



CHEL TENHAM

BOROUGH COUNCIL

Notice of a meeting of Planning Committee

Thursday, 20 March 2014
6.00 pm

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

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

Agenda

1. APOLOGIES
2. DECLARATIONS OF INTEREST
3. PUBLIC QUESTIONS
4. MINUTES OF LAST MEETING (Pages 1 - 22)
5. PLANNING/LISTED BUILDING/CONSERVATION AREA
CONSENT/ADVERTISEMENT APPLICATIONS,
APPLICATIONS FOR LAWFUL DEVELOPMENT
CERTIFICATE AND TREE RELATED APPLICATIONS –
SEE MAIN SCHEDULE
 - a) 13/01683/REM GCHQ Oakley, Priors Road (Pages 23 - 68)
 - b) 13/02143/FUL 282 London Road (Pages 69 - 86)
 - c) 14/00095/FUL 12 Glynrosa Road (Pages 87 - 92)
6. ANY OTHER ITEMS THE CHAIRMAN DETERMINES
URGENT AND REQUIRES A DECISION

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Planning Committee

20th February 2014

Present:

Members (14)

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

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

Present as an observer: Councillor Diggory Seacome

Officers

Mike Redman, Director Built Environment (MR)
Craig Hemphill, Senior Planner (CH)
Michelle Payne, Planning Officer (MPayne)
Emma Pickernell, Senior Planning Officer (EP)
Wendy Tomlinson, Heritage and Conservation Officer (WT)
Mark Power, Gloucestershire Highways (MPower)
Cheryl Lester, Legal Officer (CL)

1. Apologies

Councillor Barnes, Councillor Fletcher.

2. Declarations of interest

13/01683/REM GCHQ Oakley

Councillor McCloskey – personal but not prejudicial – is a member of Cotswold Conservation Board
Councillor Garnham – personal but not prejudicial – owns a flat in Phase 2 of GCHQ Oakley.

3. Public Questions

There were none.

4. Minutes of last meeting

Resolved, that the minutes of the meeting held on 16th January 2014 be approved and signed as a correct record without corrections

5. Planning applications

Application Number:	13/01683/REM
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.
View:	Yes
Officer Recommendation:	Approval of reserved matters, subject to conditions
Committee Decision:	Defer
Letters of Rep:	19
Update Report:	None

CH introduced the application as described above. The outline application was originally submitted in 1999, with an S106 agreement attached, and was followed by an application to extend the time period to 2016. The Phase 1 REM application was approved in 2006, including the supermarket, and Phase 2 in 2007. The proposed dwellings range from one to five bedrooms, and from two to three storeys, with some apartments included. The proposed finish is brick and/or render, with main access via Hales Road, and access to 40 dwellings at the top of the site via Harp Hill.

Public Speaking:

Mr Darren Beer, agent for applicant, in support

Told Members a full suite of pre-app discussions took place in May 2013, with CBC, GCC, the Civic Society and the Architects' Panel. CBC urban design team welcomed the design, the Civic Society gave a positive response, and the Architects' Panel is comfortable with the masterplan with regard to principle, density and relationship to the AONB among other things. The design and lay-out of the masterplan has been incorporated, including better connections, but the density has been reduced, with 20dph on land adjacent to the AONB, and 40dph further into the site, averaging at 30dph in total. There is amenity green space for recreation and to assist with surface water, TPO'd trees are retained, an over-provision of car parking, ten car-parking spaces retained for allotments, as required by CBC, and secondary and tertiary streets incorporated. A bus route has been agreed with GCC, there is full access for emergency services, and landscaping and green connections are all in place. The design of the buildings is a mix of traditional, modern and contemporary, using locally requisitioned materials.

Councillor Colin Hay, on behalf of local residents

Would like some more in-depth answer to questions – the reason he is addressing Committee. The outline permission was given a long time ago and things have moved on since then. Residents of Priors Road are very worried about the impact of the proposal on the junction with Priors Road, in addition to concerns about the impact on the Hales Road/London Road and Priors Road/Prestbury Road junctions. Recalls the decision on the Starvehall Farm application and the objections that this road could end up a London Road to Evesham Road through-route, and this proposal could make it even worse – highways officers need to be quizzed to make sure that this road is up to scratch.

