification were sent out to 36 neighbouring properties on receipt of the original application. A further 39 letters of notification were sent out to advise of the revised plans.

5.2 In response to the publicity, objections have been received from 12 local residents; all of the comments received have been circulated to Members in full, but the main objections relate to:

- Loss of existing public house/community facility
- Car parking/highway safety
- Height/scale
- Overdevelopment
- Out-of-keeping
- Loss of privacy/light
- Diversion of right of way

6. OFFICER COMMENTS

6.1 Determining Issues

6.1.1 The main considerations when determining this application relate to the principle of redevelopment, design and layout, impact on neighbouring amenity and the locality, and highway safety.

6.2 The site and its context

6.2.1 The application site is located on the eastern side of Cirencester Road, just south of the junction with Garden Road; it is irregular in shape, some 0.28 hectares in size and is bounded by residential properties in Lyefield Court, Cirencester Road, Bradley Road and Garden Road. The character of the area is clearly residential and, whilst there is no one particular style or type of dwelling which predominates, the surrounding developments are all traditional in appearance.

6.2.2 The site is currently occupied by The Little Owl public house, which ceased trading on 1st October 2013. The original building, which is shown on the 1884 OS map, is an attractive white rendered building beneath a pitched slate roof but has been quite significantly extended over the years and adopts a large footprint towards the south-western corner of the site. A pub garden is provided to the rear of the building, with a terrace to the front, and car parking extends the full depth of the site to the north. A public right of way enters the site in its north-eastern corner and passes through the car park to the Cirencester Road.

6.2.3 A row of young Lombardy Poplar trees line the northern site boundary; whilst there was a discrepancy in the original submission which led to some confusion as to whether these trees were to be removed or retained, it has since been confirmed that the trees are to be removed, as indicated on the revised proposed site layout drawing.

6.3 Principle of redevelopment

6.3.1 Much objection has been raised in relation to the loss of the existing public house and its function room however it is not afforded any policy or legislative protection.

6.3.2 Although local plan policy RC1 states that “*development that leads to a loss of land or premises which meet the needs of the community will not be permitted, unless: (a) the use is replaced within the new development; or (b) alternative provision is made in an appropriate location; or (c) there is no longer a need for the site to remain in community use*”, the preamble to the policy does not make any reference or inference to public houses.

6.3.3 This view is supported by an appeal decision at The Greyhound public house (APP/B1605/A/08/2088458) in which the Inspector stated “*even if policy RC1 properly applies to public houses, contrary to my understanding, it does not follow that the appeal proposal is contrary to the policy given the availability of adequate alternative facilities.*”

6.3.4 There are alternative pubs that remain open within the wider Charlton Kings area; one of which, The Clocktower, is within easy walking distance of the Little Owl, just some 250 metres away, whilst The Royal, in the heart of the village, is within 900m of the site. With this in mind, officers are satisfied that the loss of the public house and the redevelopment of the site for housing is acceptable in principle subject to a satisfactory scheme for redevelopment.

6.4 Design and layout

Page 67

6.4.1 Local plan policy CP7 requires all new development to be of a high standard of architectural design and to complement and respect neighbouring development and the character of the locality.

6.4.2 The Council's adopted SPD 'Development on Garden Land and Infill Sites in Cheltenham' sets out that various elements combine to create the character of an area and include grain, type of building, location of buildings within the block or street, plot widths and building lines and goes on to state that *"Responding to character is not simply about copying or replicating what already exists in an area. It is not merely about preservation of what is important about a place but must also allow a place to evolve in a manner which is appropriate to the context of the place, seeking always to enhance a place"*.

6.3.3 In the area surrounding the site the pattern of development varies greatly with different sized plots, different types of dwelling, and inconsistent building lines. As a result, there is no one distinct character for this development to conform to, though it does seek to maintain a traditional form of building at the front of the site.

6.4.2 As originally submitted, the proposal was considered to be an overdevelopment of the site which resulted in an awkward and disappointing layout. However, during the course of the application, the scheme has undergone a number of significant revisions since its original submission in response to concerns raised by consultees and officers. Most notably, the number of units has been reduced from 10 to 9, and the second floor to the units at the rear of the site has been omitted.

6.4.3 Though the Civic Society was supportive of the scheme as originally submitted, the Architects' Panel criticised it suggesting that whilst the houses at the front were *"appropriately scaled with a traditional form"* and *"Simple, robust and successful"*, the houses to the rear were less successful due to their *"boxy, contemporary style that makes the whole scheme incoherent"*.

6.4.4 Whilst the revised scheme retains the overtly contemporary buildings to the rear of the site, officers consider that the introduction of a modern mix of materials to the traditional form of the frontage terrace will provide an effective transition between old and new, and that the interesting palette of materials throughout will provide for a high standard of design which will sit well in its context.

6.4.5 Following revisions, the layout of the development is much improved and has resulted in the provision of larger private gardens, which are more commensurate with the size of the dwellings, together with a significant reduction in the extent of hard surfacing throughout the site. The revisions have also overcome some of the detailed concerns raised by the Crime Prevention Design Advisor in their response.

6.4.6 Additionally, the omission of the second floor to plots 8 and 9 at the rear site will achieve a hierarchy of development within the block, the importance of which is set out within the garden land SPD.

6.4.7 In conclusion, in its revised form, the proposed redevelopment scheme is considered to be of a suitable scale, height, massing and footprint, and would sit comfortably within its context. The development would therefore be in accordance with local plan policy CP7.

6.5 Impact on neighbouring property

6.5.1 Local plan policy CP4 advises that development should avoid causing unacceptable harm to the amenity of adjoining land users and the locality.

6.5.2 Officers acknowledge that by its very nature this proposal would undoubtedly have an impact on neighbouring properties however it is not considered that any of the resultant impact would be to an unacceptable degree.

6.5.3 In respect of privacy and outlook, splayed oriel windows with obscure glass where necessary have been introduced to the rear of plots 4, 5, 8 and 9 to ensure that outlook from upper floors would be restricted to within the site and as a result, the proposal would not compromise existing privacy levels.

6.5.4 In addition, officers consider that the proposal would have only a very limited impact on levels of sunlight reaching neighbouring gardens. Furthermore, officers do not consider that the development would be overly oppressive in terms of outlook from neighbouring properties.

6.5.5 In conclusion, following revisions to the scheme, officers are satisfied that the proposed development complies with the aims and objectives of policy CP4 and would not cause undue harm to the amenity of neighbouring land users or the locality.

6.6 Parking and highway safety

6.6.1 Local plan policy TP1 seeks to limit development which would endanger highway safety.

6.6.2 As set out in the detailed Highway comments above, the application has been accompanied by a Transport Statement which clearly demonstrates that although, when assessed against the use of the site as a public house, there may be a few extra vehicles on the network during the AM peak (08:00-09:00), the impact of the development during the PM peak (17:00-18:00) would be significantly reduced and a total reduction over the 24 hour period of 268 two-way movements. Based on the information within this statement, the Highways Officer has advised that *“it would be unreasonable to recommend refusal on impact upon the highway network”*.

6.6.3 The scheme would provide for two allocated car parking spaces per dwelling within the site together with two visitor spaces. Moreover, the 6m wide shared surface road could accommodate a certain level of additional parking.

6.6.4 The proposal therefore accords with policy TP1.

6.7 Other considerations

6.7.1 As mentioned previously, a public right of way currently enters the site in its north-eastern corner and passes through the existing car park to the Cirencester Road; this footpath would need to be diverted to enable the development to take place. Before a diversion can take place, Gloucestershire County Council must agree to make an order. However this is not a reason to withhold planning permission; the granting of a planning permission does not negate the need to obtain an order. An informative is suggested to advise the applicant of the need to obtain an order, and that it is a criminal offence to obstruct a highway (including public rights of way) without lawful authority or excuse.

6.7.2 As the application proposes new residential development, provision for play space would be required to meet the requirements of local plan policy RC6. As on-site play space provision is clearly not feasible in this location, policy RC6 envisages a commuted sum in order to achieve its requirements and it is considered that this matter could be adequately dealt with by way of a condition.

6.7.3 Noise and vibration during demolition and construction have also been raised as a concern but this is a matter that would normally be adequately controlled by Environmental Health. An informative is suggested to notify the applicant of the

acceptable working hours set out in the Council's 'Code of Good Practice – Building and Demolition Site Operators'.

7. CONCLUSION AND RECOMMENDATION

- 7.1 The loss of the existing public house is considered to be acceptable in principle subject to a satisfactory scheme for redevelopment. The building is not listed or locally indexed, and it located outside of the conservation area. Furthermore, the preamble to policy RC1 does not make any reference or inference to public houses and therefore the property is not afforded any policy or legislative protection.
- 7.2 As revised, the proposed dwellings are of a suitable scale, height, massing and footprint for the site and would sit comfortably within their context.
- 7.3 The scheme has been carefully considered to ensure that the proposed dwellings could be comfortably accommodated within the site without causing unacceptable harm to neighbouring amenity in respect of privacy, daylight or outlook.
- 7.4 In addition, the proposal would not have a severe impact on highway safety, and no Highway objection has been raised.
- 7.5 Therefore, the recommendation is to grant planning permission subject to conditions.

8. CONDITIONS / INFORMATIVES

To follow

This page is intentionally left blank
Page 70

APPLICATION NO: 13/01902/FUL		OFFICER: Miss Michelle Payne	
DATE REGISTERED: 7th November 2013		DATE OF EXPIRY : 6th February 2014	
WARD: Charlton Kings		PARISH: CHARLK	
APPLICANT:	Davmay20 Ltd		
LOCATION:	237 Cirencester Road, Charlton Kings, Cheltenham		
PROPOSAL:	Erection of 9no. dwellings, reconfiguration of site access and associated landscaping following demolition of existing building (The Little Owl Public House)		

REPRESENTATIONS

Number of contributors	14
Number of objections	11
Number of representations	3
Number of supporting	0

3 Bafford Approach
 Cheltenham
 Gloucestershire
 GL53 9HH

Comments: 20th November 2013

The Little Owl has literally been my local pub for more than 23 years and has provided some very key services to the local community. Should it be lost as a pub with a long and varied history, it will in my view be detrimental to the area. It has a very large garden and lots of car parking (unlike many other pubs in Charlton Kings), and the Annecy Suite function room has been used for many local functions over the years. Indeed in my capacity as a member of the fundraising committee for Cheltenham Samaritans, I have organised many fundraising functions in the Annecy Suite over those 23 years. The restrictions placed on the many recent landlords of the pub by the Enterprise Inns pub company do seem to have had a detrimental effect on the supposed viability of the pub, but under new management I am convinced that this iconic pub could once again become the thriving centre of the community that it once was.

The planning application states that there were no offers for the pub from anyone other than bidders intending to re-develop the site, this is a blatant untruth as I am aware of at least two bidders who were prepared to take on the pub as a going concern - one of which, a large Oxfordshire based brewery who apparently offered over the asking price, was keen to establish a presence in Cheltenham that would be welcomed by many Real Ale enthusiasts. It would seem however that Enterprise Inns do not care about keeping the pub as an asset for the community, but would rather make as much money as they can by accepting a bid which will demolish the pub and add yet more houses to the area. I have been reliably informed that should the property come on the market again as a pub, then the Oxfordshire-based brewery would still be interested.

Far too many legacy pubs are being lost in the Cheltenham area, just because they are ripe for re-development as they have a large footprint. Should planning be approved for the re-development of the Little Owl, it would potentially open the flood gates for any pub in Cheltenham with a large car park and/or garden to be sold off and yet more community assets would be lost.

I urge you to reject this planning application so that the property can be put back on the market as a going concern, ensuring that it will be retained as a community pub with a valuable function room.

46 South View Way
Prestbury
Cheltenham
Gloucestershire
GL52 5BP

Comments: 27th November 2013

I wish to object to this planning application for the following reasons:

1. This is a wonderful pub for the community. It is exceptional because it is large and has a big function room. I have heard a Big Band play in this room and, as far as I know, there are not any pubs in the vicinity with this capability. There is also plenty of parking and a large garden.
2. In an article in the Echo it stated that no offers were received from persons willing to continue running it as a pub. This is untrue. I know for certain that a brewery wanted to run it as a flagship pub in the town and put in an offer(s). This is a well-known brewery with excellent beer and experience in running pubs. It would be an asset to the town.
3. From my visits to the Little Owl, I could see that it was in excellent condition, having been renovated quite recently.
4. I gather Enterprise Inns has some financial problems and it could be that they ignored the brewery in favour of a development company.
5. I urge the Council to refuse this application so that the pub can again go on the open market to be sold at a reasonable price to enable the building to remain as a pub.

Chair - CAMRA Cheltenham

Kimberley
Bradley Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8DX

Comments: 28th November 2013

After discussions with neighbours and having attended the Parish Council Planning meeting on 25 November, we would like to object to the proposed development of the Little Owl.

- 10 is too many houses
- Proposal is too high
- Not in keeping with neighbouring houses in materials and design
- Why is pub not being retained and converted as part of the development?
- Right of way not protected - the right of way goes through the middle of the site not along the fence
- Some bushes/hedge have already been removed that marked the right of way, can they be prosecuted for this?
- The height of the site is at least two metres higher than Bradley Road and Lyefield Court with the proposed height this will block all light to existing houses in Bradley Road and Garden Road
- Car Parking Lyefield Court as we pointed out in our objection to that development has too few parking spaces consequently for the last few years resident and visitors have been parking in the Little Owl car park permanently. People from Cirencester Road and van owning tradesmen also park there. Under this

Page 73

development all those spaces will go. Where will Lyefield Court people and there visitors park? Where will the van people park? Where will Cirencester Road people park? Bradley Road of course! No buses will be able to get through!

Six houses of moderate height with more spaces would be more than enough.

12 Lyefield Court
Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8EN

Comments: 9th November 2013

The site plan states that the line of Poplar trees on the Northern boundary are to remain. This is contradicted by the tree survey. These trees will provide essential privacy for properties in Lyefield Court as well as the new dwellings.

I trust that they are to remain?

2 Lyefield Court
Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8EN

Comments: 22nd November 2013

Letter attached.

Comments: 2nd January 2014

Letter attached.

Comments: 3rd December 2013

Letter attached.

29 Garden Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LJ

Comments: 10th February 2014

We are writing to object to the current proposal for 9 dwellings. We fully agree with the objections from 28 Garden Road and shall re-iterate our objections.

Loss of parking facility and the increase in parking requirement due to the 9 dwellings (18 cars+ and visitors) will result in parking along the Cirencester Road and along Bradley Road which will cause dangerous obstructions.

We currently have tall leylandii trees at the back of our property and are concerned that the building works may damage those trees as such and, if they died, then as those properties are 3 storeys high our privacy will be compromised. If the developers wished to reduce the height of

Page 74

those trees to allow more light into the back of their properties then any plans must be drawn up and agreed with all households which may be affected by the change.

The 3-storey buildings are not in keeping with the surrounding properties; fewer 2-storey buildings would be much more in keeping.

As mentioned in other letters we are disappointed to hear that other breweries have expressed an interest in taking on the Little Owl; however those proposals are not being considered.

14 Garden Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LJ

Comments: 27th November 2013

I wish to object to object to the proposed planning application for the Little Owl site for the following reasons:

The height of the designs are really too high. With the exception of Lansdown Court no other residence in the area are as high and their height will only be increased as the land of the Little Owl is higher than the surrounding areas. My house is very close to the site and due to their height plots 9 and 10 look directly into my garden and second story rooms.

The contemporary designs of the houses are very unsympathetic to the area and the surrounding residences and ill-in keeping with the area. The design is also quite unattractive. A design of 2 storeys, similar to the houses of Bradley or Garden Road, would be more considerate.

There does seem to be too many plots for the site to realistically work as a residential site. Everything is very crammed together with little space for the vehicles of any future residents. According to the council meeting, there are 25 parking spaces allocated to the site. This number already underestimates the number of potential permanent vehicles as the modern day family typically has 3 cars. So at least 30 spaces are needed for the families and as some of these houses are 4-bed houses that number increases. On top of this will be parking for visitors etc.

Precedent for problems arising from not providing enough parking spaces is with Lansdown Court where residents apparently need to use the car park of the Little Owl as overspill. This was mentioned at the council meeting. Overspill of the cars cannot realistically go onto the roads as Cirencester is a main road and people do go too fast down this road. Parking on this road will be very unsafe and will result in an accident. Parking cannot realistically go on Bradley Road because as a main bus route the bus is unable to get down it with parking on both sides of the road. I catch the bus very often and there have been many times where the bus has been stuck for this reason. An option may be to remove plots 9 and 10 and place additional parking here. This would also solve the concerns of other residences whose issues relate to these two plots.

While the following is not directly to do with my objections to the build, as it does not affect me directly, I know there to be concerns with the footpath that exits on the far right of the car park. There has already been work done to divert the footpath to exit the far left of the car park which I was surprised to see as it is designated a 'public' footpath as far as I know, and therefore I would not have thought it belonged to the council and would not be allowed without permission. With this re-location my neighbours lose side access to their garden which does not seem to have been taken into account.

It is a great shame that this building which has been part of Charlton Kings for over 100 years is being considered to be demolished. While I know this is not a conservation area, it is still an important building and if, as some people have stated, there has been interest in the building

itself I would hope that these are given proper consideration and that the keeping of this building be a priority.

239 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8EB

Comments: 28th November 2013

Whilst we do not oppose the principle of residential development at this site we do have some concerns and reservations as detailed:-

Parking

The site is simply not big enough to accommodate 10 houses and at least 20 cars. In fact, at the recent Parish Council meeting, the councillors estimated that there would be at least 40 cars for residents (not including visitor parking). As so, cars will inevitably park outside the development on the busy A435 Cirencester Road, thus impeding our vision when parking/exiting our driveway. This lack of visibility could be fatal!

There is also a blind spot with traffic coming into Cheltenham over the bridge. In the opposite direction we find that lorries speed up to gain momentum before their hill climb.

Visual amenity and noise attenuation on the following fronts:-

- From rear windows on the first floor of PLOTS 4, 5 and quite probably 6.
- The lower level of the rear of our house is predominantly glass and with the proposed scheme will potentially invade our privacy. Also our 1st floor back bedroom will be in full view.
- We are also very concerned that the rear windows on the first floor of PLOTS 1, 2 and possibly 3 will overlook our garden.

We are concerned about the new footprint of the 3 proposed houses (Plots 1, 2 & 3) fronting onto Cirencester Road following the proposed demolition of the pub. This will lead to sunlight being blocked to our garden - a consideration that we took account of years ago when we opted for a one-storey extension rather than a 2 storey. I know from living here for 17 years that the sunlight during the Spring/Summer will be blocked out by about 3-4pm if the proposed development of Plots 1, 2 & 3 go ahead..

The proposed development shows that there will be basements. This leads us to further concerns about ground works and possible damage to our foundations. Plot 1 is TOO CLOSE to our property within 2 metres to our house. Digging 4/5 metres down could result in subsidence to our property with structural damage caused by piling methods.

We run our business from home and are VERY WORRIED about the huge impact the noise; dust and vibrations from the demolition and building will have on our working day. The force and vibrations of the piling work could actually damage our computers and other sensitive equipment.

Historical Concern

The building at 237 has been part of Charlton Kings for over 100 years. We would question the need to knock down a perfectly sound building which is in keeping with its surrounding? We would also ask whether it is a listed building. Pubs in Cheltenham have recently been successfully refurbished to provide very attractive housing i.e. The Malvern Inn on Leckhampton Road, and The Duke of York on London Road. The proposal states that during the construction phase that best practice dictates that as much as possible will be done in the first instance to minimize the amount of waste generated by the development. Surely NOT demolishing this building will be the most environmentally friendly approach of all. The proposal also states that

Page 76

waste would be crushed onsite and used as hardcore. That's an awful lot of hardcore with nowhere to go considering that they also intend to dig out basements; so, more unnecessary waste to landfill.

Summary

All in all, we're losing privacy, light and there is a major risk of a road traffic accident due to the lack of parking.

While we understand that the site needs to be developed we are sure that concessions can make this possible, but not under the current proposal. One possible solution that would help parking and our reduced light issues would be to have off-road parking in front of the current building.

As an immediately adjacent neighbour, we would very much welcome a consultation with the developers or architects to discuss our concerns.

Comments: 10th January 2014

The new plans have not appeased any of the concerns we have voiced, and we feel that there has been very little movement by the architects.

Parking

This has still not been properly addressed. The proposal states that the current overflow parking concerns are not a material planning concern. Perhaps some observations of the current parking patterns should be undertaken so the problem can be addressed accordingly. This is a problem that WILL ONLY GET worse. The council would be irresponsible if they agree to the current plans.

If the parking situation is not taken seriously it wont be a question of if, but when an serious accident occurs

Building Heights

Plots 1-3 appear to be in line with measurements of Lyefield Court. We are a lot closer to the proposed plot yet the height of the plot compared to our house has been blatantly ignored. If the intention is to move the building line closer than the present building the light into our garden WILL be affected.

Frontage Parking and Building Line

We object to the comment regarding frontage parking as we feel that it would solve our 2 major issues road parking and loss of light. We have lived here for 17 years and reverse in and out of our drive with no problems, as long as there are no obstructions to our view. Indeed most houses along Cirencester Road have the same method of parking as us. We even reverse into the drive (again, as long as there are no parked cars obstructing our view) and have experienced no problems.

We also feel that the plots should be in line with our building not Lyefield Court as again we are closer and would experience more impact.

Little Owl Pub

We are also disappointed to note that a perfectly good building is to be demolished when it could be adapted for attractive housing; in effect it would be recycled.

Neuchatel
Bradley Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8DX

Comments: 18th November 2013

In principal we have no objections to the Little Owl site being developed. However we do have some concerns regarding the proposed plots 9 and 10.

There is a triangular area of small trees and bushes at the junction of the footpath from Bradley/Garden Road to the start of The Owl car park. The pub has always maintained that this area does not belong to them and therefore we have shared the maintenance of this with No 15 Garden Road at our own expense. The growth has always provided us with some welcome screening and privacy. The plans appear to state that this area will be cleared and the existing footpath moved to run parallel to our boundary.

This will then only give a narrow footpath between our fence & the start of No 10's garage. We appreciate that according to the side elevation there will be no windows overlooking us but the house is sited far too close especially as it is three storeys. I believe it is more realistic to build one house in this area and ideally only two storeys.

The second concern relates to the row of Lombardy poplars. The arboricultural survey states that these are to be removed. We agree that these are inappropriate for their present site & we are already finding root invasion in our lawn. They are now so high that they are restricting our light in summer when they are in full leaf. However the proposed site layout states that these trees are to remain. Please can this be clarified.

Comments: 26th November 2013

Further to the Parish Council Planning meeting a further point was raised which we had not considered.

The land on the Owl site is higher than that of Bradley Road and therefore the 3-storey plot 10 would be taller than we initially calculated. In view of the planned proximity of the building this will severely restrict any light coming into our garden and back windows.

Comments: 6th February 2014

Having now reviewed the revised plans for The Owl site dated 31 January 2014, we make the following observations.

The footpath is still shown as being diverted to run alongside our rear boundary and there is only a two car width between our garden and the proposed house now renamed plot 9. The Owl land is higher than our plot and therefore the proximity of the building would severely restrict the light to our garden and downstairs back windows, even though the plot has been reduced from four to three storeys.

On a positive note we are pleased that the poplar trees are to come down and be replaced with something more appropriate.

15 Garden Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LJ

Comments: 27th November 2013

The scheme proposes to build over a public footpath. The line of the footpath shown on the submitted plans is not as the definitive map shown on the Shire Hall records. The scheme cannot be implemented without diversion of the footpath which has not been agreed by the County Council. The application is therefore invalid.

Notwithstanding the footpath issue, the scheme also proposes to block off an established rear garden access gate to 15 Garden Road. The applicants have no legal right to block off this access so the scheme as submitted cannot be implemented.

Notwithstanding the above, the development is far too dense for the site and out of scale with adjacent dwellings. Two storey houses in the middle of the plot would have less impact on adjoining properties and be more in keeping with the density and pattern of development in the area.

Units 9 and 10 are far too close to 15 Garden Road, Neuchatel and Brendon and given that the proposed houses are four storeys high (including a lower ground floor) their impact on these neighbouring properties will be harmful due to the scale, size and layout of the buildings and result in the loss of visual amenity.

Due to the orientation of units 9 and 10, first floor rear windows will look into first floor bedroom windows of 14 and 15 Garden Road. They will also look over private gardens resulting in the loss of privacy.

The scheme submitted is an ill-conceived design that is unsympathetic to the site context due to over development. Reducing the height and density of the development is more likely to receive local support and result in a better scheme, providing more space for landscaped amenity areas (which I note are referred to in the supporting statements but are not provided for in the submitted scheme) and adequate on-site parking space.

Planning policy encourages pre-application consultation. I understand the applicants had no pre-application discussions with planning officers or locals and to some extent this is reflected in the poor quality of the submission.

I have no objection to the site being developed for new housing. This scheme, however, is flawed and should therefore be refused permission.

170 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8DY

Comments: 10th February 2014

I wish to object to this development in its current form for a number of reasons detailed below:

Exacerbation of existing traffic problems; traffic congestion and access

Cirencester Road is already congested, with traffic queues at peak times of the day, and traffic flows that delay/prevent access to our home. I have waited up to 15 minutes to exit our driveway,

and once when I was trying to take my child to hospital at 5.30pm a passenger had to get out of the car to stop the traffic (after a 10 minute delay) so we could leave. Additional traffic both during and after any potential works will only exacerbate this problem.

Additional HGV traffic and other site traffic, including tradespeople's vans and cars will create significant extra congestion (with increases in pollution, both air-quality and noise), and risk turning an A road into a single lane highway, which will be hazardous for all road users, whether drivers, cyclists or pedestrians, and will potentially freeze a major artery into Cheltenham.

There is a risk that this will also restrict access by essential public services such as refuse and recycling.

Parking

On this section of Cirencester Road, cars and tradespeople's vans already park across pavements, limiting access for those of us with pushchairs, and for wheelchair users, and making egress from driveways hazardous by blocking the view of the road. It is evident from the plans that there is inadequate off-street parking for a development of this size, which will force additional vehicles onto the road, even after the works traffic is gone. The evidence of the development at Pilley Lane demonstrates that this causes significant disruption, and a complete breakdown of the road surface. Additional pressures on parking will make the pavements effectively impassable for those of us with buggies or mobility impairments etc.

Please note the prohibitions on 'causing nuisance' in the Highways Act 1980, and in the Disability Discrimination Act 1995 which protects the rights of disabled people to access.

Road condition

Any developer of this site should be required to send an upfront sum to the Council which should be adequate to cover ongoing road repairs during a build, and to reinstate the road surface upon completion, and must be ring-fenced by the Council for this purpose alone.

Impact of works

Hours of work

It should be recognised that not all residents are able to leave their homes during the day, and they will suffer disproportionately from noise, traffic and dust caused by the works. This includes vulnerable people such as the elderly and those at home with small children, as well as those who work from home. It is vital, therefore, that these impacts are kept to a minimum, and that appropriate engineering solutions are sought to minimise disruption and health risks, rather than simply the cheapest building option.

For the same reason, I would object strongly to weekend working, which will impact severely on our family's quality of life.

HGVs must not arrive before the stated hours of work. On previous developments on which I have worked (as an adviser to the developers), HGV drivers arriving out-of-hours or behaving anti-socially were immediately sacked, and the contractor warned. This should be written into any planning conditions.

Environmental Impacts

Air quality, noise and vibration

There is serious concern about the impact of the works on air quality, whether through the creation of dust and particulates during demolition and crushing, or through the huge increase in traffic, including HGVs and stationary traffic, which is a risk to health.

Given the age of the existing building, assurances must be given that any asbestos is found and disposed of appropriately according to regulations to enable local residents and workers to avoid exposure.

Page 80

Noise and vibration caused by piling means that it is not an appropriate technique for use in this densely populated family suburb. There are suitable civil engineering alternatives that have been successfully used in other developments.

Light pollution

Lights must not be left on outside the hours of work. This causes significant nuisance to local residents. Care must be taken with the positioning of any lights to ensure that they do not invade residents' homes, thereby causing nuisance.

Compliance and Financial Sanctions

If consent is granted there should be agreed and published sanctions (financial) that will apply to breaches of the terms under which planning is awarded. These must be promptly and publicly applied.

There should also be a published policy on compensating local residents for damage caused to their property or persons in any way resulting from the works, ideally to obviate the need for legal action should damage arise.

Environment

The lack of an environmental element in the design is extremely disappointing, as is the failure to ensure that the building is 'in keeping' with the area, and with Cheltenham's general architectural style. New developments must embrace both the modern requirement to be as environmentally friendly as possible, whilst protecting the feel of the existing built environment. In its present form, this development does neither.

28 Garden Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LJ

Comments: 28th November 2013
Letter attached.

241 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8EB

Comments: 28th November 2013

Whilst I do not oppose the principle of residential development at this site, there are concerns and reservations below

Parking - The site is not big enough for 10 houses and at least 20 cars. I feel there will be around 30 (not including visitor parking). Cars will park outside the development and outside neighbouring houses on the busy A435 Cirencester Road, this will impede vision when parking/exiting my drive, and would be hazardous for traffic flow.

There is a blind spot with traffic coming into Cheltenham over the bridge. In the opposite direction we find that lorries speed up to gain momentum before their hill climb.

There are already enough parked cars and vans that are obstructive around that area.

Page 81

The rear windows on the first floor of PLOTS 4, 5 and 6 will overlook the rear of my garden.

I do not see why there is a proposal to demolish the original front part of the pub (Plots 1, 2 & 3) fronting onto Cirencester Road.

I will, like surrounding neighbours lose privacy, there is a major risk of a road traffic accident due to the lack of parking. I feel there should be fewer houses with more on-site parking

Three storey housing is intrusive for neighbouring properties.

I understand that the site needs to be developed and am sure that concessions will make this possible, but not under the current proposal.

I would also welcome a consultation with the developer and architects to discuss concerns.

45 King Arthur Close
Cheltenham
Gloucestershire
GL53 7EX

Comments: 27th November 2013
Letter attached.

Comments: 7th January 2014
Letter attached.

[REDACTED]
The Planning Department

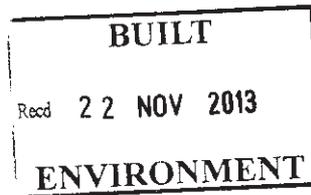
Municipal Offices

Promenade

Cheltenham

Glos GL50 1PP

22 November 2013



2 Lyefield Court

Cirencester Road

Charlton Kings

Cheltenham

Glos

GL53 8EN

F.A.O. Miss Michelle Payne

Planning Application No. 13/01902/FUL

Dear Madam

Re: Proposal of 10no. dwellings, reconfiguration of site access and associated landscaping following demolition of existing building (The Little Owl Public House) at 237 Cirencester Road Charlton Kings Cheltenham

Living next door to the above proposed property development as I do, and having inspected all the details, these are my *observations/concerns*.

Arboricultural Survey

A discrepancy – a conflict of wording - has occurred in regard to the line of Poplar trees. Given the report in *this* section – at 3.3 – states that “the line of Lombardy Poplars is to be **REMOVED** to facilitate the development”, **WHY** – in the **Planning Statement** report - at 2.3– does it appear to confirm that “the re-development scheme proposes to **RETAIN** the existing boundary trees”? The Poplar trees are the only *significant* ‘boundary’ trees there. I imagine *this will be clarified?*

(The point made about their providing some privacy for both sites, of course, would be relevant only in summer, wouldn't it?)

The report further states that Poplar trees are (well-known to be) **especially liable to cause problems with ingress to drains** and their close proximity to houses is usually **inappropriate**”, and also (as further reported) because they **severely dry out surrounding soil which is hazardous to buildings due to subsequent subsidence**.

(Also reported) these Lombardy Poplars have an eventual potential height of **25 metres** and a considerable canopy (indicated on the survey map), plus a progressive root system (which can cause large-scale soil dry-out). **As a side issue but, I think, pertinent to this point, my stand-alone garage (in the Lyefield Court enclave) is ADJACENT to the trees, which must**

already have considerable root support *which will* continue to grow in step with that eventual 25-metre height!) With continued drying-out/shrinkage of the soil, subsidence is a 'disaster waiting to happen' and is also *more* than likely to cause damage to the long retaining wall (of which my garage wall forms a part). **THE WALL HOLDS UP THE SOIL ON THE LITTLE OWL PUB SIDE**, this land being more than 1.5 metres higher than the Lyefield Court site. The survey will surely have identified this important fact! **PLEASE ALSO SEE PAGE 4 – SITE PLAN - RE WATER RUN-OFF/FLOODING POSSIBILITY.**

Appendix 2 - Tree Survey data

G1 also states: 'Lombardy Poplar – line of young trees, good condition. UNSUITABLE for long-term retention because of possibility of causing structural damage'.

One further question regarding the Poplar trees, is the matter of **their maintenance and preservation *should* they REMAIN.** The report states that 'the trees have been maintained to date' (although it admits that checking them did not feature *in* this survey). Whether or not regular maintenance *has* been the case, **whose responsibility will it be in the future**, once site development is complete and divided into 10 private properties? Already there are at least 3 trees which have broken off and, not only are now a lot shorter than the rest, *but look to be developing outwards*, conspicuously *unlike* Poplars! So how far and in which direction is *their* growth going to go? They look decidedly at variance with the majority; I only hope that none of the others also break off and fall on my car!

TO PUT YET ANOTHER QUESTION ABOUT THIS: IF THE TREES ARE TO REMAIN, WILL THE ALLEGED MAINTENANCE CONTINUE, OR CEASE IN DUE COURSE? IN EITHER CASE, WHO SHOULD BE CONTACTED ON THIS MATTER, IF THE NEED ARISES, or will there be a legal requirement for setting up a management company, as was the case at Lyefield Court? **In the absence of such management, the question of whom to contact is essential.**

Arboricultural Method Statement

Part C Section 3 Materials storage, chemical contamination of the soil, trenching for services, etc.

C 3.1 says 'no concrete/cement washings or other chemicals will be discharged within 10 metres of the Root Protection Area of any tree or hedge shown on the Tree Protection Plan'.

QUESTION: Where *will* this be so allowed, then, since the volume of such discharges will be no doubt considerable over the long construction period?

Transport Report (by Mayer Brown Limited)

I understand the urgent need/desire to get 10 properties - and many more - built within Cheltenham due to housing shortages. What I do *not* know is quite **how much investigation into the crucial traffic situation in the area** – particularly along this long and extremely busy *main* Cirencester Road - has taken place and whether it has been sufficiently thoroughly **monitored** for, only by doing so over a period of time, would this have enabled those investigating to confirm the *true* situation!!

Next, I make this comment against the report's statement that, calculating just 1.5 (!!) cars per property and 2 (!) visitor spaces, '*no-one* will need to park outside' the site area. People already living here, not least in Lyefield Court, will sincerely hope this to be so; but they *will* question, as do I, the validity of such assumption/calculation, especially based on 1.5 cars per household, and will they think it conservative – even rather fanciful?

Lyefield Court has a far smaller footprint – with **12** households - not **10** - and *no* visitor spaces - which *may* well have resulted from insufficient consideration, in 2005/6, about the space required for individual transport needs – so some residents are for *ever* obliged to park cars on the road. The area has already seen much increased parking along this stretch of road just in *my* 7 years of residence, nose-to-tail right outside our enclave; **even residents opposite** (and *their* visitors) park there, so there is simply *nowhere* for an overflow from this proposed development to go – and, as it stands and as I see it, an overflow must surely result.

A further point is that – given the size of the proposed 10 properties – with 4 bedrooms – surely *up to* 5 houses, possibly more, are set to have upwards of 3+ children, some of whom will be old enough to drive, or nearly so, and *will* be found their own cars; where will *they* have to be parked? Again, on this already-congested roadside? Without doubt!

Will not these families also have friends and other relatives - some coming to stay a-while – who also will be unable to park on-site? Has this been considered as it is surely a further important and most relevant factor? **Planning Officers would see for themselves – standing for a mere half-hour outside the development – how dangerous on this already extremely congested road is the high volume of FAST-MOVING traffic, much of which consists of very large lorries, coaches, enormous farm vehicles (and the buses) plus simply thousands of cars, already, carrying busy people to their places of employment.**

COMMENT: about people opting to use public transport

The notion that families will reduce road usage by using 2 bus services in the immediate vicinity, seems most unlikely to me (nor would they entertain taking the P and Q buses – especially nowadays; too much time needed to walk children to and from *that* bus stop). I would be interested to see how many of them do so; it's all about time *and* comfort!

As a retired person – and hopefully still living in the *real* world – I am *well* aware that parents' lives are programmed to shuttle their children to this, that and another venue for a **myriad of after-school activities**, also at weekends; they *might* be able to grasp a few quiet moments – but only if they are lucky! *Ought* anyone to suggest those parents ferry a clutch of offspring to numerous, different activities – BY BUS?! And all to reduce car-user numbers for everyone else's sake?! Very noble *if* such parents exist! NO, *somebody* would miss out and not just the frantic parents trying to balance such impossible juggling acts!

Furthermore, never mind how time-consuming these **totally inconvenient**, alternative - but 'round-the-houses' **one-way only (!)** transport routes would be for today's frantic pace of family life, even if every venue conveniently sat directly *on* those routes – which of course they *don't* - and *particularly* with no-end of paraphernalia having to be carted along, **how about the cost of paying the fares for all their children into the bargain? It would be prohibitive at today's rates!** Does anyone know such paragons of virtue, because *I don't!*

Lastly, what about people working farther away – **or round the clock?** Public transport – no matter how local - would be ruled out in such instances, so back to private vehicles again!

THIS STRETCH OF ROAD IS ALREADY AN ACCIDENT WAITING TO HAPPEN; HOW COULD EXACERBATING THIS SITUATION BE JUSTIFIED/SANE? IT IS A HUGE RESPONSIBILITY!!

Site Plan

What is the actual distance between the retaining wall in Lyefield Court and the proposed positioning of the road inside the re-development?

Moreover, what measures are being put in place/stipulated to ensure there is no water run-off nor flooding onto Lyefield Court land which, as already said, is *so much* lower?

Planning Statement

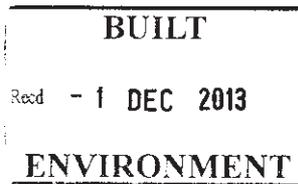
4.17 Policy CP4 – Safe and Sustainable Living
subject to 5 caveats which include:
amenity of adjoining landowners. **(Is *this* what I suggest in my very last sentence?)**

Lastly, I accept that so *many* houses are urgently needed. My hope is for this planning application to be deliberated on and approved for the benefit of all, **INCLUDING THOSE ALREADY LIVING IN THE VICINITY.** Though probably unpopular with the developer, would it not be better – ultimately - to allow *fewer* houses to be built, **ENSURING SUFFICIENT PARKING FACILITY *within* every site and so PROTECTING THE 'AMENITY' OF EVERYONE?**

Yours faithfully



The Planning Department
Municipal Offices
Promenade
Cheltenham
Glos GL50 1PP



2 Lyefield Court
Cirencester Road
Charlton Kings
Cheltenham
Glos GL53 8EN

F.A.O. Miss Michelle Payne

Planning Application No. 13/01902/FUL

2 December 2013

Dear Madam

Re: Proposal of 10no. dwellings, reconfiguration of site access and associated landscaping following demolition of existing building (The Little Owl Public House) at 237 Cirencester Road Charlton Kings Cheltenham

Following my letter to you of 22 November, I attended a meeting of Charlton Kings Council after formal notification that the above application was on the agenda. As a result of what was discussed, I am again writing to you, mostly on the matter of the Lombardy poplars, with some further input on the parking issue for the *whole* area (this 'amenity to local residents' angle).

When I asked the chairman of the meeting about the poplars – **specifically the discrepancies in the planning report** (noted by many) as to whether they are to be removed or *not* – his basic comment was that **'the trees (were) not a planning matter'!**

Therefore the question **'to be' or 'not to be removed'** was not answered!

However if, indeed, this line of poplars is *truly* NOT a planning matter, **why does a tree survey** – which so strongly stresses the serious hazards these trees present (ingress to drains and causing soil subsidence from severe drying-out) – **feature so prominently in the application?** So, for clarification of the report's 'recommendation', **are they to stay or will they have to go?**

Moreover, since it is **unlikely** Gloucestershire County Council – or Cheltenham Borough Council, *of course* – will **adopt** the road within the site, **will the poplars have to feature – be covered - in the deeds of the TEN properties, with EVERY owner responsible/liable? !**

QUESTION: how *can*, or *would* it be possible, even, to monitor and/or enforce responsibility *and* action for the maintenance and welfare of the trees? (They are *purported* to have been maintained up until now – but by whom, I would be interested to know.) I ask, particularly, because **NONE of the trees will sit in any of the ten gardens; they lie on the north-west perimeter of the site, BETWEEN** the retaining wall in Lyefield Court - plus the land of a few

other properties - *and* the proposed site road. Inevitably, I believe, there will be those who don't check documents, even deeds, *sufficiently* carefully, **so neither the maintenance question nor their liability, collectively or otherwise, regarding the trees and people-safety, will register. What then? Will a Management Company, as in Lyefield Court, be mandatory and so, presumably, charged with addressing such issues?**

I require a proper answer to this, understandably - I hope you agree – because **from whom would I have to, or even be *able* to seek any kind of (legal) redress, if the trees were to remain, in the event that my garage were to suffer from subsidence or any other damage? It is situated *directly next to the trees* and the arboricultural survey forecasts that the height of these (now) *young trees* will reach about 25 metres (more than 80 feet)! The land there is already *more than one metre higher than Lyefield Court land*! The roots to support the trees' eventual height will grow in tandem and will extend *well* under my garage *plus* under our access road and all the adjacent parking spaces, so not a problem for *me alone*!**

New tree planting within the estate is a further mention; *where* and *what* this will be?

Lastly on the tree subject, under the Design Principles heading, there is mention made of '**taking advantage of the mature tree planting that exists on the site and along its adjacent boundaries and (refers to) the distinctive nature that these give the setting**'! Poplars? Possibly rather fanciful, considering the actual surroundings! Given the *known* eventual height of these poplars (and the hazards they pose to a lot of people), would it not be a good decision *to* remove them and replace with a fine planting of bushes (maybe *some* of them evergreens) – and for sure **something which flowers**, as seen in many parts of Cheltenham. This would certainly give so much pleasure whilst they bloom and would 'pretty-up' the place, not to mention attracting bees. Poplar trees surely belong round sports fields and such-like spaces, don't they, which is where they mostly appear? Why did anyone *ever* consider them to be either suitable or enhancing for the present site, not even when part of it constituted allotments?

(There is just one other point, which I mentioned to the tree officer who came to look at the site last Thursday (he then suggested I should ask the planners about it); **it is the matter of the accuracy, or otherwise, of the red northern boundary line which appears to be exactly on the Lyefield Court retaining wall (*and*, of course, includes one of my garage walls).** If this is completely accurate, there actually remains a very narrow strip of ground lying between the retaining wall and the close-boarded fence standing all along there on 'our' side. **My question is:** does this small strip belong to Lyefield Court or – as I suspect, given its higher height level – to the proposed development site? This has to be properly sorted out – and as quickly as possible - not solely as to why my garage wall might be forming part of a boundary between the two sites but also because, if it *does* belong to the Little Owl pub

site, **residents here have no liability – and certainly no desire** - to maintain it nor, indeed, to supply any plants for it! I am becoming more concerned about all this, the more I look).

Further comments – Planning Statement/Transport Report

I would like to mention here a few corrections, *still in the context of the proposed redevelopment*, namely that:

1) contrary to this statement, not *all* of Lyefield Court consists of flats; there are 6 houses and 6 flats! Mention is further made about the block of 'flats' north of the site being 4 storeys high! Again, this is not properly accurate as the 6 houses have only 3 storeys (even mine, though it does have a loft which sports a single fire escape window!) The flats are basically only 3 storeys high, though the top 2 flats (7 and 8) are split-level, which is perhaps how you rate the *apartment* building – which adjoins my house - as 4-storeys high.

2) Furthermore, although it *is* correct that our main access 'road' runs parallel to the boundary between the two sites, *some* garage parking and parking spaces are in *various* parts; a more careful look would have confirmed this *and* council planning archives/council-tax records do hold this information.

Moreover, there is vastly less space for parking in Lyefield Court – and no visitor spaces at all! It has less than half the footprint than that of the site next door, which is why the matter of parking availability in the *new* development is so vital. After all, those persons who *currently* park in the Little Owl car park (not *solely* Lyefield Court car-owners) will cause *even further* congestion along the main road when they can no longer do so once construction commences, *never mind* the inevitable overflow from the incumbents of the 10 new houses in due course (spoken of in my first letter and by others at the Parish Council meeting)!

In a way, does it not beggar belief that local residents appear to be the only ones able to see this problem as HUGE as it truly is?

The report states that 'the ground-floor levels of the surrounding properties are set at a *similar* level to the *majority* of the site.' As dwelt on previously, *NONE* of the northern, poplar-tree lined boundary is the same level as *any part* of the length of Lyefield Court land which is **over 1 metre lower!** Hence I have already voiced concern about the real likelihood of large-scale water run-off or flooding **if the lie of the land is not correctly calculated at the beginning stages.**

3.5 Yes, Lyefield Court *is* more modern than some of the other traditional forms of build in the area, but it is still *more* in keeping with such properties and with the established look in this area of Cheltenham, **than the proposed 10 houses would ever be.**

Why *must* ultra-modern designs be thrust amongst earlier mixes of property, next door or anywhere else (such as the modern house *crammed* between houses in Greenway Lane – sticking, out like a sore thumb) ESPECIALLY where the size of the site is totally inadequate to avoid ruining the value of adjacent properties?

After all, in the Planning Statement at 4.17, Planners stipulate that the development has to satisfy 5 caveats, one of which is ‘amenity to the surrounding residents’. I am repeating this yet again, because I consider that the new houses **will not meet this caveat**. Architects may think it is good to buck the trend but, if *they* personally don’t live in such a house already, and one such design were built slap-bang against their (possibly) more individual property, would *they* welcome this? It does make people wonder whether architects – and maybe planners, too – have become ‘obsessed’, so to speak, with putting such glaringly-different house designs *wherever they can*, regardless of the aesthetics involved, simply for the so-called march of progress; for what else can it be!

4.15 The ‘proposed development seeks to redevelop the brownfield site at a density comparable to surrounding existing development patterns (most notably Lyefield Court’). Had this been the ultimate case, there could have been 20 or so properties built, according to earlier information; clearly someone sensible saw that this would have been a density too far – what a pity this did not happen with Lyefield Court! **Our development should definitely not be used as the yard-stick for accepted levels of density, for either the Little Owl pub site or anywhere else; Lyefield Court ought never to have been allowed as it is!**

Finally, 2 points – in one report, mention is made of local ‘machine shops’; where and what are they? - and the other mentions on-site recycling facilities; a) will these include large white commercial-style refuse bins, b) **will they be housed inside and under-cover in a purpose-built ‘bin room’ like we have - to avoid unsightliness/smells** - and c) where, on-site, will this be?

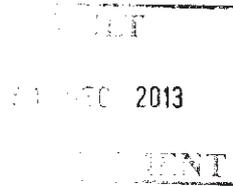
As stated in my original response to this application, I acknowledge the extreme need for more housing - everywhere; it is just that the aesthetics of this proposed site are, I feel, so wrong and it flies in the face of your *professed* wish/drive – once again - **to fulfil the caveat about ‘amenity of local residents’!**

If it would serve any purpose – and if you *wished* to discuss the points put in this letter - I could attend your offices, which might be more convenient and definitely less time-consuming for you than either writing *or* conducting a long telephone conversation.

Yours faithfully



The Planning Department
Municipal Offices
Promenade
Cheltenham
Glos GL50 1PP



2 Lyefield Court
Cirencester Road
Charlton Kings
Cheltenham
Glos GL53 8EN

F.A.O. Miss Michelle Payne

Planning Application No. 13/01902/FUL

31 December 2013

Dear Madam

Re: Proposal of 10no. dwellings, reconfiguration of site access and associated landscaping following demolition of existing building (The Little Owl Public House) at 237 Cirencester Road Charlton Kings Cheltenham

I visited your offices yesterday to view the amendments to the above planning application as explained in a letter to you from Messrs Evans Jones LLP. I can see that progress has been made and I would simply like to add just a few further points/questions, which are numbered to correspond with those *in* that letter.

1. The original 'opinion' for the appropriate number of car spaces/car parking in this proposed site was based on 1.5 cars per property PLUS the 2 visitor spaces so, unless it is now being said each property will have 2 *whole* spaces, *not* 1.5 (!?!), **nothing has changed**, since the 2 visitor spaces *were in at the start!* **Thus, where is there any amendment to the original plan?**

Still on the subject of parking, on- and off-site, although mention *was* made about **some** near-by residents presently parking within the Pub site, it was patently obvious to those doing so – and to everyone else - that this will have to end and, indeed, **was acknowledged** at the outset by anyone writing in on this matter. Therefore the writer's statement/comment on page 2, saying that 'the informal use of the former pub car park is thus not a material planning consideration', is thought to be unnecessary/inappropriate. This is because the mention of cars being parked (*meanwhile*) in the empty car park, **was actually making the point about those cars inevitably having to be parked on the already crowded road outside** EVEN BEFORE THE EXPECTED OVERFLOW FROM THE NEW PROPERTIES WHICH *WILL* STILL HAPPEN, REGARDLESS OF WHATEVER SMALL ADJUSTMENTS WILL BE MADE, MENTIONED ABOVE! **It was *not* a complaint about their losing handy parking space; the relevance was about the inevitable increase of on-road parking by those *already living around here*, never mind extras which will definitely arise from the new house owners!!** Surely that was perfectly understandable, but perhaps this is too a difficult point which is going to be ignored, not addressed?

The proposed parking provision may well be 'compliant (not 'complaint', as in the writer's statement!) with both local and national standards for this type of development', however, whether 'it is considered to be commensurate with anticipated demand' or not, remains to be seen. There must be many around here just waiting to say, "We told you so", regarding what actually does occur along this so dangerous stretch of **main road**; we watch this space!

[As an aside to the writer's words on Lyefield Court's very limited parking availability – **since it was *he or she* who admitted this** - it is of no compensation that it *is* acknowledged that planning for car parking on the Pub site 'does exceed that provided for the neighbouring development' (patently Lyefield Court) which, too late though it *was* vigorously stressed originally, had such a ridiculously small footprint and therefore ought *never* to have been passed by other planners, **or perhaps it was the same ones?** Many people, particularly those locally who were opposed to the cramped Lyefield Court development at that time, **still** fail to understand – along with we who are now living here - just *how* this could have been allowed to happen?! **MY POINT IS that it is IMPERITAVE they don't continue to make this mistake elsewhere, whatever the pretext.**]

3. It is a *great* relief to learn that the poplar trees *are* to be removed, such trees to be replaced with silver birch. I will contact the tree officer, who was very helpful last time, to find out more about silver birch species, the eventual extent of their root system, height, etc., for my personal interest. *I will also have to inspect my garage, inside and out – walls, foundations – due to its close proximity, to ensure no damage occurs when removal of the trees takes place.* **I would also like to be told when this will take place, if this would be possible.**

5. I am a little relieved to see that the considerable ground-level height difference between land in the proposed site and that in Lyefield Court has been acknowledged. I just hope we do not find it necessary to come back at you/'someone' if water run-off/flooding *does* occur on 'our' side! Careful monitoring will be required.

6. Whilst *anyone* would accept that house design is always a *subjective* issue, **building *this* number of properties** – in a somewhat 'confined' space – **in *such* a contemporary design**, would no doubt *never* 'fit/blend in' with the older styles. The fact that there *is* a variety of property type and design around the proposed site, surely does not justify ***this* number** of houses – in amongst them - which 'someone' is deliberately bent on making, in contrast, *so* "forward-looking"? (After all, it will be a *very* long time before the 'old' styles will have to be demolished for *ever-more* contemporary-designed dwellings, won't it?) I really do think there is a very fine line between aspiring towards modern design - and to 'forward-looking' approaches - **yet also acknowledging that this ought not *always* be just *anywhere* and *everywhere*!**

I suppose one should be relieved that 'someone' decided the 3 houses to be built fronting Cirencester Road will each have a pitched roof and no doubt the resident right next door to them will take a bit of comfort from that!

However, the statement that the letter writer can "**see sound design grounds for slavishly copying the same theme through to the rear of the site**" – *if* it means what I read it to be saying – would, I feel sure, be most heartening for so many hereabouts and a fairly wonderful conclusion all told!

8. I have not yet studied the revised hard-surfacing layout – that is, if there *is* one yet – and therefore, at present, I simply cannot imagine just how extra car spaces will be achieved – **AS WELL AS 'ADDITIONAL GARDEN SPACE'** – so it will be interesting to discover whether this *will* be achieved!

Finally, taken as a whole, it does appear that there has been much careful consideration and deliberation on this planning application and, if the amendments are indeed taken forward *and* executed, the end result could be well satisfying for largely all concerned and I look forward to watching how this journey concludes.

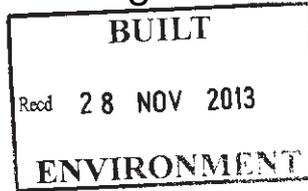
Yours sincerely



Richard [unclear]

Harriet [unclear]

Cheltenham Borough Council
Planning Office
Municipal Offices
Promenade
Cheltenham
GL50 9SA



28 Garden Road
Charlton Kings
Cheltenham
GL53 8LJ

Dear Sirs

Ref: Little Owl Redevelopment 13/01902/FUL

As the pub has been part of the community for many years it is sad to see yet another establishment lost to housing. This is of particular concern considering I hear there in fact were two interested parties in purchasing the property to run as a pub.

The lack of parking provision for such large properties taking into account potential visitors as well as residents is of concern. It is likely that cars would be parked on the main Cirencester Road causing a major hazard as this is a busy road with the Chelsea Call Centre, the hotel, Clock tower, and the fact it is a National Express coach route. The route is also frequently used due to problems at the Air Balloon roads. Currently cars are parked on the pavement and grass area outside Lyefield Court already causing an obstruction to pathways making it difficult to pass, sometimes resulting in a need to walk in the road. Cars already use Bradley Road for parking; some people also park there when using the National Express service. At times this road becomes congested making it difficult for Stagecoach buses to pass. This is likely to be exacerbated by overflow parking from the proposed development and from residents of Lyefield Court who currently use the pub car park.

The height of the proposed properties is of particular concern and the design is not in keeping with surrounding properties. I feel the development is also too dense and that fewer two story properties would be more in keeping with the area and size of the site.

Our property backs on to the site and we currently have a high leylandii hedge which we have kept at this height to shield the noise etc from the pub's entertainment suite. There is mention in the tree report that the developer would need to ensure the roots are not damaged as this could destabilise them and has suggested that they should be reduced in height. We would be reluctant to reduce the height as these would give us privacy from the proposed properties. However it is evident that the height of the hedge would affect light into the rear of the houses as they have small rear gardens. I have concerns that if the developers should damage the roots "by accident" the hedge would die. If we were to agree to a reduction in height firm agreement would need to be drawn up and any work undertaken at the developers cost.

Yours faithfully



I wish to object to this planning application for the following reasons. Firstly, there are serious incorrect statements in the submitted 'Planning Statement'. It states that no offers for the pub were from anyone intending to take it on as a going concern and that all bidders intended to re-develop the site. This is totally incorrect. According to the Echo, Nov 11, Robin Carter, owner of the Royal Union, bid for the pub stating he would have continued its use as a pub, (although that is no guarantee that some of the site may have been identified for development considering his recent planning application to build two cottages on the back of the Royal Union), but my understanding is that the bidding ended as a two-horse race between this 'developer' and a well-established and respected Cotswold brewery based in Oxfordshire who are looking to expand their pub portfolio. The asking price was exceeded to almost double by continual re-bidding between these two so the brewery's final offer was considerably higher than the original asking price, but as the value of the land for 10 houses could be far higher, the brewery was eventually forced to back out although I have been reliably informed that they would still be interested in the pub if it came back on the market at a sensible price. This would be this brewery's first pub in Cheltenham and a welcome asset to the Cheltenham pub scene and, in the right hands, could be a very well-run and profitable pub. This pub has quality modern function rooms to the rear and arguably the best pub garden in Charlton Kings, therefore to state similar facilities are available close-by is also not true.

I regard these statements as 'gross misconduct' by a professional planning consultant who would have been fully informed of the offers of other bidders for this pub but was clearly given instruction by the developer (or Enterprise) to justify re-development of the site.

The pub has undergone expensive high quality refurbishment in recent years and so is certainly not in a run-down condition. Charlton Kings could lose a valuable asset due to simple profiteering by speculative developers.

Enterprise Inns put this on the market to generate maximum profit as they are in financial difficulties, therefore they were not concerned who bought it or for what purpose, they just wanted to achieve maximum return for the site.

The ownership certificate A states the applicant and owner of the site as Davmay20 Ltd. This is a previously unknown company and a search on the internet reveals this company was set up on 12 sept 2013 between Gary Lawrence and James Smith with a capital of just £2. Ownership is therefore questionable and it is therefore suspected that there could be a link between Davmay20 and Enterprise Inns and that legally Enterprise may still own the pub.

Approval of this scheme could set a precedent for any pub with a decent garden and site area to be lost through re-development based on how many houses could be accommodated on the site.

I therefore urge you to refuse this application so that it can be put back on the market as a pub at a reasonable market price to be retained as a pub/restaurant and function venue hopefully by the above mentioned previous bidder.


45 King Arthur Close
Charlton Park
Cheltenham CAMRA (Pubs Officer)

45 King Arthur Close
Charlton Park
Cheltenham GL53 7EX
6th Jan 2014

Little Owl, application 13/01902/FUL

I see the applicant has now admitted that there were bids for this pub for its continued use as a public house. It is therefore highly likely that in any early planning discussions about re-development the applicant would have stated the opposite thus feeding false misleading information to the planning department in order to justify re-development.

Too many pubs are being lost at present, not due to being non-viable, but purely because the land is more valuable as development potential. If this continues we will be loosing many more pubs for housing and nowhere for the residents to go for social interaction. This application is similar to the Greyhound pub which was lost through similar greed.

If bids were received from parties intending to continue it's present use, particularly a large local brewery who would have put a lot of money in to it, then that bid should have been accepted, not selling to a developer purely because it would produce extra revenue.

I therefore request that permission be refused and the pub be put back on the market. Principle reason- loss of high quality community facilities in being a local pub with substantial modern function room facilities and large pub garden.