Regarding drainage, the developer has done a lot to get sustainable urban drainage right, using 100 years plus 30% as a criterion – we need to be clear that this will definitely happen. Phase 1 of the scheme was half-way built in 2007 and some of the drainage system was not in place, which led to particular problems for Whaddon Road and Wymans Brook. Sufficient safeguards need to be in place during construction, as this is very worrying for people whose homes were flooded in 2007.

This particular development highlights the issues of an outline permission coming back years later. The problems of the early part of the development have been addressed to some extent, but parking is a major issue, as is the quality of the building. The density has been reduced but is very significant for people living and working in the area, and the under provision of parking will lead to more issues in Battledown Park than in neighbouring Priors Road. There were conditions on density in the earlier applications, and we can see now the problems this caused. The density has been reduced but is still very high, and not right on the outskirts of the town. Realises that he is tilting at windmills but these particular issues need to be raised and we need to be satisfied that we have done all we can.

Member debate:

LG: Councillor Hay has addressed the main problem here – the highways question and the consequences that flow from that. This was a question raised in the outline permission and an answer to the highway problems associated with the site is expected now. As an add-on to that, there is the question of the number of houses to be built, as set out in the outline permission. On TV now we are seeing people suffering from flooding, and being told that something should have been about it in readiness for what was likely to happen, such as diversion, dredging etc. The roads in Phase 1 and 2 are very narrow – with cars parked down both sides; it was difficult for the planning view bus to get through in the middle of the afternoon when most people would have been at work, and it must be much worse at peak times. 311 additional houses will mean 450-500 more cars on roads which are already over capacity. The roads need to be 20 feet wider. We need to counteract what we know in 2014 and do something about it at this stage. This is the only chance we have to help people living in Phase 1 and 2 – their needs are more important than the new residents.

Regarding suggested Condition 5, asked why the windows need to be *sliding sash or side hung and of timber construction*? Modern housing should be looking at the best way to insulate, with double glazing and uPVC windows – we are going back in time in requiring this as a condition.

BD: has a number of issues with this, and agrees with Councillor Hay's comments. On planning view, passed through Phase 1 and noticed that the quality of the houses isn't very good – they look shabby – and there is nowhere to store bins, which are largely kept by the front doors, or for recycling. Does not like outline permissions, this one in particular – 16 years ago when the outline permission was granted, 12% affordable housing was considered acceptable, but the world has changed since then and we need more. To build this development with only 12% affordable housing is totally wrong. We should learn by our mistakes, not compound them. The developers should go back to the drawing board and improve on what they have done. We need housing, and owe it to the people who live there already not to make the same mistakes as 16 years ago, when the scheme was drawn up for profit, not for the poor souls who live there.

BF: doesn't disagree with this, and thinks access for emergency vehicles could be a real problem at the top end of the site. GCHQ had a pedestrian entrance on Imjin Road and vehicles could not get up Harp Hill when there was snow on the ground. The narrow roads in Phase 1 are a *fait accompli*, but Phase 3 includes 40 houses in the AONB and others very close to it – it would have been nice to see something about this in the officer report – we should always have a thought for what the site will be like looking in from the outside as well as looking out from the inside.

The biggest concern, however, is the drainage – the known flood risk and what the Environment Agency says. The EA leads on fluvial flood risk, but there is very little in the report about pluvial flood risk, and most of the potential problems are pluvial – the site slopes towards Wyman's Brook, Albert Road, Pittville Park, Leisure@ and Swindon Village. There is little or no indication of what would happen here, as summed up in the last paragraph from the Environmental Agency, which suggests

that detailed drainage scheme drawings are needed. In 1999 there was no NPPF, but now a scheme which provides attenuation for a 1 in 100 year storm standard plus 30% allowance is required - is not confident the drainage system will comply with this. Notes from page 31 of the report private drainage measures will include permeable pavements for some, swales, water butts etc. This is inadequate – his own water butt was full by 2nd October, only takes water from half the house, and fills in two days, with surplus water going straight down the drain. The Environment Agency has noted that the balancing pond appears to have been removed. Concerned about this issue – it is fine to say that the outline proposal has been approved but this is no good to the people who could be flooded, and there is enough on the news at present to make us work hard at preventing them.