Yours faithfully



Address details as on previous objection

APPLICATION NO: 13/01902/FUL	OFFICER: Miss Michelle Payne
DATE REGISTERED: 7th November 2013	DATE OF EXPIRY: 6th February 2014
WARD: Charlton Kings	PARISH: Charlton Kings
APPLICANT:	Davmay20 Ltd
AGENT:	Mr David Jones
LOCATION:	237 Cirencester Road, Charlton Kings, Cheltenham
PROPOSAL:	Erection of 9no. dwellings, reconfiguration of site access and associated landscaping following demolition of existing building (The Little Owl Public House)

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. 13.20.023 P005C, 13.20.023 P006C and 13.20.023 P008C received by the Local Planning Authority on 24th January 2014, and Drawing Nos. 13.20.023 P002D, 13.20.023 P003E, 13.20.023 P004D and 13.20.023 P007D received 31st January 2014.
Reason: To ensure the development is carried out in strict accordance with the approved drawings, where they differ from those originally submitted.
- 3 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.
- 4 Prior to the commencement of development, details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time that either a dedication agreement has been entered into or a private management and maintenance company has been established.
Reason: In the interest of highway safety, to ensure a satisfactory appearance to the highways infrastructure serving the approved development, and to safeguard the visual amenities of the locality and users of the highway in accordance with Local Plan Policy TP1 relating to development and highway safety.
- 5 Prior to the commencement of development, including any works of demolition, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The approved statement shall thereafter be adhered to throughout the construction period. The statement shall provide for:
 - the parking of vehicles of site operatives and visitors;

- the loading and unloading of plant and materials;
- the storage of plant and materials used in constructing the development; and
- wheel washing facilities.

Reason: To minimize disruption, congestion and hazards on the public highway in accordance with Local Plan Policy TP1 relating to development and highway safety.

- 6 Prior to the commencement of development, a scheme for the control of noise and dust from the site during the demolition and construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the proposed hours of work, equipment and procedures to control dust emissions, and any other steps to be taken to control similar nuisances. The works shall thereafter be implemented strictly in accordance with the agreed details.
Reason: To safeguard the amenity of adjoining properties and to protect the locality in accordance with Local Plan Policy CP4 relating to safe and sustainable living.
- 7 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.
- 8 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.
- 9 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.
- 10 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. The scheme 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.
- 11 Prior to first occupation of the development, the access roads, including surface water drainage/disposal, vehicular turning heads, street lighting, and footways where proposed providing access from the nearest public road to that dwelling shall be completed to at least binder course level in accordance with the submitted plans, and the access roads shall thereafter be retained and maintained in that form until and unless adopted as highway maintainable at public expense.

Reason: In the interest of highway safety, to ensure a satisfactory appearance to the highways infrastructure serving the approved development, and to safeguard the visual amenities of the locality and users of the highway in accordance with Local Plan Policy TP1 relating to development and highway safety.

- 12 Prior to first occupation of the development, a scheme for the provision of refuse and recycling storage facilities to serve the proposed dwelling(s) (including appropriate containers in accordance with adopted Supplementary Planning Document - Waste Minimisation in Development Projects) 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 achieve sustainable waste management and to facilitate recycling in accordance with Gloucestershire Waste Local Plan Policy W36 relating to waste minimisation.

- 13 The car parking (including garages and car ports where proposed) and manoeuvring facilities serving each dwelling shall be completed in all respects in accordance with Drawing No. 13.20.023 P003E, prior to the occupation of that dwelling, and shall be similarly maintained thereafter for that purpose.

Reason: To ensure an acceptable level of car parking and appropriate manoeuvring facilities are provided and maintained in accordance with Local Plan Policy TP1 relating to development and highway safety.

- 14 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.

- 15 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.

- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and/or re-enacting that order) the windows annotated to be obscurely glazed (og) shall be glazed with obscure glass and shall be 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 The applicant's/developer's attention is drawn to the Council's 'Code of Good Practice - Building and Demolition Site Operators' leaflet which sets out reasonable working hours for noisy activities which would be audible beyond the site boundary. The hours are 7:30am - 6:00pm Monday to Friday, and 8:00am - 1:00pm on Saturdays.
- 2 The applicant is advised that in order to discharge condition 4 the Local Planning Authority will require a copy of a completed dedication agreement between the

applicant/developer and the Local Highway Authority or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

- 3 The proposed development MAY require an amendment to the footway crossing and the applicant/developer is required to obtain the permission of the County Council before commencing ANY works on the highway.
- 4 Section 34 of The Road Traffic Act 1988 makes it an offence to drive a motor vehicle without lawful authority on any footpath. The applicant/developer is advised they need to be able to demonstrate they have an existing private vehicular right and therefore have "lawful authority". If the applicant/developer is unable to prove an existing private vehicular right they must gain the written consent of the landowner and then apply to the Highway Authority for a licence to permit them to drive motor vehicles on the footpath.
- 5 The site is affected by a Public Right of Way and a diversion order MAY be required. In the interests of highway safety, the public footpath must not be obstructed or encroached upon, the surface damaged or made dangerous during or after works. The applicant/developer is advised to contact the Gloucestershire County Council Public Rights of Way Team on 01452 425577.

APPLICATION NO: 13/01902/FUL		OFFICER: Miss Michelle Payne	
DATE REGISTERED: 7th November 2013		DATE OF EXPIRY : 6th February 2014	
WARD: Charlton Kings		PARISH: CHARLK	
APPLICANT:	Davmay20 Ltd		
LOCATION:	237 Cirencester Road Charlton Kings Cheltenham		
PROPOSAL:	Erection of 9no. dwellings, reconfiguration of site access and associated landscaping following demolition of existing building (The Little Owl Public House)		

ADDITIONAL REPRESENTATIONS

46 South View Way
 Prestbury
 Cheltenham
 Gloucestershire
 GL52 5BP

Comments: 11th February 2014

I am appalled that this is still proceeding although, as mentioned previously, the loss of this pub will be detrimental to the area. A well known Cotswold brewery was interested in taking it over (and, as far as I know, still is) but, as can be seen in the developer's solicitor's letter, this was overlooked. How can that be? The Council has a responsibility to see things are done properly. I urge you to reject this application.

Chair - CAMRA CHELTENHAM

14 Garden Road
 Charlton Kings
 Cheltenham
 Gloucestershire
 GL53 8LJ

Comments: 10th February 2014

I wish to put forward my concerns and opinions on this planned development.

Parking is still clearly a big issue with regards to this site in the view of the residents; views which I share. However, it does not seem that the planning committee are taking this concern seriously. The proposal states that the current overflow parking concerns are not a material planning concern, however the cars from the surrounding area using the car park was not what was being questioned. This issue is where these cars plus the cars for the new build will go once the development is complete. The concerns come from those who live in the area and therefore know the traffic and problems that excessive on-road parking causes and the committee and designers should be listening to their continuing cautions. Those out on Cirencester have stated the huge difficulties and sometimes dangers faced while simply getting out of their driveways with parking on the road and I have seen many close calls because of it.

Not only this but while it is meant to be a 30mph strip of road that is rarely the case especially when cars, trucks, coaches etc, are coming off from the hill. Living on Bradley/Garden road I frequently see how too many cars parked on the road causes great disruption to cars and

especially the bus. As I stated on my previous feedback the bus is unable to get down the road with parking on both sides of the road and it is only inevitable that this will begin to happen.

The plans have really underestimated the number of potential cars on the site. Let's be serious shall we? Today three cars per household are typically the minimum - one each for the parents then one for the child. The plans propose at least 3 bedrooms which suggest at least a family of 4 with the minimum need of 2 cars and potentially 4. For the other houses you have planned 4 bedrooms indicating a family of 5, yet for the house you have supplied only 2 parking spaces and only one for plot 9. Add to this parking for visitors, especially around the big celebration seasons and there is not nearly enough.

I, at least, do not persist in this matter to make a mountain out of a molehill but instead aim to inform of the disruption, trouble and even dangers that ignoring this issue will cause. I do not intend for this to come off as rude or hostile, just more an explanation of how I see the situation. It should be your duty to foresee these problems and the troubles your plans and intentions will produce for the existing residents and the new members who move into the houses; it IS your duty and should be your concern. You already will create great disruption to the residents for this unpopular development; you look to have ignored the interests of interested parties in the pub in favour of what the developers will bring you. It will be irresponsible of the committee and council to ignore this worries on this matter which have been voiced by essentially ALL the residents independent of one another.

On the other hand I am pleased to see that the number of houses has been reduced by two and that those on plots 8 and 9 have been condensed to two stories. This is more acceptable and will cause less intrusion in terms of light and observation. However, I am sorry to reiterate that the external designs of the buildings are still unsympathetic to the surrounding buildings and not in keeping at all with the area.

I look at the plans and I DO see gradual changes; two plots have been removed so now there are only 8 houses, the garage at the front behind the first 3 plots have been set further in and changed to a less imposing pergola, and plots 8 and 9 are now two stories. It is because of this that I am sure that if keeping the existing building, either as a pub or developed into housing purely out of respect for its history, is definitely not an option, then a plan can be devised that will be agreeable to everyone. Nonetheless, the committee cannot continue to appear to ignore the primary concerns of the residents.

239 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8EB

Comments: 10th February 2014

We have looked over the revised plans and have therefore duly noted that none of our concerns have been met at all. This is very disappointing.

Parking

STILL not properly addressed with the developers not concerned with the potential problems that will arise.

Building Heights

We are concerned about the height of Plots 1-3 which appears to be in line with measurements of Lyefield Court and take no consideration of us, who are a lot closer. If the intention is to move the building line closer to the road than the present building the light into our garden WILL be affected. We are also concerned about the basements of these properties, as they will be dug very close to our property.

Frontage Parking

We still feel that frontage parking would solve our 2 major issues - road parking and loss of light. Most of the parking along Cirencester Road has the same method of parking as us with no problems seen over the 17 years we have lived here.

Little Owl Pub

We note that no suggestions have been made to maintain the building already present.

15 Garden Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LJ

Comments: 10th February 2014

The latest plans do not go far enough to gain my support. I strongly object to the scheme because of its layout and the high density of the development. My previous concerns have not been addressed. I would urge the officers to refuse the current application without further delay so a more considered scheme can be submitted after proper consultation in accordance with planning guidelines.

170 Cirencester Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8DY

Comments: 10th February 2014

I wish to object to this development in its current form for a number of reasons detailed below:

Exacerbation of existing traffic problemsTraffic congestion and access

Cirencester Road is already congested, with traffic queues at peak times of the day, and traffic flows that delay/prevent access to our home. I have waited up to 15 minutes to exit our driveway, and once when I was trying to take my child to hospital at 5.30pm a passenger had to get out of the car to stop the traffic (after a 10 minute delay) so we could leave. Additional traffic both during and after any potential works will only exacerbate this problem.

Additional HGV traffic and other site traffic, including tradespeople's vans and cars will create significant extra congestion (with increases in pollution, both air-quality and noise), and risk turning an A road into a single lane highway, which will be hazardous for all road users, whether drivers, cyclists or pedestrians, and will potentially freeze a major artery into Cheltenham.

There is a risk that this will also restrict access by essential public services such as refuse and recycling.

Parking

On this section of Cirencester Road, cars and tradespeople's vans already park across pavements, limiting access for those of us with pushchairs, and for wheelchair users, and making egress from driveways hazardous by blocking the view of the road. It is evident from the plans that there is inadequate off-street parking for a development of this size, which will force additional vehicles onto the road, even after the works traffic is gone. The evidence of the development at Pilley Lane demonstrates that this causes significant disruption, and a complete

breakdown of the road surface. Additional pressures on parking will make the pavements effectively impassable for those of us with buggies or mobility impairments etc.

Please note the prohibitions on 'causing nuisance' in the Highways Act 1980, and in the Disability Discrimination Act 1995 which protects the rights of disabled people to access.

Road condition

Any developer of this site should be required to send an upfront sum to the Council which should be adequate to cover ongoing road repairs during a build, and to reinstate the road surface upon completion, and must be ring-fenced by the Council for this purpose alone.

Impact of works

Hours of work

It should be recognised that not all residents are able to leave their homes during the day, and they will suffer disproportionately from noise, traffic and dust caused by the works. This includes vulnerable people such as the elderly and those at home with small children, as well as those who work from home. It is vital, therefore, that these impacts are kept to a minimum, and that appropriate engineering solutions are sought to minimise disruption and health risks, rather than simply the cheapest building option.

For the same reason, I would object strongly to weekend working, which will impact severely on our family's quality of life.

HGVs must not arrive before the stated hours of work. On previous developments on which I have worked (as an adviser to the developers), HGV drivers arriving out-of-hours or behaving anti-socially were immediately sacked, and the contractor warned. This should be written into any planning conditions.

Environmental Impacts

Air quality, noise and vibration

There is serious concern about the impact of the works on air quality, whether through the creation of dust and particulates during demolition and crushing, or through the huge increase in traffic, including HGVs and stationary traffic, which is a risk to health.

Given the age of the existing building, assurances must be given that any asbestos is found and disposed of appropriately according to regulations to enable local residents and workers to avoid exposure.

Noise and vibration caused by piling means that it is not an appropriate technique for use in this densely populated family suburb. There are suitable civil engineering alternatives that have been successfully used in other developments.

Light pollution

Lights must not be left on outside the hours of work. This causes significant nuisance to local residents. Care must be taken with the positioning of any lights to ensure that they do not invade residents' homes, thereby causing nuisance.

Compliance and Financial Sanctions

If consent is granted there should be agreed and published sanctions (financial) that will apply to breaches of the terms under which planning is awarded. These must be promptly and publicly applied.

There should also be a published policy on compensating local residents for damage caused to their property or persons in any way resulting from the works - ideally to obviate the need for legal action should damage arise.

Environment

The lack of an environmental element in the design is extremely disappointing, as is the failure to ensure that the building is 'in keeping' with the area, and with Cheltenham's general architectural style. New developments must embrace both the modern requirement to be as environmentally friendly as possible, whilst protecting the feel of the existing built environment. In its present form, this development does neither.
ends

Birkdale
Cirencester Road
Charlton Kings Cheltenham
Gloucestershire
GL53 8EB

Comments: 10th February 2014

I wish to object to this planning application due to the large number of properties being proposed.

In recent years there have been several developments along this stretch of Cirencester Road where the density of housing has increased. These previous developments have not provided sufficient car parking and this can be evidenced by the large number of cars parked along the Cirencester Road both outside Lyefield Court and on the opposite side of the road where 2 houses were redeveloped into four properties. The fact that the Little Owl car park is also being used by several cars and vans also proves that there are insufficient parking spaces in the area and this situation will only get worse if the proposed development goes ahead. These past mistakes of cramming in too many properties without sufficient parking spaces should not be repeated. It can be very dangerous to turn right out of my drive (towards Cheltenham Town Centre) into the Cirencester Road and at certain times of the day I have taken the decision to turn left and turn around in the Clock Tower or Cheltenham Park car parks as the safer option.

I would be in favour of retaining the existing building and of the property being put back on the market to ensure that it remains a community pub.

This page is intentionally left blank
Page 106

APPLICATION NO: 13/02091/FUL		OFFICER: Miss Michelle Payne
DATE REGISTERED: 10th December 2013		DATE OF EXPIRY: 4th February 2014
WARD: All Saints		PARISH: None
APPLICANT:	Mr Mark Le Grand	
AGENT:	None	
LOCATION:	28 Victoria Terrace Cheltenham Gloucestershire	
PROPOSAL:	Erection of a pair of semi detached dwellings following demolition of existing bungalow	

RECOMMENDATION: Permit



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

1. DESCRIPTION OF PROPOSAL

- 1.1 This is a full application for the erection of a pair of three storey, semi-detached dwellings following the demolition of an existing 1960's bungalow at 28 Victoria Terrace; the application has been submitted following pre-application discussions.
- 1.2 Revised drawings have been submitted during the course of the application to address concerns raised by the Architects' Panel and Conservation Officer. The revisions have also allowed for additional off-street car parking to be provided for each dwelling.
- 1.3 The application is before planning committee at the request of Cllr Jordan due to the level of objection raised by local residents.

2. CONSTRAINTS AND PLANNING HISTORY

Constraints:

Conservation Area
Landfill Site boundary

Planning History:

55/TPA/2654 Erection of a detached house and garage	PERMIT	22nd March 1956
61/TPA/2654/A Outline application to erect detached bungalow and garage	PERMIT	10th May 1961
61/TPA/2654/B Erection of bungalow and domestic garage	PERMIT	9th June 1961
CB21880/00 Extension to side of bungalow	REFUSE	26th June 1997
CB21880/01 Erection of extension at side of bungalow	PERMIT	18th September 1997
12/01951/FUL Loft conversion to include erection of a side facing dormer window, installation of skylights to side facing roof slopes, installation of windows to gables at first level and alterations to external elevations	PERMIT	13th February 2013

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development
CP 3 Sustainable environment
CP 4 Safe and sustainable living
CP 7 Design
BE 3 Demolition in conservation areas
BE 4 Timing of demolition in conservation areas
BE 7 Parking on forecourts or front gardens in conservation areas
HS 1 Housing development
RC 6 Play space in residential development
UI 3 Sustainable Drainage Systems
TP 1 Development and highway safety

Supplementary Planning Guidance/Documents

Play space in residential development (2003)

Sydenham character area appraisal and management plan (2008)

Development on garden land and infill sites in Cheltenham (2009)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Contaminated Land Officer

12th December 2013

No comment.

GCER

19th December 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.

Heritage and Conservation

6th January 2014

1. The principle of development on this site is acceptable. The bungalow has little architectural merit or historic interest and it is considered that it does not make a positive contribution to the special character or appearance of the area.
2. The two proposed houses will re-introduce a traditional plot width and rhythm found in the street pattern of Victoria Terrace, albeit as a semi-detached pair rather than a terrace, and this is to be welcomed.
3. The proposed parking arrangements are unsatisfactory resulting in an unattractive forecourt.
4. A more acceptable proposal would be to set the building slightly further back allowing for straight on parking spaces for each dwelling to the east and west of the front doors leaving an island in the centre of the front forecourt for planting etc.
5. It is unclear from the submitted drawings whether a wall is proposed on the front boundary but the suggested arrangement above would work well with a low rendered wall with stone copings to clearly enclose the front garden and parking.
6. The boundary wall on the detached garage side of the plot indicates the building line which matches the historic terraces. This has been extended to the back of the pavement with poor quality factory made bricks but the original wall, brickwork and pillar retains some interest and historic character.
7. The removal of this later brickwork or improvements to the existing arrangement would be encouraged to better reveal a more aesthetically pleasing brick wall.

8. The proposed development is of an acceptable scale and mass: the plot is double the width of the historic terrace houses and can therefore accommodate the two houses proposed.

9. The height of the proposed buildings is considered to be at the maximum possible to prevent the new development from overly dominating the road or the historic terraces. Setting back the second storey will reduce its impact.

10. The style of the proposed development is considered to be appropriate for this setting. It is simple and contemporary whilst respecting the historic form of the artisan terraces that characterise the area.

11. The proposed window arrangement is of concern. Notwithstanding the rendered window surround detailed for the front ground floor windows, it is considered that a greater emphasis on the principal floor is required and this would be achieved by enlarging these windows, replicating the scale and proportions of the artisan terrace in the street.

12. Detailed designs for the windows, doors, roof treatment and rainwater disposal and guttering are required and will need to be conditioned to ensure that they are appropriate.

Summary: The form, mass, scale and height proposed for two new dwellings on Victoria Terrace is considered to be a suitable replacement for the modern bungalow. The suggested realignment of the building, planting and greater definition of the boundary will allow for discrete parking without blighting the front elevation. A greater ground floor emphasis is suggested to provide a visual focus and prevent a restless and unsatisfactory duality that is apparent in the current proposals.

Heritage and Conservation - revised comments

29th January 2014

1. The revised drawings have largely addressed my concerns.

2. The raised window surround detail and the increased size of the principal floor windows to reflect historic examples in the street gives them due prominence on the front façade of the proposed building.

3. Setting back the building to allow for straight on parking and a landscaped area will improve the frontage; however, there may be scope for further soft landscaping to screen parked cars.

4. Improvements could be made to the attic storey by reducing the over-hang of the fascias on the side elevation.

5. Added detail to the side elevations including contrasting material on the attic storey and the introduction of a plat-band for definition provides interest to this elevation.

Summary: Realignment of the building, planting and greater definition of the boundary will allow for discrete parking without blighting the front elevation. An enhanced ground floor emphasis provides a satisfactory visual balance and the added detail to the side elevation and the alteration to the material of the attic storey adds interest and reduces the perceived bulk of the previous proposal. On balance I am minded to support this application as it successfully integrates two contemporary houses adjacent to a listed terrace into the conservation area.

Architects Panel

13th January 2014

2. Is the information sufficient to understand the application?

The scheme can be understood from the drawings submitted.

3. Context.

The site is suitable for development but we question whether a single parking space is sufficient for a 4 bedroom dwelling?

4. Massing and Scale

The general design of the scheme seems to be appropriate to its surroundings although we would like to see the side elevations refined.

5. External Appearance.

The profile and fenestration of the southeast and northwest elevations are not well laid out and will be visible from the neighbouring areas. We would like to see these refined.

6. Detailing and Materials

The detailing relates to the context.

7. Summary

The scheme appears acceptable in principal but we would like to see improvements to the side elevations.

8. Recommendation

We could not support this application in its current form.

Civic Society

10th February 2014

We think this should be restricted to two storeys, and that it is not appropriate to set it back from the rest of the terrace.

5. PUBLICITY AND REPRESENTATIONS

- 5.1 Letters of notification were sent out to 14 neighbouring properties on receipt of the original application. In addition, a site notice was posted and an advert published in the Gloucestershire Echo. A further 14 letters of notification were sent out to advise of the revised plans.
- 5.2 In response to the publicity, objections have been received from 12 local residents; the comments have been circulated to Members in full, but the main concerns relate to:
- Car parking/highway safety
 - Height/scale
 - Overdevelopment
 - Out-of-keeping
 - Loss of privacy/overlooking

6. OFFICER COMMENTS

6.1 Determining Issues

6.1.1 The main considerations when determining this application relate to design and layout, impact on neighbouring amenity and the locality, and highway safety.

6.2 The site and its context

6.2.1 Victoria Terrace consists of artisan terraced housing dating from c1844 at its north-western end with a terrace of 13 houses on the northern side and a terrace of five houses to the south. These historic terraces are slightly set back from the street with shallow front areas bounded by railings. Towards the far end of the cul-de-sac, modern infill developments have taken place and include the bungalow to which this application relates.

6.2.2 The application site is rectangular in shape, approximately 14 metres wide by 32 metres deep, and is located within the Sydenham Character Area, one of 19 character areas that together form Cheltenham's Central Conservation Area.

6.2.3 The existing bungalow, which is facing brick beneath a pitched concrete tiled roof, adopts a large footprint and is set back from the adjacent historic terrace to provide parking to the front. The bungalow, whilst erroneously identified within the Townscape Analysis Map as a positive building, is of little architectural merit or historic interest and does not make any positive contribution to the special character or appearance of the area. Therefore, its demolition is considered to be acceptable in principle subject to a satisfactory scheme for redevelopment.

6.3 Design and layout

6.3.1 Local plan policy CP7 requires all new development to be of a high standard of architectural design and to complement and respect neighbouring development and the character of the locality.

6.3.2 Greater detail can be found in the Council's adopted SPD 'Development on Garden Land and Infill Sites in Cheltenham' which sets out that various elements combine to create the character of an area and include grain, type of building, location of buildings within the block or street, plot widths and building lines. It goes on to state that *"Responding to character is not simply about copying or replicating what already exists in an area. It is not merely about preservation of what is important about a place but must also allow a place to evolve in a manner which is appropriate to the context of the place, seeking always to enhance a place"*.

6.3.3 In this location, the layout of development, particularly within Victoria Terrace itself, varies greatly with different sized plots, different types of dwelling, and varying building lines. As a result, there is no distinct character for this development to conform to, though it does seek to reflect elements of the adjacent terrace and as the Conservation Officer suggests is *"considered to be appropriate for this setting. It is simple and contemporary whilst respecting the historic form of the artisan terraces that characterise the area"*.

6.3.4 The proposed dwellings, whilst contemporary in design with flat roofs, would have a painted render finish to match that of the historic terraces; and in addition, the fenestration to the front elevation and parapet height would echo that of the artisan terraces. The properties would also adopt a more traditional plot width commensurate with that of the historic terrace albeit as a pair of semi-detached dwellings, which is welcomed by the Conservation Officer. The Architects' Panel also state that *"The general design of the scheme seems to be appropriate to its surroundings"*.

6.3.5 The inclusion of a third storey element has been raised as a concern by local residents, with the suggestion that it would be out of keeping with the surrounding development. However, this second floor would be set back some 2.8m from the principal elevation and would not be an overly prominent addition within the street scene. Furthermore, the Conservation Officer considers that the introduction of an alternative facing material at roof level *"adds interest and reduces the perceived bulk"* and together with *"the introduction of a plat-band for definition provides interest to this elevation"*. It is

also felt that this successfully overcomes the concerns raised by the Architects' Panel in respect of the side elevation.

6.3.6 In conclusion, whilst the Civic Society's comments have been noted, the proposed redevelopment scheme is considered to be of a suitable scale, height, massing and footprint for this sensitive site with the conservation area, and would sit comfortably within its context; as revised, the proposal is fully supported by the Conservation Officer.

6.4 Impact on neighbouring property

6.4.1 Local plan policy CP4 advises that development will only be permitted where it will not cause unacceptable harm to the amenity of adjoining land owners or locality.

6.4.2 Whilst some of the representations from local residents suggest that the proposal would result in overlooking or loss of privacy, the scheme has been carefully considered to ensure that the proposed dwellings could be comfortably accommodated within the site without causing unacceptable harm to neighbouring amenity in respect of privacy, daylight or outlook. It is interesting to note that two of the closest neighbours, no.26 Victoria Terrace and no.6 Cranham Road, have not objected to the proposal.

6.4.3 All clear glazed upper floor windows to the front and rear elevations comfortably achieve the desired distances to the boundary and/or neighbouring clear glazed windows. To the rear, the first floor windows are in excess of 15 metres from the boundary with no.21 Kings Road, and the second floor windows which would serve bathrooms are in excess of 17 metres. To the front, the windows would look out over land within the public realm. Only limited openings are proposed to the side elevations and these would either be high level or serve a wc/bathroom.

6.4.4 Local residents have also made reference to the large areas of flat roof possibly being used as terraces or balconies however this was flagged up as a concern by officers at pre-application stage and a condition is suggested to ensure that access to the flat roofs is restricted to that for maintenance purposes only.

6.4.5 Members will be well aware that comments relating to the loss of a view are not a material planning consideration.

6.5 Access and highway issues

6.5.1 Local plan policy TP1 seeks to limit development which would endanger highway safety.

6.5.2 Parking is one of the main concerns raised by local residents in their objections, and officers acknowledge that the development would inevitably have an impact on the existing situation. However, paragraph 32 of the NPPF states that "*development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe*".

6.5.3 In this instance, it is important to remember that the development would only result in the creation of one additional dwelling, and that the level of car parking spaces proposed, two per dwelling, is generally considered to be acceptable; it would therefore be hard to argue that the resultant impact would be severe.

6.5.4 Whilst no formal Highway comments have been received, the proposal has been discussed with the Highways Officer and they concur with this view.

6.5.5 Reference has also been made to the existing condition of the road, which is unadopted, with the suggestion that the development would worsen the situation but given

the scale of the development is it unlikely that it would have any significant effect and is not a determining issue in a planning decision.

6.6 Other considerations

6.6.1 As with all new residential development, provision for play space would be required to meet the requirements of local plan policy RC6. As on-site play space provision is clearly not feasible in this location, policy RC6 envisages a commuted sum in order to achieve its requirements and it is considered that this matter could be adequately dealt with by way of a condition. In this case, the sum required would be £368.

6.6.2 Furthermore, whilst records show that important species or habitats have been sighted near to the application site in the recent past, given the nature of the development it is not considered that the proposed development will have any impact on these species.

7. CONCLUSION AND RECOMMENDATION

- 7.1 The existing bungalow is of little architectural merit or historic interest and its demolition is considered to be acceptable in principle subject to a satisfactory scheme for redevelopment.
- 7.2 The proposed replacement dwellings are of a suitable scale, height, massing and footprint for this sensitive site with the conservation area, and would sit comfortably within its context.
- 7.3 The scheme has been carefully considered to ensure that the proposed dwellings could be comfortably accommodated within the site without causing unacceptable harm to neighbouring amenity in respect of privacy, daylight or outlook.
- 7.4 In addition, following the submission of revised plans, the scheme would not result in any significant or unacceptable harm to neighbouring amenity or highway safety.
- 7.5 Therefore, the recommendation is to grant both planning permission subject to the following conditions:

8. 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.13-157 03A, 13-157 04A, 13-157 05B and 13-137 06B received by the Local Planning Authority on 23rd January 2014.
Reason: To ensure the development is carried out in strict accordance with the revised drawings, where they differ from those originally submitted.
- 3 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.

- 4 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.
- 5 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.
- 6 Notwithstanding previously submitted details, prior to their installation, the design and details including materials and finishes of the following items shall be submitted to and approved in writing by the Local Planning Authority:

 - a. windows;
 - b. external doors;
 - c. eaves details; and
 - d. rainwater goods.