MS: agrees with what has been said so far. It is unfortunate that this part of the scheme is being completed last – it should have been done first, with the developers working down the hill towards Prestbury Road, giving them a better idea of the problems. The narrow roads have already been mentioned, but would also like to question how the heavy earth-moving machinery etc required to demolish and re-level the site will get in and out via these roads? Harp Hill is not very wide either. Would like confirmation that plans are in place to keep disruption of existing residents to a minimum. Also considers the residents have been short-changed on parking and bins storage etc. This is not a good design – we can't do much to help the existing residents but we can help with this one.

CH, in response:

- the outline permission granted in 1999 is reflected by the red outline round the whole site, including Phases 1 and 2 – the site was considered as a whole at the time, and although the decision to extend the time to 15 years, to 2016 is not one he has heard of before and is regrettable, this is where we are now with the proposal and what we must consider today;
- regarding density, following on from the earlier permissions, it was expected that the density would be much higher than it is. The urban design officer was heavily involved in the process and feels the density is right, moving up through the site;
- regarding flooding issues, the Environment Agency's comments referred to by BF were made last July, prior to the update. Their comments from November and January confirm that they are now happy that the proposal is in line with NPPF requirements of 100 years standard plus 30%. Issues were considered and dealt with, and are now acceptable to the lead local flood authority

BF: the number of houses may have to be reduced if the site cannot cope with the proposed number. Members are told that the number is set in concrete but we should have the detail before making a decision – the lead local flood authority has stated that a balancing pond has disappeared from the drawings, this is a very steep site on clay soil which won't absorb water. Rainwater will flow down the hill – has seen this happen. The 1999 permission was granted before the NPPF, and drainage needs to be right before houses are put in place – anything else would be the wrong way round, like being measured for a suit when you've got it on.

CH, in response:

- the Environment Agency has stated it is satisfied that the drainage arrangements can and will work, and there are attenuation measures on site. There are a lot of hard surfaces, and the proposal doesn't currently conform to the 1 in 100 years plus 30% requirement, but this can be achieved. Officers are satisfied that the conditioned details will be submitted, and if the details don't comply, the conditions will not be granted.

BF: the report seems to state that the Environment Agency says pluvial flooding is the responsibility of the lead local flooding authority, yet there has been no consultation.

CH, in response:

- the Environment Agency has provided detailed, bespoke comments and been involved in the scheme from Day 1. Officers are happy with the strategy, and if conditioned in consultation with the lead local flood agency, this is acceptable;
- regarding LG's comment about the windows, the condition could have been carried over from the 1999 permission, and can be changed to reflect the more modern context.

MPower, in response:

- we could talk at length about the problems with the road widths and car parking in the earlier phases, but it should be remembered that these permissions were granted under PPG13, with the intention of encouraging people away from car use. The time to object to these issues was 1998; we would lose an appeal, and have costs against us, if we refuse now on these grounds;
- agrees that the planning process is sometimes hard to understand, but the Starvehall Farm application did not ultimately include a through link, and the committed development at Oakley was modelled as part of that application;
- regarding the construction method statement, asks Members to make sure the applicants take this on board – they need to take it seriously ensure that it is fit for purpose, and enforced by CBC;
- regarding the design, internal lay-out, parking etc, it is unusual and unhelpful to have a 15-year gap between the outline permission and the reserved matters, this is where we can comment
- regarding resultant traffic, the principle is also set here and was considered acceptable at the time – and is now accepted..

CH, in response:

- MPower has mentioned the need for a detailed construction method statement. This is not currently included in the report, but will definitely be added to the conditions.

RG: this application shows what's wrong with the planning process – it should be a partnership. The developer knows it's 16-17 years since the outline permission was granted and that things have changed since then, such as affordable housing– although we're told the percentage can't be changed, the developer could have worked in partnership and offered more in view of today's requirements and with Persimmon sites all over the country. More partnership would have been nice.

Phase 1 and 2 were granted under the last labour government, which relaxed parking and upped density, with the result that there are cars parked everywhere. Is concerned about lorries getting through, and supports the construction method statement, to apply to all roads in Phase 1 and 2.