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.
- 7 Prior to the first occupation of the development, the car parking area shall be completed and marked out in accordance with the approved plan(s). The car parking area shall thereafter be retained in accordance with the approved plans and kept available for use as car parking.
Reason: To ensure adequate car parking within the curtilage of the site in accordance with Local Plan Policy TP1 relating to development and highway safety.
- 8 The flat roofs to the dwellings hereby permitted shall not be used as a balcony, roof garden or similar amenity area without planning permission. Access to the roofs shall be restricted to that for maintenance purposes only.
Reason: To safeguard the amenities of the surrounding properties in accordance with Local Plan Policy CP4 relating to safe and sustainable living.
- 9 No wires, pipe work, satellite dishes or other aerials, alarms or other paraphernalia shall be affixed to the external elevations of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect and maintain the character and appearance of the area in which this development is located 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. Careful consideration has been given to the detailed design of this development and its relationship with neighbouring properties.

INFORMATIVE

- 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, the authority sought revisions to secure a high quality design and to provide additional on-site car parking. Following these negotiations, the application now constitutes sustainable development and has therefore been approved in a timely manner.

APPLICATION NO: 13/02091/FUL		OFFICER: Miss Michelle Payne	
DATE REGISTERED: 10th December 2013		DATE OF EXPIRY : 4th February 2014	
WARD: All Saints		PARISH:	
APPLICANT:	Mr Mark Le Grand		
LOCATION:	28 Victoria Terrace, Cheltenham		
PROPOSAL:	Erection of a pair of semi detached dwellings following demolition of existing bungalow		

REPRESENTATIONS

Number of contributors	12
Number of objections	12
Number of representations	0
Number of supporting	0

24 Victoria Terrace
Cheltenham
Gloucestershire
GL52 6BN

Comments: 24th December 2013

I object to the proposed development because the height and scale is overbearing and out of scale in comparison to the size of the plot.

I also object to the proposed development because there are already difficulties with traffic, parking and turning in Victoria Terrace, particularly at the end of the cul-de-sac which is near to where I live, and the proposed development will cause further problems.

The proposed development of two dwelling houses only provides for one parking space for each dwelling. However given the size and scale of each proposed dwelling house it is likely that the occupying household will own more than one car. They will therefore need to park any additional cars in Victoria Terrace. There is already limited space for parking in Victoria Terrace. Also if those further cars are parked near the proposed development it may make it impossible for existing residents to turn their cars at the end of the cul-de-sac which they need to do in order to park or leave their properties.

I have no objection to a single replacement dwelling at 28 Victoria Terrace but I do object to two replacement dwellings for the reasons set out above.

Comments: 27th January 2014

I wish to object to the revised proposal ref 13/02091/FUL

For the following reasons I believe the construction of 2 semi-detached dwellings to replace the existing bungalow would be an over-development of this site, interfere with the residential amenity of the immediate neighbourhood, is out of keeping in this conservation area and will worsen the parking and vehicle manoeuvring problems in Victoria Terrace: -

The proposed replacement dwellings are unattractive, overbearing and out of scale (being 3 storeys high and higher than any other building in Victoria Terrace none of which have more than 2 storeys above ground level). The interior design shows two separate dwellings "crammed" into

an area which is only suitable for one dwelling. The construction of two 4 bed roomed houses will give rise to over-occupation in comparison to the size of the site.

The design is not similar to or in keeping with any other properties in Victoria Terrace; they are not similar to or in keeping with either the older Victorian properties or the small number of more modern properties in Victoria Terrace when considering the size, facade, materials, size of and materials to be used for the windows and the existence of a flat roof external area. They will not therefore blend in with the style of the surrounding properties and will spoil the character of the local neighbourhood.

The over-bearing size and design of the proposed dwellings are likely to affect the residential amenity of those properties most closely situated to the site in terms of over-looking, loss of privacy and over-shadowing.

The buildings will therefore have a negative impact on the local landscape. The planning authority should reject the revised proposal in accordance with its legal duty to have regard to the desirability of preserving the character and appearance of this attractive conservation area.

The proposed development will already worsen the already problematic parking and traffic problems in Victoria Terrace. There are already insufficient car parking spaces compared to the number of car owning property owners in Victoria Terrace and the surrounding residential streets. The problem is that the proposed development is an over-development. Although the revised proposal shows parking space for 2 cars per property the parking area appears "tight" and in practice property owners often do not utilise all of their dedicated car parking space but park on the street as well. The proposed development will also mean the loss of 2 street parking spaces used by other residents of Victoria Terrace and the surrounding streets and reduce the available turning area in Victoria Terrace.

21 Victoria Terrace
Cheltenham
Gloucestershire
GL52 6BN

Comments: 27th December 2013

I would like to register my objection to the proposed development at 28 Victoria terrace; this is due to the following reasons:

a) Victoria Terrace is already at full capacity with regard to car-parking; the proposed development of 2 houses is only allowing 1 off-road parking space per house which will mean increased requirement for on-street parking based on the assumption that the size of the houses mean more than one space will be needed. The fact that there would need to be a separate access point for each house, this further exacerbates the parking difficulties on the street.

b) Victoria Terrace has no proper turning circle for cars, and increasing the number of residents/ vehicles will mean increased irritation for current residents whose drives are frequently misused to turn on.

c) On viewing the front elevation drawing of the proposed 2 houses, they don't appear to be in keeping with the style of the adjacent Victorian terraced houses; the roofline is higher, and the houses each have a huge window at roof level, and windowsills/ door styles/ lack of porches don't look similar enough to complement the existing terraced houses. The two proposed houses would dwarf the older properties in the street rather than blend in as hopefully a new property would try to do in a conservation area.

Page 119

d) It is difficult to tell how privacy will be affected, but I have concerns about the large windows in the roof, along with the flat roof sections detailed in the plans. I would have concerns about possible access on to the flat roof areas due to potential noise disturbance and lack of privacy.

e) If the intention is to paint the cement render finish in white as per low wall at front, I feel that this is not in keeping with the more classic creams and off-whites of the terraced older houses on the street.

In summary, two houses seem too much for the plot, they would cause further issues for existing residents re. Parking/ turning, and they do not appear to be in keeping with existing Victorian terraced properties in the terrace.

Comments: 2nd February 2014

I would again like to register my objection to the proposed development at 28 Victoria Terrace following submission of slightly revised plans. The majority of my concerns/comments still stand.

Parking/ amenity:

I can see that the plans have been amended slightly to incorporate 2 parking spaces per property, but I still feel that a) the number of spaces is inadequate given the fact that these are four bed roomed houses, and b) that the area currently used for on-street parking directly outside the current bungalow would be lost and would cause more problems with people parking across driveways and turning on other peoples drives. The parking issue in on this (unadopted road) can clearly be seen by the number of traffic cones being used by residents to prevent blocking/turning, and to be able to park outside their own properties.

Visual impact:

I feel that the proposed properties are still not in keeping with the terraced houses especially because of:

- proposed height and scale of buildings
- overall unsympathetic appearance of properties
- low cement wall at front not similar to other properties
- huge window & flat roof on top floor overlooking several properties
- houses too large for location, if there is a need to go upwards to a second floor level in order to create the right sized property, then the actual site is too small.
- a single dwelling is much more appropriate to the area.
- no other terraced buildings in the street match the proposed height.

Privacy/ disturbance:

I remain concerned (if it goes ahead) that the flat roof on 2nd floor to front of the properties would be used as a sun terrace and think that insufficient detail has been provided around the window type at that level (and if access on to that roof area is possible)

Please keep me updated and advise if there will be any public planning consultation meeting. The re-submitted plans do not seem to have addressed many of the concerns from the residents and seem to ignore that fact that the area is a conservation area. It is important to protect the environment of the terrace and ensure that a new property is designed sympathetically to complement its surroundings.

25 Victoria Terrace
Cheltenham
Gloucestershire
GL52 6BN

Comments: 27th December 2013

Letter attached.

Comments: 30th December 2013

Letter attached.

Comments: 29th January 2014

Letter attached.

Kingsholm
Victoria Terrace
Cheltenham
Gloucestershire
GL52 6BN

Comments: 19th December 2013

Letter attached.

Comments: 1st February 2014

I wish to continue my formal objection to the planning application with regard to 28 Victoria Terrace.

The updated plans contain 2 parking spaces per house however parking and traffic is a major problem within the road particularly at the end of the cul-de-sac where I live. The most evident problems were parking and turning as it would mean more cars turning on my drive which already has a large pot hole. More cars in the street would only make this problem worse. Even the updated plans are, in my view, irresponsible. I do not feel that the road has the capacity for two four bedroom houses. The height and scale of the problems for the small plot are overbearing and out of scale even with the revised plans. I hope that the planning officer/committee take into account the concerns of the residents in Victoria Terrace.

Avon
Victoria Terrace
Cheltenham
Gloucestershire
GL52 6BN

Comments: 27th December 2013

Letter attached.

Comments: 3rd February 2014

Letter attached.

The Hide
Victoria Terrace
Cheltenham
Gloucestershire
GL52 6BN

Comments: 1st January 2014

I would like to formally object to the planning application re:28 Victoria Terrace

Parking in the street is already a problem especially at the end of the terrace where I live. My property's boundary is adjoining 28 Victoria Terrace. We are one of the fortunate ones on the street who have off-road parking; however we regularly have our driveway blocked by cars and delivery vehicles due to lack of parking. The proposed two 4-bedroomed houses and the

additional traffic that they will bring to the street in my opinion is inconsiderate planning and irresponsible to the existing residents.

There are no turning provisions for vehicles at the end of the terrace which results in mine or my neighbour's driveways being used to resolve this problem. This is clearly evident by the damage to the road surface and our driveways.

I recommend that this planning application should be refused.

21 Kings Road
Cheltenham
Gloucestershire
GL52 6BH

Comments: 6th January 2014

In short, this proposed dwelling, in place of a bungalow, will be two three-storey houses towering over our private garden.

We have no objection to a dwelling re-build - that would be welcome and understandable - but two three-storey houses, higher than anything else around it, just seems unreasonable and anyone looking at this proposal from our point of view would know the same. It is unnecessarily ambitious and a blatant intrusion of our privacy in an already cluttered environment.

I know the planners would already have made their comments and suggestions about the plan but I would ask them to think again about the height, in particular.

22 Victoria Terrace
Cheltenham
Gloucestershire
GL52 6BN

Comments: 26th December 2013

I object strongly for the proposed development site on 28 Victoria Terrace. There are existing problems with inadequate parking places for the residents in the terrace. There is room for 2/3 cars to park on the street outside no.28, these would no longer exist. The Terrace is a cul-de-sac and the turning point is outside 28, this would be compromised with development. The condition of the road surface is appalling and extra traffic would cause further deterioration.

The height of the proposed dwellings would not be in keeping with the Victorian lay-out of the Terrace.

16 Victoria Terrace
Cheltenham
Gloucestershire
GL52 6BN

Comments: 2nd February 2014

I have read the other listed objections to the planning application for 2 three-storey 4-bedroom dwellings at 28 Victoria Terrace and I am in full agreement with all of the deep-felt concerns raised.

While the privacy intrusion concerns of all the existing residents at the top of the terrace do not directly affect our family home, I am in complete support of those residents that have raised objections based on the sheer height of the proposed dwellings, the windows and the very high

level flat roofed areas that could quite easily be used for social entertaining and would command an intrusive vantage point to freely observe all of the neighbouring properties.

However from my own perspective my main concerns relate to both the short term and long term adverse effects that this development would have on the already stressed localised ecosystem, incorporating the infrastructure and community of not only Victoria Terrace but also the highly populated surrounding narrow terraced streets, including Princes Street, Duke Street and Leighton Road. And to quite an extent Kings Road and Carlton Street - Sydenham Road, as addition overspill of parked vehicles on these more main through roads is already causing congestion and hold ups especially during busy periods with commuting traffic attempting to travel in both directions along roads that with the parked vehicle have essentially become erratic single lane highways with occasional and fast disappearing passing places.

The actual infrastructure of the tarmac road on Victoria Terrace is in a fairly poor condition, as are the pavements, curbs, drainage and street lighting.

There is a rather dangerous hole that keeps appearing in tarmac surface in the centre at the junction with Princes Street, as the foundations of the road subside into what is believed to be a fractured sewer. This although constantly repaired very worryingly reappears when particularly heavy vehicles pass over it.

The tarmac surface particularly at the top end of the terrace where the proposed development is situated, is already badly scuffed and pitted from what is mainly domestic cars turning. This would almost definitely be destroyed further by heavy building and merchant vehicles during construction works.

And finally, there is the ever-increasing problem of parking vehicle on streets of mainly terrace houses.

Luckily on Victoria Terrace there is just about enough street frontage for each terraced house to park a one car outside in the street and there are detached and semi-detached properties further up that have off road parking. However, potentially at least 50% of average households actually have 2 vehicles or more.

This situation is bad enough for us in Victoria Terrace meaning there are never enough spaces to meet the demand. But take that same situation to streets like Duke Street and there is not even enough space for 1 vehicle per property as the street frontage of most properties there are less than is needed to park an average family car allowing a little space front and rear for tight manoeuvring.

Taking the same basic assumption that 50% or more properties in the area have 2 or more vehicles, the potential surplus of vehicles from the 4 tightly-terraced streets in our immediate vicinity trying to park overnight on already full streets will be well over 50. These vehicles, of course, need to spill out into other neighbouring and often congested streets.

If we take the existing garage space at 28 Victoria Terrace, plus the 2 existing hard-standing off-road spaces in front of the garage, not to mention a further gravelled area across the front of the property that could quite easily be converted to take another car, plus the 2 spaces in front of the existing walled frontage of the property that are used by over spill vehicles already. Then take the proposed 2 four bedroom properties each with as the plans show 3 double bedrooms and a single, the potential of which could conservatively be 3 additional vehicles per property, plus visitors and the loss of the 2 existing spare parking spaces at the frontage. And examine the plans to find virtually only enough off-road parking for one vehicle per property. This development would put 6+ additional parked vehicles into the already fully congested neighbourhood.

The result of this would not only impact on Victoria Terrace but the ripple effect will radiate out over the neighbourhood as these vehicle cannot simply be absorbed into already full streets. The

Page 123

further sad result of this would actually be impacting more on people living 3 or 4 streets away as our streets are already full, the rippling over spill vehicles will create further street parking congestion outside their properties, and these people are most likely unaware of the proposed development that will ultimately impact on them as they would have received no form of notification and their views will not be taken into account.

The only sensible option for 28 Victoria Terrace is for it to remain a single dwelling with at least 1 garage space, 2 off road parking spaces and 2 spare on road spaces along the front boundary wall as existing. This is the only option that will have an acceptable impact on the fragile ecosystem that for many streets around the local community live and share under. In conclusion I strongly object to this proposed development.

17 Victoria Terrace
Cheltenham
Gloucestershire
GL52 6BN

Comments: 30th December 2013

Not enough parking already. Unadopted road - who would pay for repairs for any damage caused to already patched and damaged surface by the lorries that would be accessing site? Narrow cul-de sac - would also worry about big lorries damaging cars.

20 Victoria Terrace
Cheltenham
Gloucestershire
GL52 6BN

Comments: 30th December 2013

Letter attached.

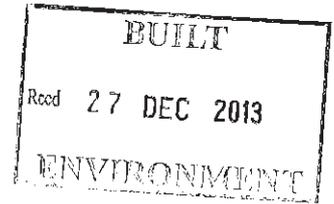
Comments: 31st January 2014

Letter attached.

23 December 2013

The Planning Department
Cheltenham Borough Council
Municipal Offices
The Promenade
Cheltenham
GL50 9SA

25 Victoria Terrace
Cheltenham
GL52 6BN



Re Planning Application Reference 13/02091/FUL

To whom it may concern

Thank you very much for your note regarding the above application dated 11th December 2013

I have examined the detail of the plan and wish to raise an objection to the proposed planning application on the following grounds.

1. The plan suggests a three story building that is higher than other buildings in Victoria Terrace. Currently my property is overlooked by just two windows of the existing bungalow; however the proposal shows six windows at each of first and second floor levels. In addition the plan includes a flat roof that looks directly into mine and neighbouring properties, which if used for social activities would be at contrast with the current idyllic scene of the Terrace. This whole proposal will not only impact on the visual amenities for me, but also for others, as well as impacting on the character of the street. The comment in the proposal that "Every element has been considered during the design and planning process to ensure that the proposed development maintains and enhances the privacy for all existing and future local residents" could not be more at odds with reality.
2. One of the major problems living in Victoria Terrace is that of off-street parking. The majority of properties do not have garages, so off-street parking is essential. In the main residents park sensibly, however the application shows 1/2 vehicles for the properties which have four bedrooms each. The potential for cars at these properties would be far greater than the application shows, and with visitors, would cause quite a problem. In addition, there will be a loss of parking to existing

residents when entrance to the proposed properties is taken into consideration.

3. Unfortunately the state of the road in the Terrace is poor and would only get worse with the heavy vehicles arriving with materials. At the entrance to the street is a large hole, which due to collapse has been repaired many times. This can only get worse with the heavy construction vehicles gaining access. As my wife is disabled I am also concerned about the disruption which this could have on access to Victoria Terrace especially as my property is directly opposite. My wife requires weekly visits to the GP surgery or Hospital so clear access is very important.

4. I firmly believe that if this application were approved, it would have a detrimental effect on not just mine or my wife's quality of life, but also other residents in the area.

5. Would you kindly accept these comments as a major objection to the plans.

Yours faithfully



Cc
Councillor S. A. Jordan
Councillor C. Stewart

27 December 2013

The Planning Department
Cheltenham Borough Council
Municipal Offices
The Promenade
Cheltenham
GL50 9SA

25 Victoria Terrace
Cheltenham
GL52 6BN

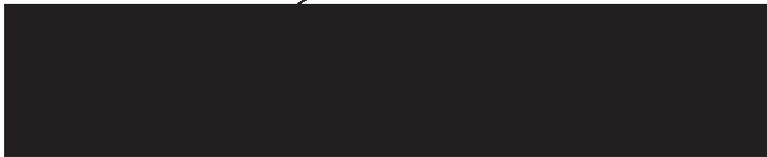
Re Planning Application Reference 13/02091/FUL

To whom it may concern

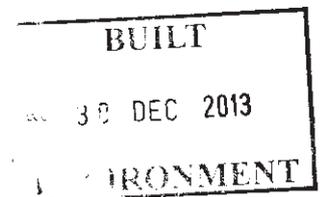
Further to my letter dated 23 December 2013 in connection with the above planning application. I mistakenly used the term "off street parking", when it should have been on street parking.

Please accept my apologies for the error.

Yours faithfully

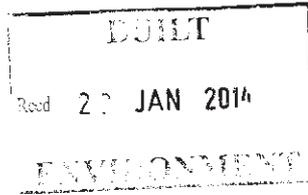


Cc
Councillor S. A. Jordan
Councillor C. Stewart



27 January 2014

Tracey Crews
Head of Planning
Cheltenham Borough Council
P.O. Box 12
Municipal Offices
Cheltenham
Glos
GL50 1PP



25 Victoria Terrace
Cheltenham
Glos
GL52 6BN

Dear Ms Crews

Re: Erection of pair of semi detached dwellings at 28 Victoria Terrace Cheltenham

Thank you for your letter reference **13/02091/FUL** dated 23rd January 2014.

I have noted the changes to the revised plans for the demolition of the bungalow at 28 Victoria Terrace, which I have to say are minimal and do not change in any way my objection to the proposal.

As I currently have a view (be it across rooftops) to Cleeve Hill, this will be obliterated by the erection of two three story dwelling houses. Having further examined the plans I do not think that the building would be in unison with the rest of the houses on that side of the Terrace.

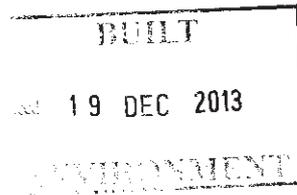
There are of course other problems, not least is the one of on street parking, which is already a serious issue and would only be exacerbated with the loss of two parking spaces outside the bungalow at present. To add to the problem, the potential for more than two cars for the proposed development, notwithstanding visitors, provides even more concern.

The road in Victoria Terrace, like many parts of the town has suffered from the weather and lack of funding to enable vital maintenance to be carried out. The impact on the road with heavy vehicles plus plant and machinery does not bear thinking about. Both 'The Hide' and 'Avor' have suffered as a result of the occasional heavy vehicle turning at the top of the Terrace, which has left a large hole in the road. It can only get worse with the increase in traffic.

In summary, the objections contained in my original letter still stand and I can only hope that the Cheltenham Borough Council Planning Committee will give considerable thought to the concerns of all residents in Victoria Terrace.

Yours sincerely





Kingsholm
Victoria Terrace
CHELTENHAM
GL52 6BN

16th December 2013

The Planning Department
Cheltenham Borough Council
Municipal Offices
Promenade
CHELTENHAM
GL50 9SA

Dear Sirs

28 Victoria Terrace, Cheltenham, GL52 6BN

I wish to formally object to the planning application with regard to 28 Victoria Terrace.

At the moment Victoria Terrace has a major problem with parking, traffic and particularly at the end of the cul-de-sac where I live, which is almost adjacent to Nr 28, the problem of turning. I would have no objection to a replacement single dwelling for Nr 28. To replace Nr 28 with two three storey four bedroomed houses is, in my view, totally irresponsible. It is likely that although only one parking space is provided for each dwelling a house of that size is likely to have more than one car user.

The height and scale of the building for such a small plot is overbearing and totally out of scale.

I should be most grateful if you would bring this to the attention of the Planning Officer / Committee.

I know a number of my neighbours share my concerns and will be writing accordingly.

Yours faithfully



cc Councillor Steven Jordan, 4 Priory Mews, Sidney Street, Cheltenham, GL52 6DJ

Recd 23 DEC 2013

ENVIRONMENT

Avon,
Victoria Terrace,
Cheltenham,
Gloucestershire
GL52 6BN
22/12/2013

The Planning Department,
Cheltenham Borough Council
Municipal Offices,
The Promenade,
Cheltenham
GL50 9SA

With reference to planning application 13/0209/FUL

To whom it may concern,

I wish to make an objection to the proposed planning application for 28 Victoria Terrace.

My objection is based on the following concerns.

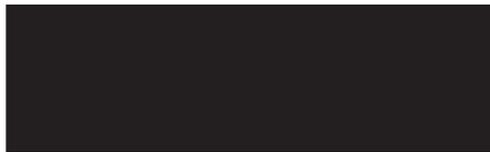
- Street Scene - The plans envisage a three storey building that stands considerably higher than the original terrace. The windows shown on the plans also fail to harmonise with it. The proposal includes a flat roof that looks directly over the highway. This too will be at variance with the current street scene and could be used for social activities.
The windows at the front of my house look directly down the terrace, and the discordant nature of the proposed building directly affect my visual amenities and change the character of the terrace.
- Parking - The application has off-street parking for 1/2 vehicles. This is inadequate for the potential number of inhabitants of the two houses. There are six double and two single bedrooms shown on the plans. Potentially, this could mean fourteen vehicles related to the houses that require parking space. If visitors to the two properties are factored in, the number could be even higher. Already parking is at a premium in the terrace. The entrances to the two properties whilst facilitating access to them will deprive the terrace of much needed on-street parking. Additionally, the private forecourt for my house and Kingsholm is already used by people who park there without asking permission. This invasion of my privacy can only get worse with the extra parking demands that would be generated by the proposed buildings.
- State of the Highway - The road in Victoria Terrace is already in a state of some disrepair. At the end of the terrace in front of my house and Kingsholm, the road, the pavement and the private forecourt have all suffered considerable damage as cars drive there to effect a turn before turning around

to leave the terrace or park. The entrance to the terrace has several times collapsed leaving a hole in the road. The extra traffic generated by heavy construction traffic and subsequently by the potentially large number of vehicles linked to the properties will inevitably worsen this situation leading to a reduction in the quality of access to and around my own property.

- Houses at the top of the terrace, including my own, have several times had to call in help because the sewage outlets have been blocked and sewage has backed up to the houses. There are four bathrooms and a possible fourteen people using them. This will lead to extra demands on what is already a system under stress.

I believe the proposed buildings would directly affect my quality of life and should not be approved. I hope to be informed of the date of relevant planning meeting.

Yours faithfully

A large black rectangular redaction box covering the signature area.

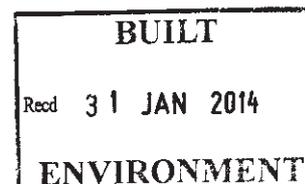
Cc

Councillor S.A. Jordan

Councillor C. Stewart

Avon,
Victoria Terrace,
Cheltenham,
Gloucestershire
GL52 6BN
31/01/2014

Miss Michelle Payne,
The Planning Department,
Cheltenham Borough Council
Municipal Offices,
The Promenade,
Cheltenham
GL50 9SA



With reference to planning application 13/0209/FUL

Miss Payne,

I wish to register an objection to the revisions to the planning application for 28 Victoria Terrace.

The revised plans make marginal changes, but make no substantial differences to the grounds for objection stated in my original letter attached below.

Yours sincerely

[Redacted signature]

My objection is based on the following concerns.

- Street Scene - The plans envisage a three storey building that stands considerably higher than the original terrace. The windows shown on the plans also fail to harmonise with it. The proposal includes a flat roof that looks directly over the highway. This too will be at variance with the current street scene and could be used for social activities.
The windows at the front of my house look directly down the terrace, and the discordant nature of the proposed building directly affect my visual amenities and change the character of the terrace.
- Parking – The application has off-street parking for 1/2 vehicles. This is inadequate for the potential number of inhabitants of the two houses. There are six double and two single bedrooms shown on the plans. Potentially, this could mean fourteen vehicles related to the houses that require parking space. If visitors to the two properties are factored in, the number could be even higher. Already parking is at a premium in the terrace. The entrances to the two properties whilst facilitating access to them will deprive the terrace of much needed on-street parking. Additionally, the private forecourt for my house and Kingsholm is already used by people who park there without asking permission. This invasion of my privacy can only get worse with the extra parking demands that would be generated by the proposed buildings.

- State of the Highway – The road in Victoria Terrace is already in a state of some disrepair. At the end of the terrace in front of my house and Kingsholm, the road, the pavement and the private forecourt have all suffered considerable damage as cars drive there to effect a turn before turning around to leave the terrace or park. The entrance to the terrace has several times collapsed leaving a hole in the road. The extra traffic generated by heavy construction traffic and subsequently by the potentially large number of vehicles linked to the properties will inevitably worsen this situation leading to a reduction in the quality of access to and around my own property.
- Houses at the top of the terrace, including my own, have several times had to call in help because the sewage outlets have been blocked and sewage has backed up to the houses. There are four bathrooms and a possible fourteen people using them. This will lead to extra demands on what is already a system under stress.

I believe the proposed buildings would directly affect my quality of life and should not be approved. I hope to be informed of the date of relevant planning meeting.

20 Victoria Terrace

Cheltenham

Glos GL52 6BN

REF NO. 13 / 02091 / FOL

24th December 2013

Dear Miss Payne

Having read the proposal to demolish the existing bungalow at 28 Victoria Terrace and replace it with a pair of semi-detached dwellings, I do feel this would be a great mistake.

Having lived in the terrace in excess of 30 years we see almost every day the problem cars and large lorries have turning at the end of the cul-de-sac.

Building extra dwellings, which clearly would mean more vehicles parking at the end of the cul-de-sac, would only add to the problem.

Is this fair on the people who live at the end of the terrace? It is always very difficult as we all know what an immotive subject parking can be, sometimes causing rifts between neighbours and this will only serve to make the situation even more difficult.

Yours sincerely.



DEPT
30 DEC 2013
PLANNING

Cheltenham Borough Council

Municipal Offices

The Promenade

Cheltenham

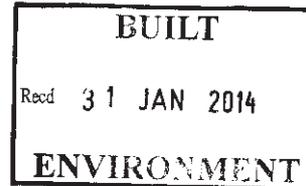
Glos GL50 1PP

Reference 13/02091/FUL

For the attention of Tracy Crews

30th January 2014.

OBJECTION TO PLANNED DEVELOPMENT.



With parking already difficult in the terrace additional housing at the top of the road will only add to the problem. Cars parking on both sides make the terrace one way only making it extremely difficult for lorries and refuse wagons who have to reverse all the way down the road to exit.

The terrace is an unadopted no through road therefore only suitable for domestic traffic and is unable to cope with the commercial vehicles involved in any significant building work taking place at the top of the road. The proposed demolition of No 28 would result in a number of skips and subsequent building work would necessitate heavy traffic using the road. As the residents have to pay to have the road tarmacked will the developers make good any damage caused or will this once again fall to the residents?

I cannot see that the proposed development will enhance the terrace in any way and it will only add to the difficulties that already exist.

Yours sincerely



20 Victoria Terrace

Cheltenham GL52 6BN

APPLICATION NO: 13/02118/FUL	OFFICER: Mr Martin Chandler
DATE REGISTERED: 16th December 2013	DATE OF EXPIRY: 10th February 2014
WARD: College	PARISH:
APPLICANT: Mr & Mrs Collard	
AGENT: SF Planning Limited	
LOCATION: 44 Naunton Park Road, Cheltenham	
PROPOSAL: Erection of a two storey side extension together with the rendering of the dwelling (revision to 11/01575/FUL)	

RECOMMENDATION: Refuse



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 proposes the erection of a two storey side extension and a loft conversion together with the rendering of the property.
- 1.2 The application is an identical submission to that originally submitted for application ref: 11/01575/FUL. That scheme was subsequently amended to reduce the level of proposed render to the side and rear of the property and the first floor element of the approved side extension (which was amended to be set back one metre from the front of the dwelling).
- 1.3 The application site is located within the central conservation area.
- 1.4 The application is brought to Planning Committee at the request of Cllr Sudbury to allow the committee to consider the design merits of the proposal. Members will visit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area
Smoke Control Order

Relevant Planning History:

11/01575/FUL 9th May 2012 PER

Erection of a two storey side extension, single storey rear extension, and loft conversion with rear dormer window, rendered external insulation

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)

Central conservation area: Leckhampton Character Area and Management Plan (July 2008)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Heritage and Conservation

29th January 2014

Comments:

1. The principle of extending No.44 has been established by approval of 11/01575/FUL.
2. The key issues of this proposal are the appropriateness of rendering the entire building and whether the first floor extension on the side of the building should be in line with the front elevation or set back.

3. Development on the road has occurred over several distinct periods and this is reflected in the different styles, plot widths, building lines and window treatments.
4. Uniformity to some degree is achieved by the predominant use of brick as the main building material.
5. There are a few examples of rendered buildings but they are singular buildings like the grey rendered detached building at the mid point in the road or the pair of large rough cast rendered buildings at the Old Bath Road end of the road.
6. The remainder of the buildings on the road are in discernible groups identifiable by when they were built.
7. No.44 is one of four houses built at the same time to a similar specification: the plot width, fenestration, architectural detailing, pitch of the roofs and, most identifiable, the materials are matching.
8. A certain amount of change/development is permissible without losing group distinctiveness but altering the wall treatment of the principle elevation, i.e. by rendering over the brick, would compromise the group unity and is not considered acceptable in a conservation area.
9. The rendering of the front façade of No.44 would result in its visual dominance of the group and the road which would detrimentally affect the character of the road and conservation area.
10. The proposed scheme attempts to impose symmetry on an existing asymmetrical front elevation by extending the hipped roof and placing the extension on the same building line as the existing.
11. The position of the off-centre upper storey casement window and the front door below it prevents true symmetry and the resulting composition is uncomfortable.
12. In my opinion a deliberate asymmetrical front elevation would be preferred: the other three houses in the group have been extended and the asymmetrical façade retained, this works well.

Summary

The principle of extending No.44 is acceptable subject to detailed designs. However, the use of render on the front façade is not appropriate in an area which brick is the predominant building material and where the different phases of piecemeal development along the road are discernible in groups of houses bearing similarities in architectural style, proportion and fenestration. The attempt to unify the proposed development with existing in a symmetrical composition fails and an asymmetrical solution is preferred.

CONCLUSION:

Please ask applicant to re-submit revised designs that address my concerns or refuse.

Refusal reason: The proposed extension by virtue of the materials and composition would harm the character and appearance of the conservation area. Accordingly, the proposals are contrary to section 72(2) of the Planning (Listed Buildings & Conservation Areas) Act 1990, national policy set out in the NPPF and PPS5 (Planning for the Historic Environment) and policy CP7 of the Adopted Cheltenham Borough Local plan.

Building Control

23rd December 2013
No comment at this time.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	9
Total comments received	7
Number of objections	0
Number of supporting	6
General comment	1

5.1 Comments Received

- 5.1.1 Nine letters were sent out to notify neighbouring properties of this application. In addition, a site notice was posted adjacent to the site as well as an advert being placed within the Gloucestershire Echo.
- 5.1.2 In response to this publicity, seven letters have been received in support of the proposal; some of which suggest that this proposed scheme is a more pleasing proposal than the consented scheme.
- 5.1.3 One letter has also been received in relation to potential loss of privacy, although it should be noted that this is not an objection to the scheme.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.1.1 The key considerations in relation to this application are the impact that the proposal will have on the existing building, and potential impact on neighbouring amenity. The consented scheme is also an important material consideration.

6.2 The site and its context

- 6.2.1 The application site is a detached, red brick dwelling located within the Leckhampton character area of the central conservation area. As identified by the Conservation Officer's comments which are set out above, the site forms one of four houses of a similar appearance, albeit one of these properties fronts on to Old Bath Road.
- 6.2.2 The rest of Naunton Park Road is comprised principally of red brick properties, which whilst of differing architectural styles, give the road a distinct character. It is accepted that there are examples of render within the road but as advised by the Conservation Officer, they are singular buildings like the grey rendered detached building at the mid point in the road or the pair of large rough cast rendered buildings at the Old Bath Road end of the road.

6.3 Design and layout

- 6.3.1 Local Plan Policy CP7 requires development to be of a high standard of architectural design and to complement and respect neighbouring development. When assessing this proposal against the requirements of this policy, there are two aspects to consider; firstly, the use of render, and secondly, the suitability of the extensions proposed.

- 6.3.2** The proposal to render the extended dwelling is considered unacceptable. The Conservation Officer has undertaken a detailed analysis of the street and in summarising her thoughts, the following comments are useful; *the use of render on the front façade is not appropriate in an area which brick is the predominant building material and where the different phases of piecemeal development along the road are discernible in groups of houses bearing similarities in architectural style, proportion and fenestration.*
- 6.3.3** When assessed against the requirements of policy CP7, officers are of the strong view that the introduction of render would result in a dwelling that will appear alien within the street scene thereby failing to complement and respect neighbouring development. If the dwelling were part of a street with a more varied use of materials, officers may be more sympathetic to the proposal, but given the dominance of red brick within the vicinity, the introduction of render would be harmful to the street and wider conservation area.
- 6.3.4** During discussions with the applicant, it has been suggested verbally that the proposal to render the property is to be withdrawn from the application although this has not been confirmed in writing. Should the scheme be amended in this form, members will be updated.
- 6.3.5** Turning to the proposed extension, officers again have concerns with the proposal as submitted; a view that is consistent with the 2011 approval which was amended in line with officer advice following a number of discussions with the applicant's agent at the time.
- 6.3.6** To aid consideration of applications of this nature, this Authority has an adopted supplementary planning document (SPD) titled 'Residential alterations and extensions' and as well as local plan policy CP7, the advice within this document is a material consideration of significant weight.
- 6.3.7** The introduction to this SPD sets out the rationale behind seeking good quality design when extending dwellings. For completeness, this introduction is set out in full below;
- 6.3.8** *Cheltenham has a proud tradition of good urban design. It's Regency and Victorian architecture, with houses grouped in terraces and villas around wide streets and open spaces, is justly famous. Cheltenham has an image of an elegant, spacious town with groups of well proportioned buildings set in generous gardens, with open space extending into the heart of the town.*
- 6.3.9** *This is true of the early town but Cheltenham's more recent residential areas are different. They were built in response to a need to accommodate smaller houses on smaller plots, as well as motor vehicles. These areas, dating from the later Victorian era to the present day, have their own character. It stems from the layout, design and style of the houses and the colour of the materials used.*
- 6.3.10** *The spaces between the houses, the greenery and the nature of the front boundary fences, walls, hedges (or the lack of them) all contribute to this character. At the edges of the Borough, housing development forms a gateway to the town and the edge between town and country. Good design is as essential here as it is in the historic parts of the town.*
- 6.3.11** The document then goes on to outline five basic design principles, one of which is the importance of subservience. This report will now consider this concept in slightly more detail.

7. Subservience

- 7.1** Within the Council's adopted SPD, the following advice is provided in relation to subservience;
- 7.2** *An extension should not dominate or detract from the original building, but play a 'supporting role'. Generally, the extension should not be higher than the original. A well-*

designed extension is normally set back from the main elevation but there can be exceptions to this principle in some circumstances – discuss this with the planning officer. The materials should either match or complement the existing building.

- 7.3** When assessing the proposal in its current form, officers do not consider that the proposal adequately responds to this guidance. The proposed extension simply seeks to make the property wider without paying any regard to the integrity of the existing building; as the conservation officer states, the proposal seeks to almost impose a certain level of symmetry on a currently asymmetrical building.
- 7.4** As advised above, a well-designed extension is normally set back from the main elevation and members will be familiar with a one metre set back often being required when considering side extensions; this was achieved with the consented scheme.
- 7.5** The rationale behind a set back is to enable the evolution of the dwelling to be understood. The SPD talks about extensions playing a supporting role; it seeks to ensure that extensions are sympathetic to the parent building – that they respect it and identify the host building as the principal feature of the site. A set back achieves this as it enables the extension to effectively frame the original building by not only respecting the front wall, but also reducing the ridge height of the extension so the original roof slope can be understood. It is a concept that officers use on a daily basis but subservience does not always have to be achieved by introducing a one metre set back.
- 7.6** Members will be well aware that each application brings with it its own considerations and whilst a one metre set back (at first floor level) was achieved in the previous submission, officers consider that there is some room for manoeuvre here. A one metre set back is often more important when considering an extension to a semi-detached dwelling; indeed this is exactly the advice within this Authority's SPD. Nevertheless, for this application to be compliant with adopted design advice as well as local plan policy the proposal does need to achieve a degree of subservience – it fails to do this in its current form and therefore cannot be supported.
- 7.7** Officers have discussed a smaller set back with the applicant, suggesting that 500mm would achieve the desired aims; it would enable the extension to be read as an addition to the dwelling, rather than simply widening the building in what is considered to be a crude and unsympathetic manner. It would also address the concerns identified by the Conservation Officer. Unfortunately, this compromise has not been forthcoming and therefore the proposal cannot be supported. The extension would be an unsympathetic addition to the dwelling which would be harmful to the existing building, the street scene and the wider conservation area. It would therefore fail to comply with the aims and objectives of local plan policy CP7 and also the adopted SPD 'Residential alterations and extensions'.

8. Impact on neighbouring property

- 8.1** It is not considered that the proposed extension will compromise neighbouring amenity. Permission has been granted for a two storey extension and the loft conversion and this proposal will have the same level of impact on neighbouring amenity.
- 8.2** The proposal is compliant with policy CP4 of the Local Plan.

9. Other considerations

- 9.1** Officers are aware that neighbouring properties have written in to support the proposal and officers have taken these comments into account whilst assessing the application.

Having reflected on their comments, it is considered that the fundamental policy objection and the impact on the wider conservation area outweigh the comments provided from the neighbours.

10. CONCLUSION AND RECOMMENDATION

- 10.1** To conclude, officers are firmly of the view that the proposed extension fails to comply with local plan policy CP7 and the advice contained within the supplementary planning document titled 'Residential alterations and extensions'. The proposal fails to achieve any degree of subservience to the parent dwelling and the introduction of render within a street scene dominated by red brick properties would be harmful to the wider conservation area.
- 10.2** The principle of extending the house is not disputed. The dwelling benefits from a planning permission to extend the property but in a manner that is consistent with this Authority's policies and supplementary guidance. This proposal fails to achieve these important objectives and therefore cannot be supported.
- 10.3** It is recommended that members resolve to refuse planning permission based on the analysis set out within this report, and for the reason set out below.

11. REFUSAL REASONS

- 1 The proposed alterations and extensions fail to complement and respect the parent dwelling. The use of render would result in a visually discordant and jarring property set within a street scene of principally red brick properties. In addition, the proposed side extension does not achieve any degree of subservience to the existing dwelling. The extension fails to play a supporting role to the dwelling by virtue of its lack of set back, reduced ridge height or reduced eaves height and in this respect detracts from the original form of the dwelling contrary to the advice set out within the Council's adopted SPD titled 'Residential alterations and extensions' and policy CP7 of the Cheltenham Borough Local Plan (Adopted 2006). It therefore follows that the proposed extension also fails to comply with the guidance set out within section 7 of the NPPF 'Requiring good design'.

This page is intentionally left blank
Page 142

APPLICATION NO: 13/02118/FUL		OFFICER: Mr Martin Chandler	
DATE REGISTERED: 16th December 2013		DATE OF EXPIRY : 10th February 2014	
WARD: College		PARISH:	
APPLICANT:	Mr & Mrs Collard		
LOCATION:	44 Naunton Park Road, Cheltenham		
PROPOSAL:	Erection of a two storey side extension together with the rendering of the dwelling (revision to 11/01575/FUL)		

REPRESENTATIONS

Number of contributors	7
Number of objections	0
Number of representations	1
Number of supporting	6

65 Naunton Park Road
Cheltenham
Gloucestershire
GL53 7DG

Comments: 8th January 2014
Letter attached.

69 Naunton Park Road
Cheltenham
Gloucestershire
GL53 7DG

Comments: 8th January 2014
Letter attached.

71 Naunton Park Road
Cheltenham
Gloucestershire
GL53 7DG

Comments: 8th January 2014
Letter attached.

67 Naunton Park Road
Cheltenham
Gloucestershire
GL53 7DG

Comments: 8th January 2014
Letter attached.

46 Naunton Park Road
Cheltenham
Gloucestershire
GL53 7DQ

Comments: 8th January 2014
Letter attached.

113 Old Bath Road
Cheltenham
Gloucestershire
GL53 7DE

Comments: 7th January 2014
Letter attached.

40 Naunton Park Road
Cheltenham
Gloucestershire
GL53 7DQ

Comments: 8th January 2014
Letter attached.

65 Naunton Park Road
Cheltenham
GL53 7DG

03/01/14



As requested I am writing to offer my views on the revised planning application for the improvements you hope to make to your house.

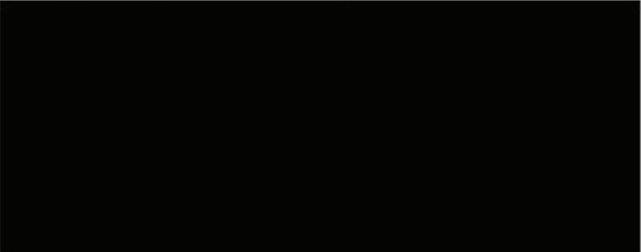
I have looked at the drawings for the most recent proposal and the previously approved plans that you provided, and I fully understand and support the changes you are seeking.

The clean lines of the revised proposal are much more pleasing to the eye than the set-back first floor of the extension and the undulating roof.

Fully, rather than partly rendering, the house also seems appropriate because of the poor condition of the brickwork, and I know you are keen to maximise the energy efficiency of your house.

Good luck with the application.

Best wishes,




69 Naunton Park Road
Cheltenham
GL53 7DG

29/12/13

To whom it may concern,

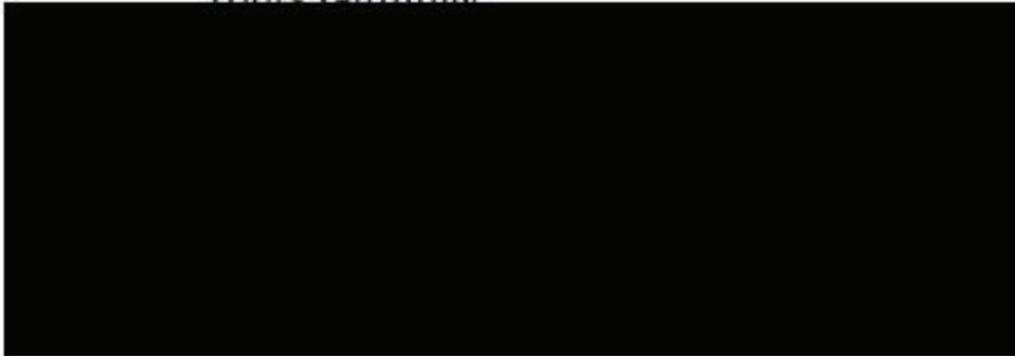
I am a neighbour of  my house is directly opposite their property. Ali and Tim have discussed with me their recent application for planning permission, and asked whether I would write in support of the proposal.

Having viewed the drawings for the application submitted on 13/12/13, I feel that the revised application is an improvement on the previous plan.

In my view the revised design, with the first floor of the extension flush with the rest of the house, will look significantly better than the complicated set-back first floor and roof arrangement, as well as providing more useable space inside for Ali and Tim.

I also have no objection to the proposal to render the property, as it is apparent that the brickwork is deteriorating.

Yours faithfully



71 Naunton Park Road
Cheltenham
GL53 7DG

30th December 2013

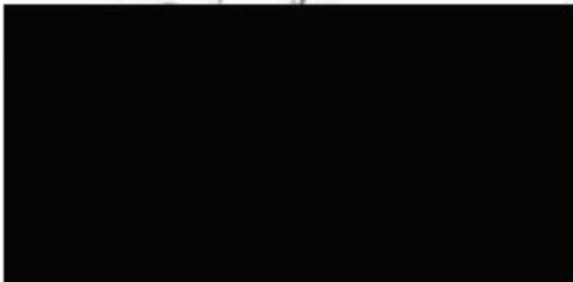
Planning Application re 44 Naunton Park Road, Leckhampton

I have been asked to submit my views on the recent planning application by my neighbours at No.44.

I approve that a plan has now been submitted that does not include the set-back extension with a staggered roof. This revised proposal appears a more appropriate design and one that I support.

I also have no objection to the proposal to render the front of the property.

Regards,



2 January 2014

Re: 44 Naunton Park Road,

We are writing in support of the proposal submitted by [REDACTED] to extend and improve 44 Naunton Park Road.

Having looked at the new plans we are happy to support these proposed revisions to the previously approved plans. Living across the road from the property, we can see that it is in need of improvement both in structure and appearance, and we agree with Tim & Ali that the set-back first floor and awkward roof shape would be far less satisfactory than what is now proposed.

We prefer the look of the proposed roof shape and insulating render to the whole house rather than just parts of it.

Regards,

[REDACTED]

[REDACTED]

67 Naunton Park Road
Cheltenham
GL53 7DG

46 Naunton Park Road
Cheltenham
GL53 7DQ

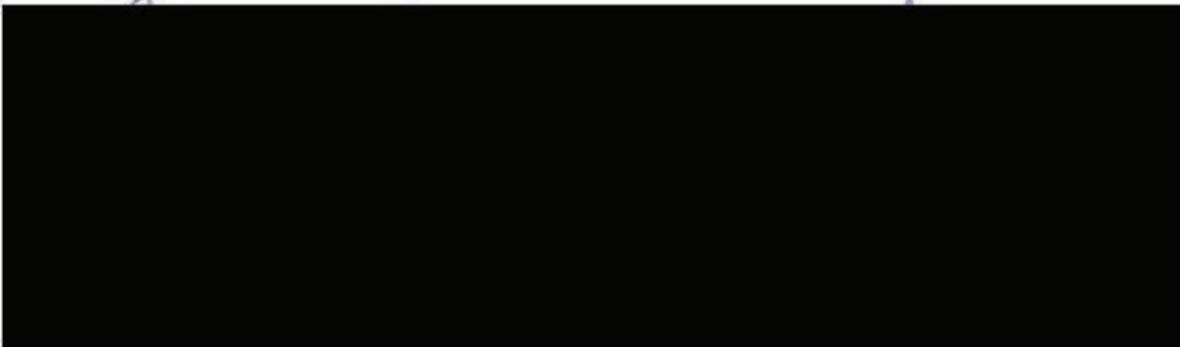
4th January 2014

Dear Sir/Madam,

I write at the request of Tim and Ali Collard, our next-door neighbours, regarding their recent application to amend the planning permission on their property.

We support and prefer the new proposal for the first floor of the extension to be aligned with the rest of the front of the house. From our viewpoint, this is preferable to the set-back first floor and stepped roof.

Regards,



113 Old Bath Rd
GL53 7DE

6 January 2014

To CBC Planning

Re: 44 Naunton Park - Mr + Mrs Collard
Revision to 11/01575/FUL

I do not object to the extension provided any windows facing my property are frosted. At present all my neighbours can see into the windows upstairs of my house.

Yours faithfully



40 Naunton Park Road
Cheltenham
GL53 7DQ

31/12/13

Dear Sir/Madam,

Re No.44 Naunton Park Road

I write at the request of Tim and Alison Collard (our next-door neighbours) regarding their recent planning revision application.

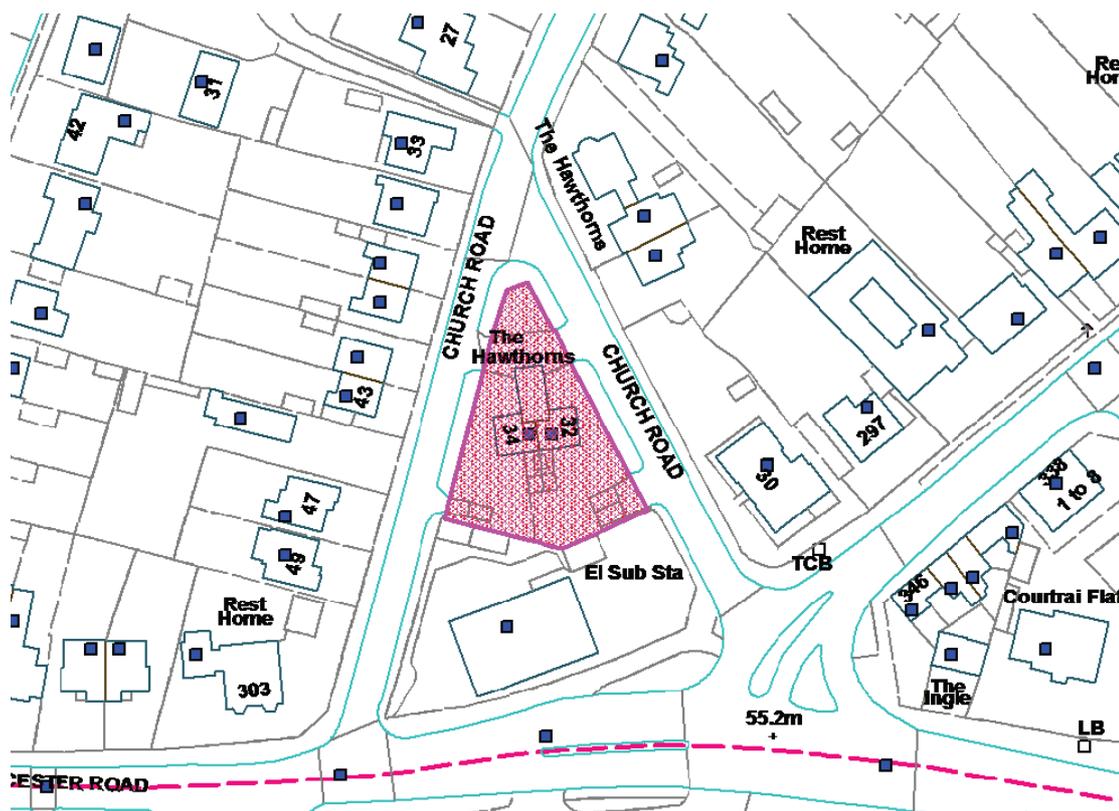
We have no objection to the latest proposal and are happy to support their application.

Kind regards,

[Redacted signature block]

APPLICATION NO: 13/02139/FUL		OFFICER: Mrs Emma Pickernell	
DATE REGISTERED: 18th December 2013		DATE OF EXPIRY: 19th March 2014	
WARD: St Marks		PARISH:	
APPLICANT:	New Dawn Homes		
AGENT:	Stanley Partnership Architects		
LOCATION:	32 Church Road St Marks Cheltenham		
PROPOSAL:	Redevelopment of site comprising the erection of 6no. 1 bed apartments and 5no. 3 bed houses		

RECOMMENDATION: Permit



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 comprises a roughly triangular plot which currently accommodates the old police station building. Church Road adjoins to the east and west of the site and the Triumph motorbike show room adjoins to the south. The surrounding area is generally residential in use and character.
- 1.2 This application proposes the demolition of the existing building and the redevelopment of the site for residential purposes. The proposal involves the erection of a terrace of 5 no. 3 bed houses with integral garages along the eastern edge of the site. 6 no. 1 bedroom flats are also proposed, accommodated in two blocks, one in the northern corner of the site, linked to the terrace of housing and one in the south east corner of the site.
- 1.3 In total the scheme provides for 11 dwellings and a total of 19 parking spaces (including 5 garages). The site area is 0.1ha and as such the density equates to 110 dph.
- 1.4 The planning history of this site is particularly pertinent. Two separate schemes have extant consent and therefore represent fall-back positions. These are as follows:

Scheme A - 11/01196/FUL

This application was for 5 no. 3 bed houses and 5 no. 1 bed apartments, a total of 10 dwellings and a density of 100 dph. (The scheme was amended during the course of the application – it was originally for 5 no. 3 bed houses, 7 no. 1 bed apartments and 1 no. bedsit – a total of 13 dwellings). 19 Parking spaces were provided (including 5 in garages). This application was refused by planning committee for the following reason:

“This proposal is a high density scheme which by over-developing the irregularly-shaped site with a tall flat-roofed block of buildings, untypical of the locality, fails to complement and respect the essential unity of design and character within the current street scene. The proposal is therefore not compliant with Policy CP7(c) of the Cheltenham Borough Local Plan (2006).”

An appeal was made against this refusal and the appeal was allowed. In their decision the Inspector stated that there was no ‘essential unity’ to the design and character of the street scene. They go on to state the proposed buildings would not be starkly different in height and scale than those which surround the site. They also stated that the density was not inappropriate given the densities of 130 and 138 dph at The Hawthorns and 30 Church Road.

The scheme differed from the current application in that the buildings had flat roofs and the south eastern block had two storeys.

Scheme B - 12/00245/FUL

This application was for 7 houses therefore providing a density of 70dph. Each house would have two parking spaces therefore a total of 14 spaces (5 provided in integral garages). This application was approved by committee following the refusal of the above mentioned application but in advance of the determination of the appeal.

The application was for a terrace of 5 dwellings in the same location as those currently proposed and two detached dwellings in the location of the two proposed elements containing 3 flats each. All of the buildings were three storeys in height and had mansard roofs.

Current scheme

The current scheme essentially involves a hybrid of the two approved schemes. It comprises a mixture of houses and flats, as did Scheme A. It is all three storeys in height, as was Scheme B. The roof forms are generally mansard, as per scheme B, however with the block in the northern corner of the site being flat roof as per scheme A. The level of parking is the same as with Scheme A. The level of accommodation provided is as per Scheme A but with one additional one bedroom flat. The footprint of the buildings are generally as approved however the unit in the south east corner is 1 – 3m deeper into the site. The materials are generally as approved in Scheme B but with the northern block is now proposed to be of grey brick as opposed to render.

- 1.5 This application has been called to committee by Cllrs Coleman and Holliday who consider that the application should be considered by committee as previous schemes have. In addition Cllr Holliday has stated that *“the overdevelopment of the site, lack of provision of adequate parking on the site, overlooking into nearby properties and safety issues regarding additional traffic are major issues”*

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

None

Relevant Planning History:

11/00637/PREAPP 4th October 2012 CLO

Erection of 9 dwellings. Demolition of police houses No's 32 and 34

11/01196/FUL 16th December 2011 REF

Redevelopment of site involving the demolition of the existing former police buildings and the erection of 5 no. 3-bed houses and 5 no. 1-bed apartments

12/00245/FUL 23rd March 2012 PER

Erection 6no 3 bed houses and 1no 4 bed house following demolition of existing buildings

13/01896/FUL 17th December 2013 WDN

6no. 1 bed Apartments

11/00637/PREAPP 4th October 2012 CLO

Erection of 9 dwellings. Demolition of police houses No's 32 and 34

87/01480/GF 21st January 1988 PER

Change Of Use From Residential To Office

93/00198/LZ 29th April 1993 PER

Retention Of Use As Offices

11/01196/FUL 16th December 2011 REF

Redevelopment of site involving the demolition of the existing former police buildings and the erection of 5 no. 3-bed houses and 5 no. 1-bed apartments

12/00245/FUL 23rd March 2012 PER

Erection 6no 3 bed houses and 1no 4 bed house following demolition of existing buildings

13/01896/FUL 17th December 2013 WDN

6no. 1 bed Apartments

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
HS 1 Housing development
HS 2 Housing Density
RC 2 Youth and adult outdoor playing facilities
RC 6 Play space in residential development
TP 1 Development and highway safety
TP 6 Parking provision in development

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

Glos Centre for Environmental Records

19th December 2013

A Biodiversity Report has been received which outlines all sightings of protected species in the area. There have been none within 100m of the site.

GCC Highways Planning Liaison Officer

10th January 2014

I refer to the above planning application received here on 17th December 2013 with Plan No: 1238(SK)001.

I note the local residents objections on highway/parking grounds, but a number of permissions have granted previously on this site and these do need to be taken into consideration when assessing the valid 'fallback position' - this is what the site can already be used for without the need for further planning permissions.

The most recent permission on the site, ref no 12/00245/FUL, was for the erection of 6no 3 bed houses, and 1no 4 bed house, permission was granted on 22nd March 2012, therefore that permission is still extant, i.e. can still be implemented. The Highway Authority (HA) did not raise an objection to that proposal subject to a number of conditions being attached to any permission granted, those 7 houses were served by 14 car parking spaces, 5 of which were garages.

Perhaps of greater relevance to this current application is the proposal for 5no 3 bed houses, and 5no 1 bed apartments (ref no: 11/01196/FUL). That proposal had a total of 19 car parking spaces associated with it, 10 for the houses (5 of which were garages), with 9 available for the 5 flats, as shown on plan no 1170(SK)018(A). This proposal was refused by the LPA on 15th December 2011 on planning grounds, the HA did not object to the proposal. That refusal was appealed by the applicant, with the appeal being allowed on 14th May 2012, therefore there is still an extant permission on the site for 5no 3 bed houses and 5no 1 bed apartments with 19 car parking spaces on the site.

Page 157

The Inspector addressed the highway concerns in paragraph 16 of his response, 'I have had regard to the local concerns expressed about parking and highway safety, but I see no reason to disagree with the Highway Authority which offered no objection subject to conditions being imposed'.