On a technicality, we are told we can't do anything about the roads in Phase 1 and 2, but we cannot have a REM application without an OUT – one of the reserved matters is associated roads, and roads in Phase 1 and 2 must come under this? The outline permission was for the whole red line site, including Sainsbury's, and CBC could look very stupid if it allows further houses and roads to be added to a scheme which doesn't work now – would appreciate a legal view on this.

Wonders why there is a holding tank at the highest point of the site, and suggests that Condition 9 must be looked at very carefully, with drainage details for the whole site, including Phases 1 and 2, taken into account. We need to see where the water will flow – if towards the Wyman's Brook, this could be a serious matter. The Environment Agency has been involved with the site since 1998 and must be aware of the flash flooding in Whaddon in 2007; it therefore must be very mindful of surface water flow through the estate. Disagrees with BF, as the scheme can't go ahead if Condition 9 isn't satisfied. This, and the construction method statement, need to be strengthened to cover the whole site inside the red line of the outline permission. Regarding the roads within the red line outline, these don't work now and additional houses will make the problem worse, so what is to be done about that?

CL, in response:

- there has been a lot of talk about going back to square one and to things already set by the outline permission. As MPower says, if we refuse the reserved matters on this basis, it could be seen as unreasonable by at appeal. Refusing to approve reserved matters when objections relate to issues that should already have been considered at the outline stage is an express example of circumstances which may lead to an award of costs against a planning authority;
- regarding RG's comment about the red line outline of the original site, the 'associated roads' in this reserved matters application will refer to those in respect of to Phase 3 only;
- only the reserved matters – external appearance, siting, design and landscaping – are being considered today.

CH, in response:

- to RG's comments on Condition 9, realises this is a hugely contentious item, and the condition can be amended accordingly to pick up on all the points raised.

RG: will it refer to the whole site?

CH, in response:

- no, only to Phase 3.

RG: the construction method statement must show the route through the estate to where the new houses are being constructed.

HM: thanked CL for her advice. There are a lot of representations concerned with highways matters and the problems with car parking and road widths. Phases 1 and 2 are being investigated – what is the current state of those discussions? Residents are very keen to hear what mitigation is being suggested. BF's question about consultation with the Cotswold Conservation Board has not been answered. It commented on the outline and should have been consulted on this application too - the developer could have suggested a 20-storey block of flats! CCB should have had the opportunity to comment on the design and lay-out of the site.

Is concerned about emergency access for the 40 houses at the top of the site. In adverse conditions, emergency vehicles cannot get up Harp Hill. Could rising bollards be included, as at Starvehall Farm, to allow emergency vehicles access from one side of the site to the other?

The orange update includes comments from the landscape architect – are these points resolved? Notes that the site has been sparsely used over a number of years, yet there is no GCER report on protected species in the officer report. It is very likely that bats and badgers have entered the site.

RW: agrees with what's been said and supports RG's suggestion that Condition 9 should be strengthened. Regarding highways, MPower says the question of access cannot be revisited, but we can revisit the question of the adequacy of the road widths for vehicles, in particular refuse vehicles. Would like this clarified, and suggests the application could be refused on these grounds.

PT: is concerned that Members are spending so long talking about things which we're told are set in stone and cannot be changed, and upset that we are being forced to agree to a 15-year-old permission, including many issues which we could not know would have changed so much – we should watch out for this in the future, and not allow such a long gap again.

Regarding the hassle caused by on-street parking, couldn't the developer put down double yellow lines, particularly around the worst bottle-necks, to improve site access? This would improve matters

not just for heavy lorries but for the continuous stream of vehicles through the site. Agrees with LG that the windows need to be double-glazed, and regarding the balancing pond, can CH give more information about what sort of protection there is likely to be for this – it is to be a feature in the middle of the site and easily accessible to children, which could lead to complete chaos.

PJ: the report states there is no highway objection as is the proposal complies with the NPPF in that the cumulative impact of the additional homes and cars will not be severe. What about the impact on Phase 1 - the roads are unadopted and it's unlikely that Persimmon will ever arrange this - of the heavy trucks using them for Phase 3? These could cause damage the residents have no power to do anything about - the cumulative effect of all three phases could be atrocious. Agrees with RG's concerns about the water flow across the site and doesn't consider we have enough information to make a good decision – this is worrying and will be on his conscience. What can Members do? Is it unreasonable to ask questions? Doesn't think it is, despite being told of the risk of appeal and costs against us. The developer should go back to the drawing board and come back with more information, taking into account the cumulative impact of Phase 3 on the community - a huge concern.

KS: shares these concerns, and considers we have been snookered by this. Is worried about access – the road by Sainsbury's is narrow and has a high number of vehicle movements, and was struck on a recent visit by how much of the development is served by one small access. Realises that we cannot revisit the access arrangements, though it is beyond belief that this was allowed in the first place. Regarding the landscaping and the balancing pond, is the maintenance of these to be conditioned and if so, who will be responsible? This is a very sloping site and we need to be clear. This is a brownfield site which needs to be developed, but is concerned that we may not be making the best use of it, and wonders what was going through people's minds when the outline permission was granted.

BD: having listened to the debate, it would be ridiculous for Members to approve this application. Concerns have been voiced all round the room, on flooding, roads, quality of life etc. With the last agenda, Members received information about a proposal which officers recommended for approval, Members refused, and was dismissed at appeal. Members should stand up and be counted, not threatened. If there is something wrong, the developer must go back and do something about it.

BF: CH has said that rainwater handling will be dealt with by the management company. This may or may not be effective – the Midwinter site is managed through a company, but if problems are not solved, no one will want to buy the houses. MPower said that highway matters were agreed in 1999, but the NPPF has changed the rules – planning law has changed on traffic and highways issues.

PJ: forgot to ask a question amid heightened concern – is it possible to add a condition requiring the adoption of the previous roads prior to this proposal going ahead?

PH: is getting more and more horrified by the minute. Members are between a rock and hard place: either vote for this appalling application, or go against it risking appeal and unreasonable behaviour. Just how unreasonable would it be to vote against it? With two small accesses, poor state of the roads, heavy plant moving through the site – would an Inspector really consider it unreasonable to refuse on these grounds? Feels a moral imperative here and cannot vote in support.

LG: this has been a good debate with serious issues raised. It's clear that if the application site was on level ground it would have been passed by now, but it is part of a phased development. Members' comments show their great concern about permitting something which will be detrimental to others. Asks the legal officer if Members are obliged to permit this phase of the application when they know that by doing so, it will harm the amenity of people already living there. It would be a disaster, and cannot vote for the proposal if this is the case. Has listened to all the comments, in particular RG and

BF, and proposes that the decision be deferred for one month pending further negotiation with those responsible, so that all Members' worries can be taken on board and questions answered.

CC: asked Members to think what they would like to achieve by this.

RG: was also going to move for a deferral for a number of reasons. Firstly, because Members of the committee are trying to re-write Condition 9 which would better be done by a hydrologist or the applicant. Secondly, the construction method statement needs to be worked through, to cover the surrounding highways network, with the onus on the developer to show how it will work. Thirdly, was reminded by a comment from PJ of Cypress Gardens in Gloucester in 2007 where roads and drains remained unadopted, and the area was severely flooded. If Members can't say no for legal reasons, they should say no to avoid another Cypress Gardens situation. Deferral is right course here.

AM: agrees with LG and RG. In view of the concerns raised by officers and other consultees as well as Members, it would be negligent to go ahead with the scheme in its present form. Deferral is the sensible answer – with their questions answered, the committee will be able to go forward.

BF: does not think that one month's deferral will be long enough, to give time for the various discussions needed between the developer, the applicant, officers, the lead local flood authority etc.

RW: was going to raise the same point, and also whether the developer might consider a re-design of the scheme with fewer houses. Members are concerned about flooding and highways issues: the substantial risk of flooding in Phase 1, 2 and 3, as seen in the flash flooding at Wyman's Brook in 2007, which needs to be fully addressed before the application comes back to committee; and regarding highways, concerns at a basic level – the safety of the public –this is the issue, regardless of the possibility of costs. Members cannot pass schemes with substantial concerns about safety.

PJ: affordable housing should also be addressed again, and Members be given assurance of this.

CC: the agent is in the room, and will hopefully take away all the comments he has heard tonight. Members would like answers on surface water and flood risk, construction method statement, highways issues, emergency access, the Cotswold Conservation Board, and protected species.

PT: and how children will be kept away from the balancing pond.

AC: and the windows condition.