The current proposal is very similar to that allowed at appeal, albeit with an additional 1 bed apartment, the total number of car parking spaces being retained is 19. 5 spaces and 5 garages are once again proposed for the houses as per the previous permissions, a total of 9 car parking spaces are available for the 6no 1 bed apartments. The Communities and Local Government document 'Residential Car Parking Research' would suggest that for flats of such a size and at such a location the average car ownership would be between 0.7-1.1 per flat, therefore the provision for 1 space per flat plus 3 additional parking spaces is considered appropriate for the scale of development.

Notwithstanding this, given the extant permissions, and after undertaking numerous site visits at different times of the day the Highway Authority do not believe that an additional one or two vehicles parking on the adjacent unclassified highway can be considered severe or significant. The National Planning Policy Framework states that although a safe and suitable access still needs to be provided, 'development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe'.

As per the previous appeal, both cycle and refuse storage has been provide for the apartments.

Thus, it is for these reasons I recommend that no highway objection be raised subject to the following conditions being attached to any permission granted:-

1) Prior to occupation of the proposed dwellings the vehicular accesses shall be laid out and constructed in accordance with the submitted details and thereafter similarly maintained.

REASON: To ensure a satisfactory means of access is provided and maintained in the interests of highway safety.

2) The car parking (including garages and car ports where proposed) serving each dwelling shall be completed in all respects in accordance with the submitted details shown on drawing No. 1238(SK)001 prior to the occupation of that dwelling and shall be similarly maintained thereafter for that purpose.

REASON: To ensure that adequate off-road parking is provided.

3) No construction works shall commence on the development hereby permitted until provision has been made within the site for a temporary car parking area for site operatives and for the storage of materials, and such provision shall be maintained for the duration of construction works.

REASON: To reduce potential detrimental impact on the public highway, in the interests of highway safety.

INFORMATIVE:

The proposed development will involve the provision of vehicular crossovers and the applicant/developer is required to obtain the permission of Gloucestershire Highways on 08000 514 514 before commencing those works.

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.

Architects Panel

5th February 2014

2. Is the Information sufficient to understand the application?

Although the information is reasonable for the new buildings the scheme would benefit from a better understanding of the buildings opposite.

3. Comments on the Application

The scheme appears to be a reworking of an earlier proposal which we questioned due to its overall massing on the site and the proximity to each of the different built elements. The current scheme sets a terrace of houses with 2 blocks of apartments. We believe the 3 elements appear very tight on the site and this is highlighted by the close proximity between habitable rooms and neighbours. The vertical scale is appropriate but the stepping of the terrace would be more successful if the steps were increased. Aesthetically the contemporary approach is suitable and the scheme could work if the issues with overlooking and perceived density are overcome.

4. Summary

We could not support the scheme in its current

Civic Society

10th February 2014

We think that this is an appropriate solution for a difficult site, and we support it. We like the contrast between the flats and the terrace.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	31
Total comments received	19
Number of objections	18
Number of supporting	0
General comment	1

5.1 The application was publicised by way of letters to neighbouring properties, a site notice and a notice in the local newspaper. 19 responses have been received along with a copy of a petition submitted against Scheme A. The objections raised relate to the following issues:

- Overdevelopment
- Highway Danger/ loss of visibility/ request for changes to traffic lights
- Congestion
- Lack of parking and impact of this on church, too many parking spaces accessed from one road frontage

- Overbearing impact
- Loss of privacy
- Relocation of telegraph poles and street lights
- Previous concerns still exist
- Design out of character

6. OFFICER COMMENTS

6.1 Determining Issues

The principle of residential development on this site has already been established and as such the key issues in determining this application are considered to be (i) design and layout, (ii) impact on neighbouring properties, (iii) parking and highways issues

6.2 The site and its context

The site is a roughly triangular site which currently accommodates a relatively unattractive building which was formerly in use as a police station. It is now vacant and has fallen into disrepair.

The context comprises a mixture of building styles and forms. Immediately to the south is the single storey Triumph show room and its parking area. To the east is 30 Church Road; a 3.5 storey rendered building with a pitched roof in use as flats. To the north east is 28 – 26 Church Road, a 2.5 storey pitched roof building with a linked 4 storey flat roof building attached, in use as flats. To the north west are a small number of hipped roof bungalows and to the west are primarily two storey semi-detached houses with hipped roofs and detached gable roof properties.

6.3 Design and layout

The proposal takes elements of its design from both of the schemes which benefit from extant consents. The proposal includes the mansard roofs which were included in scheme B although the block on the northern corner of the site has a flat roof, as allowed on Scheme A. This approach is considered to be appropriate. The flat roof block on the corner picks up on the flat roof design of 26 Church Road and provides a focus to this corner as well as resolving the two road frontages. The use of this block as flats rather than houses means it is easier for the building to address these two frontages. It is considered that the western elevation of this block could be improved in order to provide more articulation. Officers have asked the architect to amend the plans in this respect and members will be updated upon any revised plans received.

The remainder of the elements of the proposal have mansard roofs as approved through scheme B which members approved. This mix of roof styles is considered to be an appropriate way to accommodate a mixture of houses and flats in a manner which respects the context of the site.

Officers have asked the architect to look again at the front elevation of the block in the south eastern corner of the building in terms of recessing the entrance area to provide some relief to the building. This matter will be updated.

The materials proposed are broadly similar to those approved although the flat roof block would now be of grey brick. This is considered acceptable in principle although the exact brick, along with all other materials will need to be agreed.

Bin storage spaces are proposed within a landscaped front garden for the houses and within communal walled areas for the flats.

The proposal does represent a slight increase in the density of the scheme through the addition of 1 flat. Furthermore the overall footprint of the proposal has slightly increased through the enlargement of the south east block. However neither of these factors are considered to render the scheme unacceptable. The scheme is relatively dense and this has been commented upon by the Architects Panel. However this in itself does not mean that the proposal is unacceptable. The density is comparable with the surrounding area and the design and layout is considered to be acceptable and for these reasons the proposal is considered to be in accordance with Adopted Local Plan Policies CP 7 Design, Development on garden land and infill sites in Cheltenham (2009) and the National Planning Policy Framework.

6.4 Impact on neighbouring property

The heights of the buildings are the same as the approved schemes. The relationships between habitable rooms within the scheme and on existing surrounding residential properties are also the same. The proposal has resulted in the introduction of windows on the rear elevation of the block in the south east corner which may result in an increased degree of inter-visibility between the proposed dwellings, albeit at a slightly oblique angle. The architect has been asked to look at ways of resolving this matter and an update will be provided.

In all other respects the relationship between properties is very similar to the approved scheme which met all the relevant criteria in relation to distances between properties. As such the impact on neighbouring properties is considered to be acceptable and therefore the application is considered to be in accordance with Adopted Local Plan Policies CP 4 Safe and sustainable living, Development on garden land and infill sites in Cheltenham (2009) and the National Planning Policy Framework

6.5 Access and highway issues

As highlighted above this application, in terms of the ratio of accommodation to parking spaces, is very similar to that of Scheme A, albeit with the introduction of one additional flat. 19 parking spaces are proposed which would allow for two parking spaces per terraced house, one parking space per flat and three additional visitor parking spaces. This is considered to be an appropriate level of parking provision and no objection has been raised by the Highways Officer. For these reasons it is considered that the parking and highways situation is considered to be acceptable and therefore the scheme is in accordance with Adopted Local Plan Policies CP 5 Sustainable Transport, TP 1 Development and highway safety & TP 6 Parking provision in development, Development on garden land and infill sites in Cheltenham (2009) and the National Planning Policy Framework.

Some cycle parking provision is shown on the layout, however this appears to provide space for 3 bicycles. As such it is considered appropriate to attach a condition requiring a scheme for cycle parking provision to be submitted.

7. CONCLUSION AND RECOMMENDATION

- 7.1 The scheme is considered to represent an acceptable amalgamation of the two schemes which have consent. The combination of mansard roofs and flat roofs is considered to be a good compromise between the two schemes. The slight increase in footprint and the introduction of one addition flat is not considered to result in any adverse impacts. Some amendments have been requested which were not available at the time of writing the report and these matters will be updated. Subject to the satisfactory resolution of these matters the proposal is considered to be acceptable and is therefore recommended for approval.

8. 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 1238(SK)001, 002, 003, 004, 005 and 006 received 17th December 2013.
Reason: To ensure the development is carried out in strict accordance with the approved drawings.
- 3 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) Windows including heads, cills and reveals;
 - b) All external doors;
 - c) Balconies and Balustrades
 - d) Roof details including eaves and overhang

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.

- 4 Prior to any construction work above ground level, and notwithstanding any suggested materials within the application documents 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 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 occupation of the proposed dwellings the vehicular accesses shall be laid out and constructed in accordance with the submitted details and thereafter similarly maintained.

Reason: To ensure a satisfactory means of access is provided and maintained in the interests of highway safety in accordance with policy TP1 of the Local Plan.

- 7 The car parking (including garages and car ports where proposed) serving each dwelling shall be completed in all respects in accordance with the submitted details shown on drawing No. 1238(SK)001 prior to the occupation of that dwelling and shall be similarly maintained thereafter for that purpose.

Reason: To ensure that adequate off-road parking is provided in accordance with policy TP6 of the Local Plan.

- 8 The proposed dwellings shall not be occupied until the existing frontage boundaries either side of the vehicular access have been removed/lowered to provide visibility splays extending from a point 2.4 metres back from the carriageway edge along the access centre line to a point on the nearside carriageway edge 40 metres distant in each direction. Any new boundary, fence or other enclosure shall be erected on or behind the splay lines so defined, with the area in advance maintained permanently clear of obstructions to visibility at a height not exceeding 0.6 metres above the adjacent carriageway level.

Reason: To ensure that adequate visibility is provided and maintained in the interests of highway safety in accordance with policy TP1 of the Local Plan.

- 9 The bin storage areas shown on the approved plans shall be completed prior to the first occupation of the development and thereafter kept free of obstruction and available for the storage of bins and recycling facilities only.

Reason: To ensure that adequate provision and availability of bin storage in accordance with Local Plan Policy CP7 of the local plan.

- 10 Prior to its implementation, a landscaping and planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a survey of all existing trees on the land showing the size and species and identifying those trees, if any, it is proposed to remove. In addition it shall show in detail all proposed tree and shrub planting, hard surfacing (which should be permeable or drain to a permeable area) and areas to be grassed. The approved landscaping proposals shall be carried out no later than the first planting season following the date when the development is ready for occupation or in accordance with a programme agreed in writing with the Local Planning Authority. All planted materials shall be maintained for 5 years after planting and any trees or plants removed, dying, being severely damaged or becoming seriously diseased within this period shall be replaced with others of similar size and species to those originally required to be planted.

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.

- 11 Prior to their construction/installation, a detailed scheme for boundary walls, fences or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority and the boundary walls, fences or other means of enclosure shall be erected before the development hereby permitted is first occupied.

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 Policy CP7 relating to design.

- 12 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.

- 13 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.

- 14 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.

- 15 Prior to the commencement of development, details of secure and covered cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. Prior to first occupation of the development, the cycle parking shall be completed in all respects and thereafter kept free of obstruction and available for the parking of cycles only.

Reason: To ensure adequate provision and availability of cycle parking in accordance with Local Plan Policy TP6 relating to parking provision in development.

- 16 No development shall take place, including and works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i) the parking of vehicles of site operatives and visitors
- ii) locating and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) wheel washing facilities, and
- v) measures to control the emission of dust and dirt during construction.

Reason: To ensure that the proposed works do not cause harm to the amenity of the adjoining land users during demolition and construction in accordance with local plan policy CP4.

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

Page 164

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: 13/02139/FUL		OFFICER: Mrs Emma Pickernell	
DATE REGISTERED: 18th December 2013		DATE OF EXPIRY : 19th March 2014	
WARD: St Marks		PARISH:	
APPLICANT:	New Dawn Homes		
LOCATION:	32 Church Road, St Marks, Cheltenham		
PROPOSAL:	Redevelopment of site comprising the erection of 6no. 1 bed apartments and 5no. 3 bed houses		

REPRESENTATIONS

Number of contributors	19
Number of objections	18
Number of representations	1
Number of supporting	0

27 Church Road
 St Marks
 Cheltenham
 Gloucestershire
 GL51 7AL

Comments: 6th January 2014

I write to strongly object to this third application for the former Police site. My reasons for objecting remain for the previous application for fewer dwellings.

1. Over development of the site creating a density that is not in keeping with the surrounding properties.
2. The development would be out of keeping with the local area and adversely affect the present street scene.
3. Living in the area we have witnessed a number of traffic accidents in this location, and believe that the indicated parking allowance is insufficient, leading to an increase in on street parking.

Gainsford Cottage
 45 Church Road
 St Marks
 Cheltenham
 Gloucestershire
 GL51 7AL

Comments: 6th January 2014

Letter attached.

St Marks Church
 Church Road
 St Marks Cheltenham
 Gloucestershire
 GL51 7AL

Comments: 7th January 2014

My first concern is that we have not had any notification of this development through the post and only heard about it from a resident at the very last minute.

As the administrator of St Marks Church, I daily experience problems with the many cars parked on both sides of Church Road which is used by people commuting from the railway station as well as other places of work. I am very concerned that this development will result in at least 11 if not more cars needing to park in the road with only 5 spaces available off road. The position of the development near the end of the road will exacerbate the difficulties as people will park in the road near the junction causing problems for those turning into and out off Church Road. In view of the fact that the smaller development was refused I cannot see why this has been considered.

10A Church Road
St Marks
Cheltenham
Gloucestershire
GL51 7AN

Comments: 8th January 2014
Letter attached.

51 Devon Avenue
Cheltenham
Gloucestershire
GL51 8BY

Comments: 23rd January 2014

I wish to express my concerns regarding the above application and wholeheartedly support the objections raised with yourselves by residents. I will not repeat those concerns as they are already well documented.

However, the overdevelopment of the site, lack of provision of adequate parking on the site, overlooking into nearby properties and safety issues regarding additional traffic are major issues.

I would urge the committee to strongly consider residents valid objections and refuse this application.

24 Church Road
St Marks
Cheltenham
Gloucestershire
GL51 7AN

Comments: 7th January 2014

Like many other Church Road residents I have received no official notification of this new application for the development of the site at 32 - 34 Church Road; despite the fact that my house is located only two doors away from the site and I have submitted objections to the two previous development applications.

My objections remain the same as before: FAR TOO MANY DWELLINGS IN SUCH A SMALL SPACE. The resulting car parking and traffic flow problems will be horrendous. The flat roof design proposed for the properties is totally out of character with the neighbourhood and will stick out like a sore thumb. (It is worthy of note that the design bears no resemblance to the tasteful promotional material currently on display at the site!

28 Church Road
St Marks
Cheltenham
Gloucestershire
GL51 7AN

Comments: 6th January 2014

I strongly oppose this latest submission that aims to secure permission to build an even greater number of dwellings than previously refused applications. My specific objections are:

1. Parking. Church Road is already congested and it was acknowledged that the development envisaged in the original application would exacerbate in-road parking issues; increasing the number of houses further will only make this parlous situation considerably worse. Specifically for us, turning into our driveway will be made much more difficult.

2. Privacy. Our house will be directly overlooked by the 3-storey apartment block, eroding our privacy considerably - the addition of balconies in this latest revision of the plans would make this much worse.

3. Traffic. The addition of a 6-foot wall at the apex of an already dangerous junction will pose a clear traffic hazard. This has been clearly demonstrated by the thoughtless positioning of the advertising hoarding at this very position, restricting the view of oncoming traffic and making turning at the junction considerably more difficult - a wall will be even worse!

The timing of the application over the Christmas and New Year holidays is concerning; it demonstrates a cynical approach to securing planning permission and a disregard for local residents.

Flat 2
The Ferns
30 Church Road
St Marks
Cheltenham
Gloucestershire
GL51 7AN

Comments: 29th December 2013

I would like to request that the filter light to turn right onto Gloucester Road from Lansdown Road be increased in view of the increased traffic that would result from this, and the recent change to access direct to Church Road from the Lansdown Road. At present the junction doesn't always allow access to our road, and you can get stuck in the middle, which is potentially dangerous.

47 Church Road
St Marks
Cheltenham
Gloucestershire
GL51 7AW

Comments: 6th January 2014

I was disappointed to discover that there has been another planning proposal for the site in Church Road. I am pleased that the site is being developed and that the old derelict police houses are being replaced. However, I have some concerns regarding the high density of the housing and the resultant parking problems.

High Density of Occupation:

The planning application is attempting to squeeze a large number of houses onto a very small plot of land to the detriment of the surrounding area and community. The original successful appeal 11/01196/FUL was for 5 x 3 bedroom houses and 5 x 1 bedroom flats. The new plans 13/02139/FUL add an extra 1 bed flat, which could result in an extra two people and two cars. The density of occupancy will be much higher than the majority of the surrounding properties. This will result in extra traffic and increased roadside parking in an area where these issues are already a problem.

Parking:

I believe that the high density of housing on such a small area of land will lead to an increase in parking on the surrounding roads.

Document 'REFUSED REVISED PROPOSED PARKING ALLOCATION' attached to the successful appeal 11/01196/FUL shows that there are 19 car parking spaces (including garages) for 5 x 3 bedroom houses and 5 x 1 bedroom apartments. The new planning application 13/02139/FUL adds another 1 bedroom apartment, but still retains the same 19 car parking spaces. So, there are potentially two extra people and two extra cars, but no extra car parking spaces. This does not even address an increase in visitors.

Overall, the development does not appear to include enough car parking spaces for the number of occupants. The flats have a double bedroom and a study and so could easily accommodate 2 people with 2 cars. A total of 9 parking spaces have been provided when there could be 12 cars.

It is also reasonable to suggest that each of the 5 x 3 bedroom houses could have two cars associated with them. The plans suggest that the 3 bedroom houses will use their garages to park a car. However, it is often the case that garages are not used for parking due to the inconvenience of manoeuvring a car into the garage and also accessing the car in the garage when there is a car parked on the space in front of it. Therefore, the overspill will inevitably end up parked in the street.

Where will visitors park? There are no allocated visitor spaces for the flats, so this will exacerbate the parking problem.

Church Road is very narrow and if parking worsens and cars park on both sides of the road, there will not be enough room for refuse trucks and emergency vehicles to pass. Extra parking will also make it difficult for me and other property owners in the surrounding area to access our driveways.

Change in Distribution of Parking:

The successful appeal 11/01196/FUL plans split the housing facades more evenly over the two different sides of the plot as one of the 3 bedroom houses faces in the opposite direction to the other 4 x 3 bedroom houses. This means that parking is more likely to be split over the roads on the East and West sides of the plot. The new plans for application 13/02139/FUL propose that all the 5 bedroom houses face towards the West and also move an extra car parking space for the flats on to that side. Therefore, it is likely that most of the parking problems will affect the road on that side, concentrating the problem in one area instead of splitting it more evenly between the East and West sides, and similarly exacerbated with visitors.

Finally, I would like to raise the fact that letters were sent out to local residents over the Christmas holidays. Many people go away over the holidays, so it may be that not everyone has had the chance to reply or had time to give such a considered response as they may have done. Also, I have not seen planning notices erected in the local area. Apologies, if I have missed them, but if they have been omitted, then the proposals may not have reached as many of the local residents as they could have done.

39 Church Road
St Marks
Cheltenham
Gloucestershire
GL51 7AL

Comments: 6th January 2014

Having only received the latest advisory of plans on the 20th Dec with a response date of the 7th Jan I cannot but help feel suspicious. Is this a ploy to minimise community feedback in the hope everyone is away for Christmas!

We strongly oppose these plans for 3 reasons:

1) Over Development

The previous application was REFUSED by committee based on the over density of the proposed plans. This was based on 5 Flats and 5 houses. These new plans are for the same amount of houses BUT 6 flats. This is a gross overdevelopment for such a small piece of land. The flats by virtue of their height, width, depth and location will dominate the plot and therefore have a daily detrimental effect to our and surrounding properties including in our case the lack of privacy given the apartment windows look straight into both our young daughters bedrooms and our living room. Furthermore we will experience reduced levels of daylight through our property, increase in noise and night time light pollution. Surely the existing plot cannot cope where once there was accommodation sufficient for two families, with now up to 40 people. This level of density cannot be tolerated in a non-city centre environ.

2) Lack of Parking

The lower end of Church Road is already a very busy road with Parking on both sides including the existing pavement areas around the existing plot. This is further compounded on Church Service days also when there are events not just at the church but at the Triumph garage. When this development goes ahead the new residents must be forced to use their garages as previous granted applications for this site have suggested. I request the planning committee visit church road on a Sunday morning to see the lack of parking there currently is.

3) Increase Traffic

The current plan with the proposed vehicular access intended would mean hazardous turning movements close to a major junction as a result of the newly configured lower end of Church Road where you can no longer turn right into from the Gloucester Road (opposite TGI s)

In the light of the outcome of the previous applications, and the general controversy surrounding these plans, I would like to request that any new application for this site from these developers is considered by the full Planning Committee. We are a family focused road in church road and have a tremendous community feel and spirit which the road prides itself on and whilst we all welcome the site being redevelopment we mustn't lose the community we have by shoe-horning in 1 bed flats instead of very much needed family homes.

37 Church Road
St Marks
Cheltenham
Gloucestershire
GL51 7AL

Comments: 7th January 2014

Letter attached.

49 Church Road
St Marks
Cheltenham
Gloucestershire
GL51 7AW

Comments: 7th January 2014

I would like to reiterate my comments in my previous letters dated 12th September, 14th November and 21st November 2011 regarding the redevelopment of the above site. The fact that there is now 2 apartment blocks being proposed will exacerbate the problems with car parking and more traffic on the roads in the vicinity of this development. We believe potentially this will also exacerbate the already known problem of being able to easily access drives safely. We are aware there is a shortage of affordable properties close to town but surely something more in-keeping to the area i.e. just houses would be more beneficial to all concerned.

35 Church Road
St Marks
Cheltenham
Gloucestershire
GL51 7AL

Comments: 6th January 2014

Firstly I would like to make the point that although we have had the official length of time to respond to this application I do not think it fair to count all the public holidays over the Christmas period in the allocated time. I think we should have been given longer than normal or wait until the New Year. If we were trying to contact, find out about and converse with the council it would not have been possible as they were on holiday, as were many of the residents.

As a revision to the previous planning application I would expect only minor changes. However adding an additional dwelling I would say is a major change. At the hearing of a previous application for this site the councillors voted against it due to a too high density of population and the developers did reduce this as a result. Now with this revision it has increased again. Surely this should be rejected in the same way.

Now all of the 3 bed houses are facing the same way and so will have access to the same road the issues of safety as driving round, parking, reversing off drives will be more severe. The highways agency have obviously realised that this corner is dangerous considering the recent changes to the junction at the end of church road and Gloucester road. More cars and traffic are only going to aggravate the problem.

From the plans drawn up it seems that the building is going to extend onto the wider pavement at the tip of the plot where the 2 roads meet. It is already hazardous driving around that corner because of the angle of the junction. If the development extends over the pavement and the wall that is drawn on the plans does get built it will significantly restrict the view round the corner.

As a member of St. Mark church I have in the past informed the church congregation of the plans for the site as this will severely affect their parking for Sunday services as well as the many other times in the week that it is used by church members and otherwise. Many have expressed a concern and objected to the last plans. However this time due to the unfortunate timing, for us, of the letter I have not been able to let the congregation know of the plans. Therefore I pass on the objection from the congregation as well.

41 Church Road
St Marks
Cheltenham
Gloucestershire
GL51 7AL

Comments: 5th January 2014

We live opposite the proposed redevelopment of 32 and 34 Church Road and therefore will be significantly affected by the proposed scheme.

The comments on record show that there is no unreasonable opposition to a development taking place. For example, a development incorporating 2 or even 3 good quality homes in the space available is likely to be quite welcome.

The Church Road residents who will be affected by the current proposal are being quite realistic in their appraisal of the obvious consequences of the current scheme receiving planning approval. If this scheme to squeeze eleven new families into such a small urban space is approved and completed, it must be accepted that any problems created, for either the established or new residents, will be of no concern to the Developer. An approved planned development entails approved planned consequences for the community.

Specifically, we object to the proposal on the following grounds:

The original proposal, which went to appeal, was for 5 x 3 bedroom houses and 5 x 1 bedroom apartments. The current proposal has increased this to 6 x 1 bedroom apartments.

The proposed buildings will be 3 storeys high, and will overlook our 2 storey house (and neighbouring houses) with the consequent loss of privacy.

The density of the development will mean a significant increase in traffic and parking problems. Church Road is already a congested area, with the road used for parking for the church, railway station, and the hotel and restaurant nearby, as well as residents. The 3 bedroom houses (and possibly the one bedroom apartments) are likely to have 2 cars per household, which means a potential increase of 22 cars in this small area. Whilst we note that there is provision for garages and parking, most people use their garages for storage, and there is not provision for parking spaces for 22 cars (and none for visitors). This means that people living in the development will park on the road, in an already congested area. Delivery vehicles often have trouble accessing houses in the road already. The police leafleted parked cars in Church Road last year highlighting the difficulties of parking, and the fact that emergency vehicles would not be able to access Church Road because of parking on both sides of the road. The development will make an existing problem far worse and possibly dangerous.

Finally, we would like to comment on the timing of the proposal and letter to residents. The letter arrived just before Christmas, in an envelope that looked as if it was advertising material, and could have easily been discarded amongst other Christmas post. We would respectfully suggest that letters are sent out again to residents for comment on the proposal, clearly marked to indicate that they are related to the proposed development.

33 Hatherley Lane
Cheltenham
Gloucestershire
GL51 6PN

Comments: 7th January 2014

I work at St Mark's Church so I am in the vicinity of this site many times during the week. Already there is pressure on parking along and access to Church Road. This is a fairly small site so to put

so many new properties on to it will cause excessively more problems. Already, access to and from the A40 has been recently substantially curtailed because of traffic hazards in the area. Further down Church Road, both because of increased volume of traffic and cars (from commuters using the station) parking along Church Road and Fairmount Road, it is already dangerous trying to exit from Fairmount Road into Gloucester Road to turn right and get back on to the A40. It's only a matter of time before there will be accidents at more intersections in this area.

I understand that planning permission to develop this site less heavily has already been refused, so why has a further application for even more homes been allowed?

I have been passing that empty property on the site for a long time and it is only very recently that a board went up at all and it remained completely bare for a while. So it would seem that the developers don't want people to know what they're up to. Such subterfuge is deliberately underhand in my opinion.

I hope the authorities will seriously reconsider this application.

8 Church Road
St Marks
Cheltenham
Gloucestershire
GL51 7AH

Comments: 6th January 2014

I am a resident of Church Road and have made representations to the Council in respect of previous planning applications for this property. I am making this objection in some haste since I was only alerted to this latest application by another resident of Church Road on 6th January 2014; no information was provided to me by the Council.

I wish to object to this application on the following grounds:

- (i) that the Council has failed in its duty to consult local residents, since it failed to consult me personally despite my having raised previous objections;
- (ii) that the Council has failed in its duty to provide adequate time to make representations;
- (iii) that the same planning reasons which I put forward in 2011 to reject this development (and which the Council accepted when it rejected that application) are still relevant to this application. I therefore repeat my previous objections which will be on file.

I further wish to draw the attention of the Council that the record at the Land Registry (ref GR287899) relating to the transfer of this property to the current owners on 20 September 2011 contains the following statement "The Transfer to the proprietor contains a covenant to observe and perform the covenants referred to in the Charges Register and of indemnity in respect thereof". A summary of the restrictive covenants is contained in the Land Registry record. I have extensively researched the details of this restrictive covenant, which are dated 1851 and 1927 and are clearly still in force.

I therefore believe that the proposed development is in contravention of these restrictive covenants, and should not proceed until the legal force of the restrictive covenants is confirmed.

9 Drayton Close
Cheltenham
Gloucestershire
GL51 9QB

Comments: 6th January 2014

I oppose this 3rd application from the developers with the strongest objection having seen the plans for this small plot. Whilst not a neighbour to this plot (I feel sorry for those that are!), I will be affected as a regular visitor to Church Road. It is already very hard to park on service days and nigh on impossible to park for the mother and toddler Thursdays. I took my husband to bell ringing prior to Christmas on Monday night and I ended up parking on Griffiths Avenue - it was that busy with cars parking both sides of church road.

I have to say this application nearly passed us by (where are the site notices!!) if it wasn't for a large sign advertising the development I wouldn't have looked on the internet. Furthermore I could not see a planning application for the signage which is over-sized and obscures the already dangerous junction. I am concerned that when flats are built on this junction there will be accidents either involving vehicles or pedestrians or both.

14 Griffiths Avenue
Cheltenham
Gloucestershire
GL51 7BH

Comments: 6th January 2014

As churchwarden at St Mark's Church in Church Road I am very concerned about the lack of parking available on this site. It is possible that this number of houses and apartments could require parking for around 16 vehicles when I understand that only 5 spaces will be provided.

19 Milton Road
Cheltenham
Gloucestershire
GL51 7ET

Comments: 7th January 2014

It came to my attention yesterday of the application for extension to the development of 32-34 Church Road.

As the most senior Churchwarden at St Mark I wish to respond on behalf of the parishioners with whom I have spoken, on behalf of friends who live within sight of the development and also personally.

It is unfortunate this was submitted over the Christmas period, as had this come to my attention sooner I should have been able to dwell on it longer and provide a more fully considered response. I should note that there is a feeling that this was a deliberate attempt to avoid community feedback and, whilst I'm certain it is all above-board, it does leave a feeling of grievance towards the whole project.

I should state that there are some very well thought through aspects of this project. If this were not eating into time with my family I would consider responding in a more balanced fashion with more comments.

So I must object to this application extension on the following grounds:

Page 174

1. The provision for parking in the area is already at a premium. This development will principally affect the residents of the area and make day to day parking an issue.

On top of this, at St Mark's we have provision for 395 attendees and even with half of this capacity we struggle with parking. We are already looking to consider inventive ways of helping with this issue for local residents however the reduction in parking around the area will compound the issue. This is a weekly issue on Sunday mornings and for events such as Remembrance Day, Christmas and weddings, this will have an even greater impact.

2. The design statement part 3 clause 2 does not feel like it has been met. The flat roof and square block style of the developments does not feel in keeping with the opposite housing and thus does not feel like it will enhance the area. Granted the flats opposite are not entirely dissimilar but their presence towards Gloucester road feels more respectful of the area.

3. If I'm correct, the reference to PPG3 in part 6.3 is not entirely relevant as this has been replaced by PPS3. The principle drive behind PPS3 is to provide sustainable dwellings for people in a community. Indeed community is the focal point of this document. The community aspect of this development has not been drawn out within the report and the reference to "housing density" feels inappropriate. There is clearly a place for this; however this should not be used as an argument to simply provide the developer with a route to maximising financial returns, if it comes at a cost to local residents.

Thank you for taking time to read this. I would of course be willing to be contacted and take time to meet to discuss this further on behalf of St Mark's Church if this were desirable to yourself.

14th January 2014

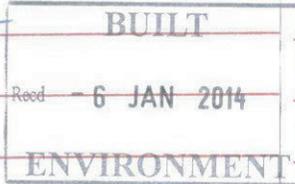
45 Church Road

St Marks

Cheltenham

Your ref: 13/02139/FUL

GL51 7AL



Dear Mrs Crews

re: Proposed redevelopment at 32 Church Road, St Marks, Cheltenham

We acknowledge receipt of your letter of the 17th December 2013.

We can only repeat the objections set out in our letters of the 12th September, 16th & 21st November 2013, copies of which are enclosed.

The reasons for the original planning application being refused still apply.

We appreciate there has to be a development on the above site, but strongly object to the present Mediterranean style design which would be totally out of character with the existing houses and bungalows.

2

We hope the Committee will again be sympathetic to our objections

Yours sincerely



Mrs Tracey Crews
Head of Planning
Cheltenham Borough Council
Municipal Offices
Cheltenham, GL50 1PP

cc. Mrs Emma Pickernell ✓
cc. Councillor Mrs ST Holliday

45 Church Road
St Marks
Cheltenham
GL51 7AL

Mr Robert Lindsey
Development Control Manager
Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham GL50 1PP

21 November 2011

Dear Mr Lindsey

Revised Plans for development of site at 32 Church Road, St Marks, Cheltenham, GL51 7AL

We write once more to strongly oppose the further revised plans relating to the above. The concerns set out in our letters of the 12th September and 14th November still stand.

The revised plans show 19 parking spaces, 10 of which are attributed to the 5 houses. It is a natural statistic that 80% of householders do not park their cars in their garages, using them mostly for storage. Common sense tells us that the 5 3-bed houses squeezed in this very small site will have very small rooms with very little storage facilities, if any, and as they have flat roofs, will have no loft space.

These houses are obviously built for family occupation and therefore it is more than likely that there will be more than one car per household with one car hopefully parked on the drive and the other inevitably on the road.

We hope the Planning Committee will be more sympathetic to our very real concerns as we residents will have to live by your decisions.

Yours sincerely



c.c. Mrs Wendy Hopkins

45 Church Road
St Marks
Cheltenham
GL51 7AL

Mr Robert Lindsey
Development Control Manager
Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham GL50 1PP

14 November 2011

Dear Mr Lindsey

Revised Plans for 32-34 Church Road, St Marks, Cheltenham, GL51 7AL

We write again to strongly oppose the revised plans relating to the above and reiterate all our concerns set out in our first letter of the 12th September, which was not acknowledged.

The reduced density of dwellings proposed is still far too excessive for the size of the plot.

Another one of our concerns is the visual impact of the proposed development. We would have hoped and expected you as a responsible Council to oppose any development that was completely out of character with its surrounding areas. Ultra modern flat roofed properties are ugly and in no way fit into the area. Something along the lines of the development on the corner of Church Road and Gloucester Road would be more in keeping.

We feel Cheltenham is on danger of losing its identity as the centre of the Cotswold with the mish mash of ultra modern houses that are sprouting up spoiling our lovely Town.

Yours sincerely



c.c. Mrs Wendy Hopkins

45 Church Road
St Marks
Cheltenham
GL51 7AL

Mr Robert Lindsey
Development Control Manager
Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham GL50 1PP

12 September 2011

Dear Mr Lindsey

Planning Ref: 11/01196/FUL – 32-34 Church Road, St Marks, Cheltenham, GL51 7AL

We write to oppose the planning application relating to the above and set out below our reasons as follows:-

1. DENSITY

Surely to build 13 dwellings on such a small site on which stand a pair of semi detached houses, is totally excessive and shows total disregard to existing residents.

2. VISUAL IMPACT

The two recent developments in Church Road blend in, to a degree, with their neighboring properties. The planned new ultra modern looking properties, especially the two blocks of flats described by the Developers as “book ends”, stand out completely dominating and overshadowing the whole area, altering the whole character of Church Road with its old Church, Edwardian type detached houses and bungalows.

3. TRAFFIC

Church Road is very much used as a through road. We cope with enough traffic which is generated by the Church with services, weddings, funerals a nursery and meetings held at the Church Hall on a regular basis. Customers from TGI Fridays, the Motorcycle garage, visitors and staff at Holly House park their cars in the road as do some train commuters who leave their cars all day. Add to that visitors to existing residents then hopefully you will appreciate that Church Road, at times, is pretty “full up”. Surely commonsense dictates that such a high density development on such a small area will generate even more traffic and parking problems, not to mention possible safety problems, causing existing residents much concern to say the least.

We hope that you will, as a Council, take note and care enough about our concerns and reconsider developing the site in sympathy with the existing community.

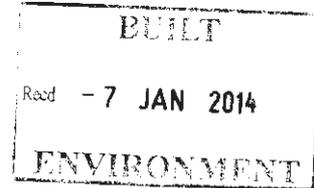
Yours sincerely


c.c. Mrs Wendy Hopkins

Robin Hollow,
10a Church Road,
St. Mark's,
Cheltenham, Glos.
GL51 7AN

07/01/2014

The Director of Planning
Cheltenham Borough Council
The Municipal Offices
Cheltenham

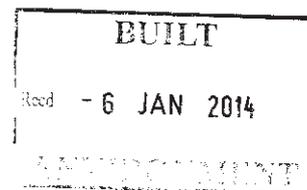


Ref. 13/02139/FUL

Dear Sirs,

We are residents in Church Road and object strongly to the way the developers of the site 32-4 Church Road have been treating the neighbours over this site. The plan involving 5 flats and five houses is quite bad enough. The request to change this plan to 6 flats and five houses should be rejected.

Yours faithfully



**Cresby
37 Church Road
St. Marks
Cheltenham GL51 7AL**

6th January 2014

Ms Tracy Crews
Development Manager
Cheltenham Borough Council
PO Box 12 Municipal Offices
Promenade, Cheltenham
Glos. GL50 1PP

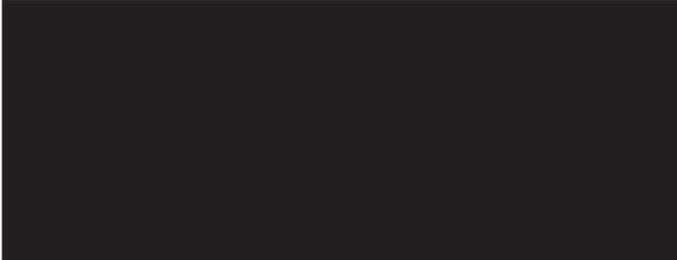
Dear Ms Crews

Proposal: Redevelopment 32-34 Church Road, St. Marks, Cheltenham, GL51 7AL
Ref: 13/02139/FUL

- 1 It is an obvious gross over development. Eleven dwellings are squeezed into a ¼ acre triangular plot, which is literally sandwiched between the two through roads of lower Church Road. Both roads are very busy at peak times with traffic moving in both directions from the two main roads. Between 8 am and 8.20 am there is a constant stream of school children on foot and bicycles.
- 2 There is inadequate provision for parking. Two cars per household is now the norm. The extra cars and visitors cars will exasperate existing parking problems. Already the cars overflowing from the car park of no. 30 Church Road line the road and pavements. Due to the proximity of the Rail Station, GCHQ and the motor cycle business, there is already a plague of long-term parking. Sunday brings no respite, with the parking of church-goers' cars. Weddings, funerals and other functions bring further problems.
- 3 The three story apartment block will loom up in front of my house. The open aspect, ambience and privacy I now enjoy will be destroyed.
- 4 The existing splay at the apex of the sited was clearly arranged for traffic safety. The proposed development encroaches onto this splay (which is in effect public property). This encroachment together with the adjoining apartment block will clearly affect road safety.
- 5 If the proposed development is allowed to proceed, the telegraph poles and lighting standard will have to be relocated. The residents should be consulted.

Also I wish to complain about the timing of being informed of the new proposal. Due to Christmas holidays and New Year, there was insufficient time to consider the details and full implications of the new proposal.

Yours faithfully.



Petition against the development planned on 32-34 Church Road, St. Marks

Name printed	Signature	Address
		37 CHURCH ROAD ST. MARKS, CHELTENHAM GL51 7AL
		27 Church Rd, ST MARKS
		27 Church Rd. ST MARKS
		"
		34 CHURCH ROAD
		25 CHURCH RD
		33 Church Rd
		68 Roman Rd Cheltenham, GL51 8AA
		21 Church Rd.
		9 Crown Rd.
		15 Church Road
		5 Church Road St Marks
		5 Church Road
		7 CHURCH RD
		UNDERWOOD HSE CHURCH RD
		The White Hse 2 CHURCH RD
		— — —
		7 Church Road

Name printed	Signature	Address
		24 CHURCH ROAD. ST MARKS.
		The Beeches Church Rd
		23 CHURCH RD ST MARKS.
		20 CHURCH ROAD ST MARKS
		18 CHURCH ROAD ST MARKS
		"
		3 CHURCH RD ST. MARKS
		1A Church Rd St. Marks
		14 Church Rd ST. MARKS.
		16 CHURCH RD ST. MARKS
		10a CHURCH ROAD ST. MARK'S.
		10a Church Road St Marks GLESIYAN Lindsay Tree House Fairmount Rd.
		8 CHURCH ROAD. ST. MARKS
		8 CHURCH ROAD ST. MARK'S CHELTENHAM.
		41 CHURCH RD ST. MARKS CHELTENHAM
		49 CHURCH ROAD ST MARKS
		49 CHURCH ROAD ST. MARKS CHELTENHAM

Name printed	Signature	Address
[REDACTED]		47, CHURCH RD, ST. MARKS
		45 Church Rd ST MARKS
		"
		12 Church Road
		"
		6 Church Road
		FLAT 5, 26
		FLAT 5, 26
		"
		"
		11 Church Rd
		16 Church Rd
		18a Church Rd.
		39 Church Rd
		22 Church Rd.
43 Church Rd.		
31 Church Road.		
25 Church Rd		

APPLICATION NO: 13/02139/FUL		OFFICER: Mrs Emma Pickernell	
DATE REGISTERED: 18th December 2013		DATE OF EXPIRY: 19th March 2014	
WARD: St Marks		PARISH:	
APPLICANT:	New Dawn Homes		
AGENT:	Mr Bevis Stanley		
LOCATION:	32 Church Road, St Marks, Cheltenham		
PROPOSAL:	Redevelopment of site comprising the erection of 6no. 1 bed apartments and 5no. 3 bed houses		

Update to Officer Report

1. OFFICER COMMENTS

This up date provides an up to date position on a number of issues which were raised in the committee report, to add clarification and to report additional responses.

1.1. Design

Paragraph 6.3 of the committee report states that amendments were being sought in respect of two elements of the scheme:

1. The western elevation of the northern block: Officers were looking for amendments which resulted in the greater articulation of this elevation. The architects have added from render detail to this elevation in an attempt to liven it up. Officers were hoping for a change which results in the breaking up of this flat elevation however the architects consider this element to be an appropriate 'end-stop' to the mansarded terrace. Bearing in mind the extant consent for a flat fronted block in this location it is not considered that the refusal of the application on this point could be sustained. As such, on balance this element of the proposal is considered to be acceptable.
2. Officers also asked the architects to recess the entrance on the south eastern block. This change has been made and this element is now considered to be acceptable.

1.2. Relationship between blocks

Paragraph 6.4 of the committee report makes reference to the relationship between the blocks at the rear. This has not been amended, however having regard to the oblique angle at which any overlooking may occur this is not considered to be significant. In any event the alternative is to have windows to primary rooms overlooking the Triumph car park which is not considered to be a desirable outlook.

1.3. Highways

Highways officers have been asked to comment specifically on the impact of the potential changes to the Tennyson Road junction (prohibited right turn) on the acceptability of the proposal. They have confirmed that the proposed scheme would not significantly impact upon the development and that their previous response still applies.

1.4. Environmental Health

The following consultation response has been received from Environmental Health:

Can I add the following comments and informative:

1. Condition: For the construction phase to be kept within the times of work as stated: "No construction work at the site is to take place outside the hours of 7:30am - 6:00pm Monday - Friday and 8:00am - 1:00pm Saturdays."

Reason: To protect the amenity of residents of nearby residential property

2. This proposal includes an amount of demolition of existing buildings, this will inevitably lead to some emissions of noise and dust which have a potential to affect nearby properties, including residential property. I must therefore recommend that if permission is granted a condition is attached along the following lines:

Condition: The developer shall provide a plan for the control of noise, dust, vibration and any other nuisances from works of construction and demolition at the site. The plan should also include controls on these nuisances from vehicles operating at and accessing the site from the highway. Such a plan is to be submitted to and approved by the Local Planning Authority before work commences on site.

Reason: to protect local residents

Informative:

It has been noted from the plans submitted with this application that ground floor flat in the block of 3 one bedroom flats in the west corner of the plot, is of a different lay out to the other two flats which will be built on top. The flats on the first and second floors are identical in lay out and therefore the bedrooms are above and below each other and the same for the living spaces. However, the layout of the flat on the ground floor has the living area in such a place that the first floor flats bedroom lies directly above it. A concern in this instance is that of noise transference from the ground floor flat living space adversely affecting the use of the first floor flat bedroom. This has been noted in the informative section to alert the applicant of this matter and for either alterations to be made to the layout of the ground floor flat or for thought to be given to the type and level of insulation required between the two dwellings.

Suggested condition 1 is considered appropriate and is now suggested as condition 17. Suggested condition 2 is essentially the same as condition 16 which was the wording recommended by the Inspector. It is recommended that the proposed informative be added.

1.5. Playspace

By way of further clarification on condition 14; officers can now confirm that the required play space contribution would be £3,136 and this would be put towards youth/adult provision.

2. CONCLUSION AND RECOMMENDATION

The recommendation is unchanged except for the amended and additional conditions and informative detailed below.

3. CONDITIONS (updated and new)

- 2 The development hereby permitted shall be carried out in accordance with drawing numbers 1238(SK)001, 002 (A), 003(A), 004(A), 005(B) and 006(A) received 17th December 2013 and 17th February 2014.

Reason: To ensure the development is carried out in strict accordance with the approved drawings.

- 17 For the construction phase to be kept within the times of work as stated: "No construction work at the site is to take place outside the hours of 7:30am - 6:00pm Monday - Friday and 8:00am - 1:00pm Saturdays."
Reason: To protect the amenity of residents of nearby residential property in accordance with local plan policy CP4.

INFORMATIVES:-

- 2 It has been noted from the plans submitted with this application that ground floor flat in the block of 3 one bedroom flats in the west corner of the plot, is of a different lay out to the other two flats which will be built on top. The flats on the first and second floors are identical in lay out and therefore the bedrooms are above and below each other and the same for the living spaces. However, the layout of the flat on the ground floor has the living area in such a place that the first floor flats bedroom lies directly above it. A concern in this instance is that of noise transference from the ground floor flat living space adversely affecting the use of the first floor flat bedroom. This has been noted in the informative section to alert the applicant of this matter and for either alterations to be made to the layout of the ground floor flat or for thought to be given to the type and level of insulation required between the two dwellings.

This page is intentionally left blank
Page 188

APPLICATION NO: 13/02139/FUL		OFFICER: Mrs Emma Pickernell	
DATE REGISTERED: 18th December 2013		DATE OF EXPIRY : 19th March 2014	
WARD: St Marks		PARISH:	
APPLICANT:	New Dawn Homes		
LOCATION:	32 Church Road, St Marks, Cheltenham		
PROPOSAL:	Redevelopment of site comprising the erection of 6no. 1 bed apartments and 5no. 3 bed houses		

ADDITIONAL REPRESENTATION

Flat 5
 Courtraï
 Lansdown Castle Drive Cheltenham
 Gloucestershire
 GL51 7AF

Comments: 18th February 2014

The Highways people have made an oversight:

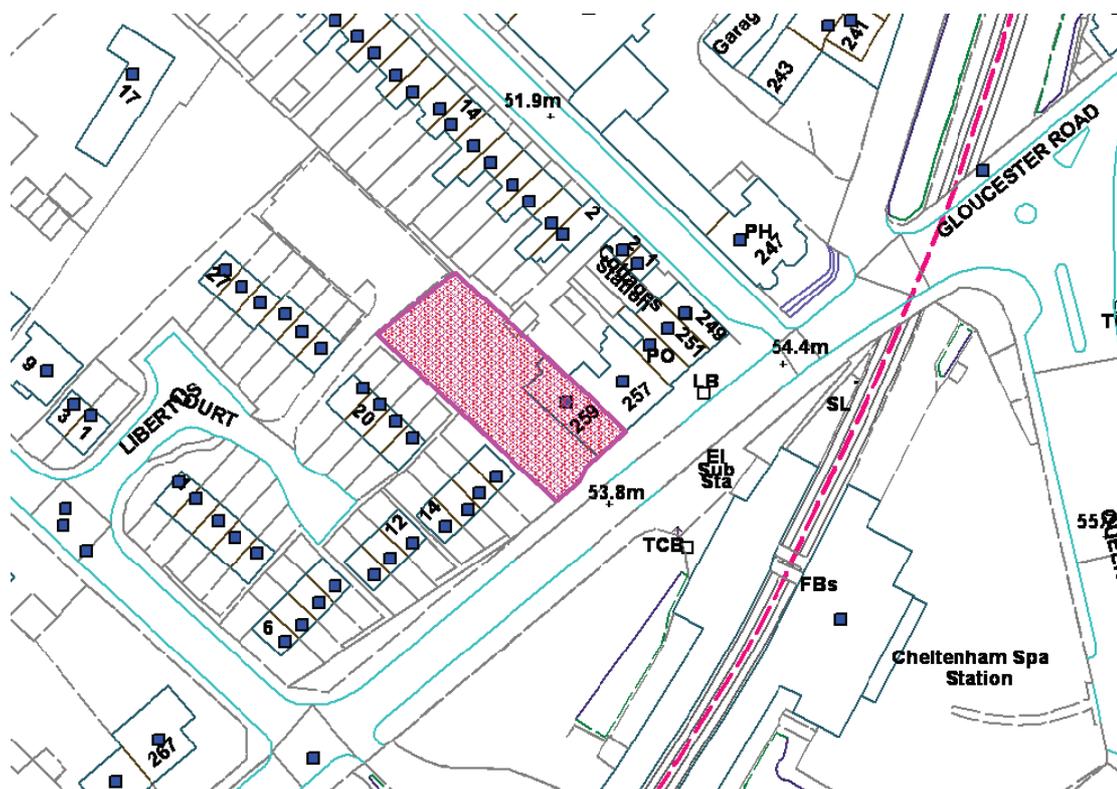
EXIT from the development towards Gloucester/GCHQ can only be made by exiting Church Road East (Note: Church Road West is one-way in direction of allowing L/H turn coming from Gloucester/GCHQ). Exit from the development can only be made by turning left towards the Railway Station/Shops, then one must do a U-TURN in the entrance to LANSDOWN CASTLE DRIVE and then proceed to the traffic lights. The entrance to Lansdown Castle Drive is ALREADY USED EXTENSIVELY by traffic taking wrong turning at the traffic light controlled junction AND by delivery vehicles. THERE IS NO OTHER CONVENIENT EXIT POINT FROM THE DEVELOPMENT IF TRAVELLING TOWARDS THE DIRECTION OF GLOUCESTER/GCHQ.

WHAT ARE THE HIGHWAYS PEOPLE GOING TO DO ABOUT IT?

This page is intentionally left blank
Page 190

APPLICATION NO: 13/02180/FUL	OFFICER: Mrs Emma Pickernell
DATE REGISTERED: 30th December 2013	DATE OF EXPIRY: 24th February 2014
WARD: St Marks	PARISH:
APPLICANT:	Homeward Properties
AGENT:	Architecnics
LOCATION:	259 Gloucester Road Cheltenham Gloucestershire
PROPOSAL:	Erection of three-storey extension comprising 6no flats.

RECOMMENDATION: Refuse



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 site comprises land adjacent to a terrace of properties which front Gloucester Road, opposite Cheltenham Spa Railway Station. The existing terrace contains shops and other commercial uses on the ground floor and is a neighbourhood centre. They present two storeys to Gloucester Road and three to the rear which face onto a lane leading off Roman Road. Presently the application site is rough ground with no defined use, although it appears to support some informal parking. Pedestrian access is provided to the side of the site along with entrance to the existing property.
- 1.2 This application proposes a continuation of the existing terrace with an extension containing 6 flats. This would be 8.6m wide and 17m deep; the roof would follow through from the existing building. The proposed building would be three storeys with the lower floor accommodated at basement level. A large light well would be provided at the front of the building. Access would be provided via a full height cut-away feature on the side elevation. No off street parking is proposed. The rear portion of the site does not form part of the application site although a small area of amenity space is provided along with a bin store and bicycle shed.
- 1.3 This application has been referred to committee by Cllr Holliday.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Honeybourne Line
Neighbourhood Shopping Area

Relevant Planning History:

02/00234/FUL 15th January 2007 UNDET

Alterations and extension to existing building containing six bed-sitters to provide six flats (retaining ground floor shop)

90/00762/PF 27th September 1990 PER

Installation of New Shop Front

11/00525/COU 8th August 2011 DISPOS

Temporary use of site for car sales and storage for 12 months

02/00234/FUL 15th January 2007 UNDET

Alterations and extension to existing building containing six bed-sitters to provide six flats (retaining ground floor shop)

90/00762/PF 27th September 1990 PER

Installation of New Shop Front

02/00234/FUL 15th January 2007 UNDET

Alterations and extension to existing building containing six bed-sitters to provide six flats (retaining ground floor shop)

90/00762/PF 27th September 1990 PER

Installation of New Shop Front

02/00234/FUL 15th January 2007 UNDET

Alterations and extension to existing building containing six bed-sitters to provide six flats (retaining ground floor shop)

90/00762/PF 27th September 1990 PER
Installation of New Shop Front

02/00234/FUL 15th January 2007 UNDET
Alterations and extension to existing building containing six bed-sitters to provide six flats (retaining ground floor shop)

90/00762/PF 27th September 1990 PER
Installation of New Shop Front

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
HS 1 Housing development
RC 2 Youth and adult outdoor playing facilities
RC 6 Play space in residential development
RC 7 Amenity space in housing developments
TP 1 Development and highway safety
TP 6 Parking provision in development

Supplementary Planning Guidance/Documents

Development on garden land and infill sites in Cheltenham (2009)
Residential Alterations and Extensions (2008)
Submission of planning applications (2004)
Sustainable buildings (2003)
Sustainable developments (2003)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Architects Panel

5th February 2014

2. Is the Information sufficient to understand the application?
Yes.

3. Comments on the Application

The site appears suitable for an extension of this type and the proposal reflects the existing levels to maximise the development. Aesthetically the proposal is set out to extend the existing terrace which works in principal but the fenestration to the front does not reflect its neighbours especially the road level where it does not relate in any way to the retail unit next door. The provision of the lightwell is also inappropriate and impractical in this setting and does little to help the street scene. If it is not practical to extend the terrace perhaps setting the building back to introduce a break in the elevation would offer a solution? The side elevation has then been broken down by the provision of a vertical entrance feature which serves this purpose but is not stunning in its design.

4. Summary

Overall this is not a great design but it would sit acceptably in the context of the site location and therefore would not object to the application.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	34
Total comments received	18
Number of objections	15
Number of supporting	0
General comment	3

5.1 The application has been publicised by way of letters to nearby properties. The issues raised can be summarised as follows:

- Lack of parking
- Highway safety and congestion
- Concerns about impact of construction
- Concerns about refuse collection arrangements
- Overlooking
- Needs to be more landscaping/screening
- Concerns about adequacy of drainage
- Visual Impact, concern about materials
- Concern about height of building compared with neighbours

6. OFFICER COMMENTS

6.1 Determining Issues

The key issues in determining this application are considered to be (i) design and visual impact, (ii) impact on neighbouring properties, (iii) Highways and parking issues.

6.2 The site and its context

The application site is an end of terrace property; the historic maps indicate that it was constructed as an addition to the remainder of the terrace between 1932 and 1952. The area adjacent to this, where the extension is proposed is currently a relatively untidy area of land. It is considered that some form of building could be accommodated in this area. However it is important that whatever is proposed is appropriate to its context. In this instance there is a very strong character established by the existing terrace which has a regular rhythm. The building to which the extension would be attached would be attached extends beyond the remainder of the terrace and in this sense acts as a 'full stop' to this terrace. As such it is also considered that the depth of any building in this location has to be carefully considered.

6.3 Design and layout

There are concerns about the design and layout of the proposal, firstly with regards to its width. The proposed extension is 8.6m wide, this compares with a width of 7.5m for the existing end of terrace unit. This would be visually jarring from the street and would fail to respect its context. There are also concerns about the design of the front elevation. The proposed light well is very large, projecting almost 3m from the face of the building which means that the full three storeys would be clearly visible from the pavement and road. Although the spacing of windows copies that of neighbouring buildings, the fact that the elevation is wider means that the arrangement is visually jarring and the fenestration on the ground floor does not respond well to the adjacent shop fronts. The architects' panel have suggested that a set back of the front elevation may assist in resolving this relationship.

The full height recessed atrium to the side of the building serves to break down the mass of this elevation but does draw attention to the overall scale of the building. The side elevation is considered to be overly long. As mentioned above the existing building to which this is attached projects behind the existing terraced properties. However it is considered that any extension here should respect the primarily consistent rear building line of the terrace rather than projecting to its maximum extent.

For these reasons the proposal is considered to be contrary to policy CP7, the advice contained in the garden land and infill sites SPD and in the NPPF which require proposals to demonstrate a good standard of design and to be appropriate to their context.

6.4 Impact on neighbouring property

The properties adjacent to the application site are those in Libertus Court, a development of modest two storey houses with cat slide roofs to the rear. The proposed extension would be 3m from the boundary with 17 Libertus Court but would project 6.5 beyond the rear elevation. Officers' assessments suggest that the proposal would block light from the patio doors on the rear of this property. It is also considered that the 16.3m length of the side elevation would have an overbearing impact on this modest property.

For these reasons the proposal is considered to be contrary to policy CP4, and advice contained in the garden land and infill sites SPD, the Extensions SPD (which is applicable in terms of assessing light) and in the NPPF which require proposals to be designed such that they have an acceptable impact on neighbour amenity.

6.5 Access and highway issues

The proposal does not include any off street parking. Concerns have been expressed that this situation may result in occupants parking in surrounding streets. Neighbour comments suggest that these streets are already heavily parked. The highways officer has asked the applicant to carry out a parking survey which would assess the availability of parking spaces, how they are used and where there may be capacity. The results of this would allow an informed decision to be made as to whether the lack of parking proposed is acceptable or not. The survey has not yet been carried out and as such in the absence of such information there are concerns that the proposal may result in highway danger through parking in inappropriate locations and manoeuvring on the carriageway.

For these reasons the proposal is considered to be contrary to policy TP6, and advice contained in the NPPF which require proposals to provide an appropriate level of parking and to avoid a negative impact on highway safety.

6.6 Other Considerations

The application documents make reference to an earlier application made in 2002 for this site which was to extend the property with an extension containing three flats. The Design and Access Statement suggests that this application was approved; however this is not the case. The application was never determined as the required s.106 was never signed. As such there is no fall back position with regards to this scheme. However it is true to say that the Authority was minded to approve the application. In any event the previous proposal involved an extension which was narrower and shorter than the current scheme as such many of the issues which have arisen here did not apply.

7. CONCLUSION AND RECOMMENDATION

- 7.1 The issues which have arisen with this application would suggest that the proposal is an overdevelopment of the site. For the reasons mentioned above the application is considered to be unacceptable and is therefore recommended for refusal.