BD: would like bins and recycling storage written in – this is very important.

PJ: and adoption of existing roads issue.

CC: is happy that everything has now been covered – there is much work to be done.

Vote taken on LG's move to defer, pending further information on the above issues.

15 in support – unanimous

DEFER

Application Number:	13/01902/FUL
Location:	237 Cirencester Road, Charlton Kings, Cheltenham
Proposal:	Erection of 9no. dwellings, reconfiguration of site access and associated landscaping following demolition of existing building (Little Owl Public House)
View:	Yes
Officer Recommendation:	Permit

Committee Decision:	Permit
Letters of Rep: 21	Update Report: Additional representation (objection)

MPayne introduced the proposal as above, saying that revisions have been sought during consideration which reduced the number of dwellings from 10 to 9. The proposal includes three traditional terraced houses facing Cirencester Road, and three sets of more contemporary semi-detached dwellings within the site. There are seven 4-bedroomed houses and two 3-bedroomed, all of which benefit from extra accommodation at basement level. The application is at planning committee on account of an objection from the parish council.

Public Speaking:

David Jones, agent, in support

Thanked Members for the opportunity to speak, as planning consultant for the proposal, saying it is a full application for nine dwellings, having undergone a number of revisions after careful consideration of neighbours' objections – reduction in the number of dwelling, increase in parking provision, reduction in the height of the buildings. In view of the well-written report, had not been going to speak at committee, but after seeing Martin Horwood's late objection, regretting the loss of the public house, decided to do so. Refusal to grant planning permission must rely on adopted policies, the SPG of the NPPF. Mr Horwood has cited policy RC1, which is included in the Local Plan to prevent premises or land with community value from being lost, more specifically to prevent churches from being converted to public houses or commercial/entertainment venues. Reminds Members of the Greyhound pub which was converted into five apartments. The Inspector read RC1 and supporting texts and considered it open to doubt the fact that the commercial venues were used for evening classes could mean they fall within the terms of the policy. The Inspector did not consider that RC1 is relevant to commercial establishments, and therefore Mr Horwood's comments do not bear close scrutiny. Hopes Members will support the officer recommendation and vote in support.

Member debate:

RG: Martin Horwood's letter arrived very late in the day, and while it's shame that a potential buyer wasn't found at an earlier stage and a pity that the pub is going, it's no surprise if it isn't supported by local people. Are the Trees Officer's comments covered by Condition 10? Wants all angles covered.

PT: the opposite side of the coin is that several of the neighbour letters refer to a number of offers to buy the pub, including some over the asking price, but the developer chose not to consider them. We need to look at what they did to sell this pub as opposed to developing the land. Is very sad that so many pubs are going – we should take into account that they are gathering places for local people. Would like to know why the pub was sold – cannot believe that it wasn't a viable concern.

PJ: following Mr Horwood's and Mr Jones's comments, would like to hear what officers have to say about policy RC1 – thinks it could be read either way. Understands that there is a big function room at the pub, and wonders how the loss of this will impact the local community.

BF: is sorry to see another pub go, but the nation's drinking habits are changing – consider the Whitbread prize for literature is now the Costa prize. Charlton Kings is fairly well off for pubs, unlike his own ward which only has one. The application is nicely laid out and designed, not trying to cram too much into the site. Is glad to see that the Lombardy poplars are to be kept.

BD: the Little Owl wasn't her idea of a pub - more of a decent bar and gathering room. Fashions are changing and wine bars are increasingly the thing. This is a huge piece of ground which will easily

take the houses proposed, and there are other pubs not too far away. Considers this a good use of a brownfield site, and we need the houses.

KS: has two concerns about the application. Firstly the design: either part of the application isn't bad, but doesn't feel they go together – red brick and Majorcan-style villas – and wonders why the applicant has provided this jarring design, as noted by the Architects' Panel. Secondly, is concerned about parking. Visited the site recently and there were over six cars parked in Cirencester Road around the site, some on the pavement, as well as parked vans, altogether hazardous. Parking provided on site is not sufficient and will add to the problem. Is also sad about the loss of the facility, which is a decent venue for events; Charlton Park does not have many such venues, so this is an important facility for the residents in her ward too.