8. REFUSAL REASONS

1. The proposed development, by reason of its size, mass and design would be out of keeping with the surrounding area, would result in a harmful negative visual impact and would be overly dominant in the street scene. As such the proposal is contrary to Adopted Local Plan policy CP7 (Design), Supplementary Planning Document: Development on garden land and infill sites in Cheltenham (2009) and advice contained in the National Planning Policy Framework.
2. The proposed development by reason of its size, siting and mass would have an adverse impact on the residential amenities of the neighbouring property. As such the proposal is contrary to Adopted Local Plan Policy CP4 (Safe and sustainable living), Supplementary Planning Documents: Development on garden land and infill sites in Cheltenham (2009) and Residential Alterations and Extensions (2008) and advice contained in the National Planning Policy Framework
3. The proposal involves no off street parking provision, in the absence of any evidence to the contrary the Local Planning Authority considers that the proposal would result in increased pressure for on street parking resulting in highway danger. As such the proposal is contrary to Adopted Local Plan Policies TP 1 (Development and highway safety) and TP6 (Parking provision in development) and advice contained in the National Planning Policy Framework

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 authority cannot provide a solution that will overcome the harm which has been identified.

As a consequence, the proposal cannot be considered to be sustainable development and therefore the authority had no option but to refuse planning permission.

This page is intentionally left blank
Page 198

APPLICATION NO: 13/02180/FUL		OFFICER: Mrs Emma Pickernell	
DATE REGISTERED: 30th December 2013		DATE OF EXPIRY : 24th February 2014	
WARD: St Marks		PARISH:	
APPLICANT:			
LOCATION:	259 Gloucester Road, Cheltenham		
PROPOSAL:	Erection of three storey extension comprising 6no flats.		

REPRESENTATIONS

Number of contributors	18
Number of objections	15
Number of representations	3
Number of supporting	0

Cotswold Court
Lansdown Road
Cheltenham
Gloucestershire
GL50 2JA

Comments: 2nd January 2014

I am a resident of Libertus Court and am concerned about this particular development as we have had trouble in the past with this plot of land. While setting up a mobile office, access was used through Libertus car park which is private property and no permission was acquired. Subsequent damage was made to the fence as the mobile cabin was lifted over the fence!

This building is going to be one of the first impressions folk and visitors have to Cheltenham when the exit the railway station. Already the Tesco site is looking shabby with the use of simulated wood cladding. This particular material has been used in other parts of Cheltenham ie The Calcutta Inn site and what a mess it looks in such a short space of time. The best materials and sound proofing will be required to sell this development to me.

If development of this site is necessary could all work take place through the narrow entrance off Roman Road? Gloucester Road is a main artery into Cheltenham and when it was shut recently for drain repairs, mayhem ensued. Also can the area take more strain on the sewage, drainage etc. Understand a basement in Roman Road was full of human excreta.

The proposed plan is too high for the neighbouring houses in Libertus Court. Number of rooms is too high and noise pollution with visitors in the summer is questionable. Already a mess round the back with rubbish, rats frequently seen.

7 Roman Road
Cheltenham
Gloucestershire
GL51 8AB

Comments: 30th January 2014

I am a resident of Roman road and strongly object to the proposal to build six new flats.

Page 200

1. Parking is very limited already for residents when train users park in the street all day and weekends!! Where are the extra parking spaces coming from for six flats?
2. The lane is too narrow to manoeuvre vehicles in & out with restricted view to the road and pedestrians crossing it will be dangerous.
3. How would the rubbish be collected? It will probably all end up on the corner off the street because the refuse vehicle would not be able to turn into the lane hence blocking all the pavement.
4. Roman Road is a very narrow street with parking on both sides cars use the road as a shortcut sometimes speeding and damaging cars. We do not need anymore extra traffic!!

Church Farm
Stinchcombe
GL11 6BQ

Comments: 20th January 2014

I am opposed to the building application above for 6 flats, with access of Roman Road for the following reasons:

1. The access off Roman Road to the flats is narrow and will pass immediately adjacent to the property on the right hand side, when entering. Traffic will shake the foundations of the building and also provide a safety hazard for anyone entering or leaving this property (2 Roman Road).

There are already problems with the drainage in this vicinity, and additional traffic will further exacerbate these difficulties.

2. Parking in Roman Road is already difficult and dangerous. This will be further aggravated by the residents of 6 flats.

3. No rubbish truck will be able to get close to the flats. Where is it proposed the residents of the flats should leave their rubbish for collection? On this narrow lane? This will reduce even more this very limited access.

In conclusion, I would request that this planning application is rejected due to lack of suitable access.

50 Roman Road
Cheltenham
Gloucestershire
GL51 8AA

Comments: 20th January 2014

I understand that there is no facility for parking. This means that the residents will be parking in Roman Road. Roman Road is already heavily oversubscribed by cars to parking spaces.

Quite often one has to park in Rowanfield Road because there are no available spaces in Roman Road. Also, as the train station is next to Roman Road, commuters park in Roman Road and generally do not leave before the residents of Roman Road have returned from work. A few years ago flats were built halfway up/down Roman Road with the proviso that the flat residents used their own parking spaces at the back of the flats. Very often the flat residents park in the road, as do their friends who visit.

I am strongly against any more builds which will have a detrimental impact on the parking in Roman Road

Page 201

50 Roman Road
Cheltenham
Gloucestershire
GL51 8AA

Comments: 21st January 2014
To whom it may concern

I would like to object strongly to the above planning application on the grounds of:

- **INSUFFICIENT PARKING FOR THE NEW SIT:** As a resident in Roman Road, the fact that no parking is to be made available for the proposed new flats which would increase demand in Roman Road (parking availability is already insufficient for residents of Roman Road through the use of station parking and local employment sites, as well as extra demand from the existing apartment buildings in the centre of Roman Road
- **INCREASE** in through-traffic it would cause in Roman Road (a narrow one way street) where residents' vehicles have incurred damage to cars (i.e. wing mirrors).
- **ACCESS FROM A NARROW STREET:** Query to why access to the site cannot be made from a more accessible position in Libertus Road (a wider two way street)
- **HAZARDOUSE POINT OF ACCESS:** Poor vehicular access in and out of the proposed site which could prove hazardous to residential users/other traffic in Roman Road.

In addition:

As residents who will be affected by this proposed planning, we are extremely dissatisfied that we have not received any direct notification or notice of the plans. We have only found out about the plans via another resident in Roman Road and that the deadline for this is today (20th January).

We would be grateful if our objections could be seriously considered.

51 Devon Avenue
Cheltenham
Gloucestershire
GL51 8BY

Comments: 23rd January 2014

Whilst waiting for feedback from Highways regarding the above application, I wish to express my concerns regarding the above application and wholeheartedly support the objections raised with yourselves by residents.

I will not repeat those concerns as they are already well documented.

However, a lack of parking provision on the site will undoubtedly place an additional strain on Roman Road, as will the safety issues regarding additional increased traffic. We must also consider that the occupiers of these flats may have cars and so may their visiting friends and family. Roman Road and nearby roads are already under pressure from commuter parking due to its proximity to the railway station and the situation will be unbearable for residents.

The potential access to the site via Roman Road will cause major problems as you will be aware and I have grave concerns regarding this access for emergency and refuse vehicles.

Page 202

I would urge the committee to strongly consider residents valid objections and refuse this application.

36 Roman Road
Cheltenham
Gloucestershire
GL51 8AA

Comments: 16th January 2014

We write reference to the above Planning Application, regarding the proposed construction of Six Flats on land adjacent to 259 Gloucester Road.

Our main objection is that the site is to be accessed from the back entrance to the shops, which is in Roman Road. Great concern is being expressed how large construction vehicles and lorries delivering building materials will access the site; also the great inconvenience that will be caused to residents. Roman Road is a one way street with no right turn at the Gloucester Road end; the road is also very narrow with cars parked either side, and is regularly used as a cut-through and by people parking for the railway station.

This entrance can be very dangerous for pedestrians - vehicles leaving and accessing the site and have little or no vision of pedestrians. With the nearby Post Office, quite a number of elderly people some disabled, also mothers with children in pushchairs regularly use the footpath. It is therefore totally inappropriate as an access to a building site or housing development and respectfully request that you seriously consider our objections.

42 Roman Road
Cheltenham
Gloucestershire
GL51 8AA

Comments: 3rd February 2014

As a resident of Roman Road I strongly oppose the recent planning application to erect a block of 6 flats next to 259 Gloucester Road.

This application poses many significant problems for us as residents. This road has for a number of years has been a big bone of contention to many of its residents with regards to speeding traffic using this road as a shortcut, parking - many commuters using the nearby train station using this road as a means to park here for free, refuse being unable to be collected due to badly parked cars and the narrowness of this road, safety - mainly cars parking up on pavements causing wheelchairs/pushchairs being unable to use the pavements, and emergency vehicles being unable to access residents homes.

The problems mentioned above will only be increased with the proposed planned building application: more cars needing to be parked by the new residents and any visitors, a greater volume of traffic using this already narrow and congested road, and the disruption of construction vehicles using the above-mentioned building site. Residents already have to make alternative arrangements for delivery vehicles due to the narrow nature of this road which still manages to cause problems from time to time, and I fail to imagine how construction vehicles/building materials etc will be delivered and will access the aforementioned site. There is no parking available on Gloucester Rd near to the site and Libertus Rd already struggles with the amount of parked cars.

I appreciated that this site would benefit from an upgrade; however an increase in traffic and parked cars that building 6 flats is not a solution.

2 Roman Road
Cheltenham
Gloucestershire
GL51 8AA

Comments: 20th January 2014

I am writing to you in reference to 13/02180/FUL the proposal for 6 new flats on Gloucester Road. As the owner of number 2 Roman Road I am hugely against this proposal for a number of reasons.

My house is right on the lane where access will be required for these flats. Whether it be through the building stage or residents access. This lane is extremely narrow and my front door is right on this narrow lane. If someone was to leave my front door in a hurry it could be extremely dangerous with more traffic and a serious accident may occur. At times whilst owning this property we have had considerable traffic problems down the lane of which I have joint access over. I have had a number of cars turn too quickly into this lane and damage my house. With more traffic entering on this lane (which is not a road and poorly tarmacked) this would in turn damage the foundations of my house.

Roman road has huge traffic and parking issues and this proposal will merely add to this current traffic issue. What is the proposal for waste collection as a dustbin lorry would not be able to enter the lane. Therefore would the flats' waste be put outside my house? This something I would not like at all. If it was put at the top of the lane it would limit the access as cars would not be able to turn due to the width of the lane.

Recently we have had extremely serious problems with drainage on roman road, affecting a number of properties. Would the addition of more flats and more pipes add more problems to the drainage? Currently there are plans for Severn Trent to dig up part of the road to repair these problems.

The pub at the end of roman road contributes a huge amount of noise pollution at times. The addition of more flats will add to this noise pollution, something which residents of roman road believe is something that can be avoided.

Please can you think carefully about this proposal as if this building was allowed to take place I believe it could have a detrimental affect on roman road. I would like to lodge my objection to this proposal.

Station Cottage
1 Roman Road
Cheltenham
Gloucestershire
GL51 8AB

Comments: 7th January 2014

I am writing in relation to the proposed works for 6 new flats on Roman Road.

As a resident of Roman Road who will be directly affected by the inclusion of the entrance being 'via the lane of Roman Road' we are very concerned about the increase in noise pollution the disturbance to our daily lives and the volume of traffic on Roman Road being put under pressure. As I am sure you are aware Roman Road is already a problem spot for traffic and parking and we have many a time had supermarket delivery drivers walk the food from their vans at the end of

Page 204

the road as the parking has prevented them from being able to get their vans up. Allowing these additional flats is just going to put more pressure on the parking demands of Roman Road.

We are residents of 1 Station Cottages so the 'lane' will be next to the side of our house, we already battle noise from the main road, the co-op, the pub and train station these noises were all there when we purchased the property so something you learn to live with but to have increased pressure on the area during the build as well as once new residents are living there.

I think it is only fair that the rights and views of the residents who will be directly affected by these demands from 'Homeward Properties Ltd' are taken into consideration neither yourself or the company proposing the plans will be affected by these changes but we as a community will. Roman Road is already a highly populated area and does not need an increase in traffic noise pollution and a further decrease in privacy. As well as this they will do nothing to improve the area visually if anything the impact of the building work as well as additional houses or flats in an already highly populated area will leave Roman Road looking cramped cluttered and gasping for room.

I trust these views strongly opposing the build will be taken into consideration before any plans to proceed are made

20 Libertus Court
Cheltenham
Gloucestershire
GL51 7HX

Comments: 10th January 2014

Planting of trees should be around perimeter of existing fencing to reduce resident and vehicle noise and to reduce overlooking into rear gardens. At present drainage is poor in this area and therefore there are concerns if the rainwater goes to soakaways instead of existing drainage system flooding will take place. Can it be clarified that the remaining area for car parking can be properly laid out and designated to the individual flats.

10 Roman Road
Cheltenham
Gloucestershire
GL51 8AA

Comments: 30th January 2014

Letter attached.

Comments: 7th February 2014

Letter attached.

8 Roman Road
Cheltenham
Gloucestershire
GL51 8AA

Comments: 17th January 2014

Along similar lines to the other comments posted here, we have concerns over the access to the site, from Roman Road presumably, during the construction phase given the rather tight access from a narrow one-way street. How will this work in practice given the need for machinery on site and load/unloading of materials?

Page 205

Furthermore it is not clear on the plans as to whether the existing fence that runs down the rear of properties (2-10) Roman Road will be reinstated in the same manner, i.e. it currently returns at a right angle at the corner of 2 Roman Road. We'd also like to voice our concerns regarding the potential to be overlooked once the property is completed and any noise that may be apparent. Perhaps planting mature trees or landscaping to obscure the view could be considered. Please can the plans be more explicit and/or revised to suit the above. Many thanks.

4 Roman Road
Cheltenham
Gloucestershire
GL51 8AA

Comments: 3rd January 2014

Thank you for your time on the phone yesterday, it was much appreciated. I also appreciate your offer to extend your decision date to Monday 20 January, given the Christmas and New Year holiday period and that our notification letter did not arrive until 27 December 2013.

I'd be very grateful if you could contact the applicant as discussed to obtain additional information regarding the following points below:

Parking provision:

Could they please clarify the proposed provision for parking for residents, if any? Access is shown to the rear from the shared Right of Way access lane from Roman Road on the submitted plans. Is the current land to be designated solely as parking for the properties, if so will these be marked/allocated spaces, and how many will there be? Will there also be suitable provision for visitor spaces? Has the loss of parking space for existing properties by the effective extension also been taken into account?

Could you also provide any comment from Gloucestershire Highways on this matter please: How does the applicant intend to ensure that anyone parking on the northern side of the car park does not park across the footpath and also avoid damage to residents fences here, given the plans would seem to indicate the removal of the existing fence on the northern side?

Banked rear grass area

What is the height of the proposed banked grassed area at the rear of the development? Can the applicant confirm if this area is intended as, or will be usable as, a communal garden or similar area? The elevation of this area does not appear to be included on any of the publically available plans, and therefore we are not able to determine if there would be any adverse visual impact or loss of amenity.

Waste collection:

How exactly is waste and recycling collection proposed? The plans show a communal bin storage area at the rear, which would suggest that waste collection will be via Roman Road. Therefore, either refuse/recycling collection vehicles would have to access the rear of the properties via the RoW off Roman Road (which I would suggest is not physically possible for a 15-20t vehicle given the turn-in and its width), or that sufficient waste wheelie bins, recycling boxes and waste food caddies for 6 x properties would need to be placed by residents via the RoW onto Roman Road for collection, and left either in the RoW access lane (thereby presumably blocking resident access), or on the pavement either side outside adjacent properties, thereby restricting pedestrian access and creating a potential hazard.

Again, could you also provide any comment from Gloucestershire Highways on this matter please?

As discussed, we have a number of concerns based on the very limited information that the applicant has made available to date, and does suggest that the proposals have not been given

sufficient consideration. As such, we currently intend to submit an objection, subject to clarification on the above points.

I'd be very grateful if you could ask the applicant for full clarification regarding the above points in enough time to enable us to respond with meaningful and informed representation on the proposal.

Comments: 20th January 2014

Letter attached.

21 Libertus Court
Cheltenham
Gloucestershire
GL51 7HX

Comments: 14th January 2014

Letter attached.

29 Roman Road
Cheltenham
Gloucestershire
GL51 8AB

Comments: 20th January 2014

We have just been made aware of the plans to build 6 flats on the waste ground at Gloucester road (next to the cafe). We are concerned about these plans for a few reasons:

1. Construction traffic and disturbance; anyone who has driven down Roman Road will know how narrow and congested it is. When flats were built in Roman Road a number of years ago (when there were fewer) parked cars, we had two separate incidents where our car was damaged due to heavy works traffic. Other residents found the same.
2. Access to these flats going through the little lane in Roman Road is extremely worrying. Increasing traffic along the road. We also feel that visibility of cars coming out of this lane is not good enough. A while ago a car sales business set up on this land, and there were several near misses where cars were coming out of this lane into Roman Road and nearly ran pedestrians over as I was walking my 2-year-old along the path.
3. how would emergency vehicles get access to this building? Not via the rear.
4. where would the refuse be collected from? Presume Roman Road, further blocking the pathways.
5. When 12 flats were given the go ahead on old land in the middle of Roman Road it was passed under the agreement that they will have their own off Roman Road parking. The parking is there but the residents don't use it. Either because its easier to just park on the road or because the turn in to their spaces is too narrow for much more than a fiesta. So we have more cars parking on the road. As it is if I get back home any later than 5pm weekday or at anytime at the weekend I am unlikely to park in the street. Leaving me to struggle carrying toddler/shopping/dog etc for a walk round the block. I can see the same happening here. It is bound to increase parking in the road if access is via Roman Road.

We really hope this construction does not go ahead.

37 Roman Road
Cheltenham
Gloucestershire
GL51 8AB

Comments: 20th January 2014

We have just been made aware of the plans to build 6 flats on the waste ground at Gloucester road (next to the cafe). We are concerned about these plans for a few reasons:

1. Construction traffic and disturbance; anyone who has driven down Roman Road will know how narrow and congested it is. When flats were built in Roman Road a number of years ago (when there were fewer) parked cars, we had two separate incidents where our car was damaged due to heavy works traffic. Other residents found the same.
2. Access to these flats going through the little lane in Roman Road is extremely worrying. Increasing traffic along the road. We also feel that visibility of cars coming out of this lane is not good enough. A while ago a car sales business set up on this land, and there were several near misses where cars were coming out of this lane into Roman Road and nearly ran pedestrians over as I was walking my 2-year-old along the path.
3. how would emergency vehicles get access to this building? Not via the rear.
4. where would the refuse be collected from? Presume Roman Road, further blocking the pathways.
5. When 12 flats were given the go ahead on old land in the middle of Roman Road it was passed under the agreement that they will have their own off Roman Road parking. The parking is there but the residents don't use it. Either because it's easier to just park on the road or because the turn in to their spaces is too narrow for much more than a fiesta. So we have more cars parking on the road. As it is if I get back home any later than 5pm weekday or at anytime at the weekend I am unlikely to park in the street. Leaving me to struggle carrying toddler/shopping/dog etc for a walk round the block. I can see the same happening here. It is bound to increase parking in the road if access is via Roman Road.

We really hope this construction does not go ahead.

68 Roman Road
Cheltenham
Gloucestershire
GL51 8AA

Comments: 16th January 2014

I am writing to express my concern about the proposal to build six new flats on Gloucester Road, next to the cafe and opposite the railway station.

My main objection is the proposed access for vehicles from the narrow lane between the Station Cottages and 2 Roman Road. Already there have been a number of near misses with pedestrians and vehicles when the site was being used unofficially as a car sales area.

Not only that, but Roman Road is already a very busy one way route and from previous experience with Centurion Court, parking in the road will also be increased when new build occurs. We were reassured when Centurion Court was built, that parking would be covered on the new site. I challenge anyone to visit in a typical day and observe what actually happens. PLEASE, for once give due consideration to the existing residents' safety and well being.

Thank you for your consideration in this matter. I write as a long standing member of 31 years in this community.

Cheltenham Borough Council Management / Admin		29	01/2014
PASSED TO		Page	209
REC'D	30 JAN 2014 13/02 180/FUL		
Date of Response		Type of Response	
Initials of Responder		File Ref.	

10 Roman Road
Cheltenham
415
GL51 8AA

Dear Sir,

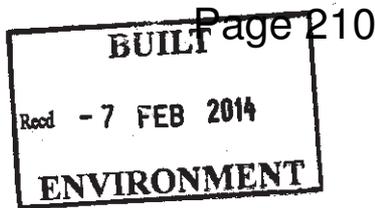
I am writing to you about the planning at 259 Gloucester Road. We have trouble with the parking in the street as it is. More cars will be a nightmare for everyone in Roman Road. ~~Also~~ Also the back entrance is being used for rubbish. We have a lot to loose. P.S. my son as to park two hundred yards away most times he's ~~not~~ a Taxi driver works nights and almost sixty.

Your faithfully



13/02180/FUL

29/01/2014.



10 Roman Road
& Heltenham
Glos
GL51 8AA

Dear Mrs Holliday ; I am writing
to you about the planning of
259 Gloucester Road.

We have trouble with parking
in the street as it is.

More cars will be a nightmare
for everyone in Roman Road.

Also the back entrance is being
used for rubbish.

We have a lot to loose.

My son as to park two hundred
yards away most of the time
he's a taxi driver works nights
and almost sixty.

Yours faithfully



Dear Mrs. Pickernell,

As residents at 4 Roman Road. we have concerns relating to the application for 6no. new flats at 259 Gloucester Road. Our concerns relate to traffic, parking, access and road safety; and disturbance, noise, privacy and loss of amenity. On the basis of these, we object as we consider that the application is unsuitable and should therefore be refused.

The open land at the rear of the proposed properties was originally designated within the 'red line' site development boundary by the applicant. The applicant has recently (as of 13 January 2014) amended their application to remove it.

When making any decision, we would ask that it should be taken into consideration that many residents have made representations based on the original information submitted and on the basis that this area is included. Notwithstanding, the area remains part of the overall site boundary of 259 Gloucester Road owned by the applicant and is openly accessible from the rear of the proposed properties.

It should also be noted that in April 2011 the applicant has previously been served with a Temporary Stop Notice for unauthorised development at the same address by Cheltenham Borough Council (reference: 11/00069/DCUCOU) under the Town and Country Planning Act.

1. Traffic, parking, access and road safety

1.1 The applicant proposes no additional parking for the six new properties, which could be occupied by between six and 12 people in total. There is an average of 12 cars for every 10 households in the UK (ONS Census 2011). It is therefore also reasonable to assume that, based on this, that the number of additional vehicles needing somewhere to park would be seven.

1.2. Residents of the existing flats at 259 Gloucester Road currently keep a number of vehicles (typically between two and five) parked outside their entrances at the rear, and access the lane to do so (see attached image). It is entirely reasonable, therefore, to assume that residents in the proposed extension will do the same.

1.3 As a result, either:

- Vehicles will have to park on the public highway. Given the lack of parking and restrictions on Gloucester Road itself (including directly in front of the proposed properties) and rear access to the flats, it is reasonable to assume that parking will be predominately on Roman Road, or further away on Libertus Road.
- Or/and vehicles will park on the private open area owned by the applicant that is part of the plot of 259 Gloucester Road, either with or without permission, enterign and exiting the public highway via the narrow private lane off Roman Road.

1.4 Roman Road itself is a narrow one-way high traffic road for vehicles, pedestrians and cyclists, used as a thoroughfare predominantly for residents in the St. Marks area living to the north west of the train station.

As well as providing parking for more than 80 properties, it is used extensively by customers and employees of the Post Office, Co-operative supermarket and other businesses on Gloucester Road that form the neighbourhood shopping area. Roman Road is also used as daytime parking by train station commuters to avoid parking charges.



1.5 Owners often park their cars half on the pavement, blocking access for pedestrians who then need to step into the road (see attached image). Metal bollards have been installed in the pavement outside Station Cottages to prevent cars parking on the pavement here.

Because of its narrowness and the level of through traffic, damage to residents' vehicles including our own is commonplace. Larger delivery and refuse vehicles cannot access the road.

- 1.6 We believe that the proposed six flats will result in a significant loss of parking for existing residents of Roman Road. Vehicles slowing to turn into, or stopping to let other vehicles exit the lane, will do so directly outside our home and cause us disturbance. We believe that the application should therefore be refused.
- 1.7 Vehicles accessing the rear of the commercial premises on Gloucester Road via a narrow lane off Roman Road need to enter and exit across the pavement. Usage is currently at a relatively low level. The Co-operative supermarket does not access the lane with delivery vehicles, as it and Roman Road are too narrow, and uses its rear yard for the temporary storage of metal milk trolleys, which are taken to/from the store front entrance on Gloucester Road by hand. Traffic from the funeral directors and window showroom is minimal, given the nature of their business.
- 1.8 According to Ordnance Survey mapping on the Council's own website (see attached screengrab), the proposed site should be accessed directly from Gloucester Road itself. The lane provides access to the rear of the commercial premises and No.2 Roman Road only. A garage at the end of the lane (since removed) prevented access to 259 Gloucester Road. We would therefore vigorously dispute the applicant's claim to a shared Right of Way via the lane. That

a couple of vehicles belonging to residents at the existing flats at 259 Gloucester Road currently use the lane in no way constitutes or confers any Right of Way.



- 1.9 The front door and garden access for No. 2 Roman Road front directly on to the lane (see included image). We believe that there is a genuine safety risk to the residents here from increased traffic, as well as a loss of amenity, noise and disturbance to them and surrounding residents including ourselves.



- 1.10 An increase in traffic turning off and onto the public highway to use the lane is likely to increase the risk of accidents with other vehicles and pedestrians. Any vehicles exiting from the lane onto Roman Road have poor visibility of oncoming traffic and street around the lane is poor, particularly at night.

2. Disturbance, noise, privacy and loss of amenity

- 2.1 The proposed development provides open access to the land at the rear of the proposed development, which forms part of the plot of the same address, 259 Gloucester Road.
- 2.2 Bin storage and cycle storage is designated at the rear of the properties. Given that access for residents to Gloucester Road is proposed via steps up to Gloucester Road, it is entirely reasonable to assume that residents will put heavy bins out for collection on Roman Road. Existing residents at 259 Gloucester Road already do this (see attached image).



This would equate to six additional wheelie bins, six additional food caddies and up to twelve additional recycling boxes put out and collected on a fortnightly rotating basis.

These would have to either be left accessible in the lane itself, potentially restricting existing access and causing a nuisance to the residents at No. 2 Roman Road whose entrance is directly here onto the lane; or alternatively on the pavement

Page 215

either side on Roman Road itself outside nearby properties in Station Cottages and Roman Road, including our own, causing nuisance and a potential hazard for pedestrians.

- 2.3 We believe that we would suffer from increased nuisance, disturbance and loss of amenity as a result, and that the application should therefore be rejected.
- 2.4 The plans indicate a banked, raised grassed area at the rear, which would appear to serve as a communal garden/area. This area does not appear to have a physical boundary e.g. fence or wall between it and the open area at the rear of the plot. With the potential for up to 12 residents in the new properties, we are very concerned that noise from the use of this area will result in nuisance and disturbance to neighbouring residents including ourselves, particularly in fairweather months, when such a compact area serving six properties could be in regular use at evenings and weekends.

As a result, we believe that we are likely to suffer from excessive noise and disturbance, and that the application should therefore be rejected.

- 2.5 The plans would appear to indicate the removal of the existing fence along the footpath at the northern side of the site, which has been left to fall into in a poor state of repair by the applicant to the extent that it has more recently fallen across the shared resident footpath (see attached image).



- 2.6 Despite this, it is topped with ivy up to approx. one metre above that provides a good level of natural visual and noise screening for ourselves and other residents bordering the northern edge of the site.

Page 216

A condition should be made to require repair and ongoing maintenance to a good standard of the existing fence and associated natural screening on the northern side, or if this is not possible that the fence is replaced like-for-like and mature screening to an equivalent height and density is planted and maintained by the applicant.



- 2.7 The attached image shows the view from our rear bedroom. The current end of 259 Gloucester Road can be seen, indicating the distance and height of the current property, which is proposed to extend to within approx. 2m of the neighboring property in Libertus Court.

We feel that the three storey design of the extension means that part of our garden nearest the house will be overlooked by the uppermost flat at the rear of the proposed development.

We believe that we would lose privacy, and that because of this the application should be rejected.

21 Libertus Court,
Cheltenham,
Gloucestershire,
GL51 7HX.

14th January, 2014.

Cheltenham Borough Council,
Planning Department,
Municipal Offices,
Promenade,
Cheltenham, GL50 9SA.

Dear Sir,

Re: Planning application 13/02180/FUL-COMMENT

I would like to comment upon this application for the erection of an extension to 259 Gloucester Road to contain six new letting one bedroom flats, as additional to the existing letting flats, in terms of the car parking for this proposal.

The planning application form indicates that there are no existing car parking spaces, but this is not correct. Below is an embedded digital photograph taken from near pelican crossing at the café/train station location looking into the proposed site. Clearly the area is already used for vehicle parking:



I have lived at 21 Libertus Court for twenty years and may state that vehicles being parked there is not a recent occurrence.

The proposed drawings indicate no area for parking at all. However I believe this is an important point as I suspect that if built, the remaining space will be used for car parking, as I don't accept that the landlord will refuse a potential tenant on the basis that they possess a vehicle. Common sense will say the tenancy will be accepted and consequently the vehicle will be parked at the back in the obvious place. This vehicle traffic will impact on Roman Road and I believe the application should be considered in respect of this.

It is my opinion that the proposal is deficient in this regard, and the supporting documentation inaccurate for the reason stated in my second paragraph, which in turn perhaps calls into question the validity of the signed declaration on the application form.

Yours faithfully,

A large black rectangular redaction box covering the signature area.