HM: lives in Charlton Kings and has been in the Little Owl many times – it was a good community pub and she is sorry to see it go. Cannot support the scheme, due to the different styles of houses at the front and back of the site. This is not cohesive – agrees with the Architects' Panel.

SW: is also disappointed at the loss of the pub, but also concerned about the public footpath which runs through the back of the site. At the December meeting, raised concerns about the stopping up of a public footpath, which are legally protected and should not be built on, overrun, or added to the roadway. These need to be treated in a proper manner.

MPayne, in response:

- concerns about the loss of the pub are set out in the report;
- it is true that the decision needs to be met in terms of policy, and has been based on appeal decisions which clearly suggest that pubs are not included in policy RC1. The function room is ancillary to the pub and there is no policy protecting it;
- regarding the design, this wasn't encouraged at the pre-app stage, and it was suggested that pitched roof design should be incorporated throughout to merge the site together;
- the terrace at the front is a traditional form with more contemporary design further back in the site – this isn't an unusual arrangement which is why officers are happy to support it;
- to SW, the footpath is not a material consideration.

MPower, in response:

- confirmed that it is not part of the application. The right of way is shown on a definitive map and the applicant has spoken to GCC Public Right of Way officers. There is a slight conflict of line of the Right of Way, and it is a criminal offence to obstruct a highway PROW, but this is outside the planning process. The definitive line on the drawing shows where the right of way is, along the edge. Cannot make any comment there.

SW: wants to put down a marker as there has been an abuse of power here. It is illegal to block a public footpath but there are several examples where this has happened. The footpath is there and cannot be incorporated as part of the road – it must remain a separate footpath and not be obstructed.

RG: regarding design, would like to strengthen Condition 9, to ensure that where the modern materials join, there will be no staining of render etc as seen elsewhere, to ensure the best standard of contemporary design..

CC: this should be a default position.

PT: MPower said the footpath issue is outside the planning process, but what is to be done about it?

MS: can a condition to maintain the footpath be included? This seems the easiest way. Apart from this, is happy with the design and density of the proposal, and will support it.

PJ: if not a condition, maybe an informative can be included, to ensure that the County Council knows about our concerns.

MPower, in response:

- this cannot be conditioned because it is covered by other legislation;
- there are already four informatives concerning the public right of way.

KS: cannot support this scheme, and is concerned about parking around the site during construction. Even if we condition that construction vehicles are contained within the site, this could be 10-20 vans, and there is bound to be overspill onto the road.

MPower, in response:

- asks that Member endorse the highways conditions, and the condition for a construction method statement, which is robust and readily enforceable.

Vote on officer recommendation to permit

12 in support

3 in objection

PERMIT

Application Number: **13/02091/FUL**
Location: **28 Victoria Terrace, Cheltenham**
Proposal: **Erection of a pair of semi-detached dwellings following demolition of existing bungalow**
View: **Yes**
Officer Recommendation: **Permit**
Committee Decision: **Refuse**
Letters of Rep: **12** Update Report: **None**

MP described the application as above, adding that revised plans have been submitted to address the concerns of the Architects' Panel and Conservation Officer. Two additional off-street parking spaces have been provided. The application is at committee at the request of Councillor Jordan.

Public Speaking:

Mrs Paula Loughlin, local resident, in objection

The design of the proposed dwellings is out-of-keeping with the character of Victoria Terrace, which is traditional Victorian in style. The proposed flat roof and fibre glass roofing materials are contrary to the Local Plan, para 5.36 – and this, together with the three-storey construction, represents over development and will make the new houses stick out like a sore thumb. Over-shadowing, over-looking and loss of privacy are also concerns for local resident. Parking is another issue – it is already difficult in Victoria Terrace and these additional dwellings will add to the problem. With three storeys and four bedrooms, each house is likely to bring two extra cars, added to which the two-entrance arrangement to the houses will take away two existing on-street parking spaces. Existing difficulties with manoeuvring in Victoria Terrace will become even worse with the two new properties. Additional considerations are the construction method statement – the time restrictions for development, the unadopted highway and the effect on the road surface. If permission is granted, residents request a

condition to ensure that the flat roofs are not used as terraces or roof gardens, which could cause noise and disturbance to neighbours.

Councillor Jordan, in objection

Has no objection to the demolition of the bungalow but is concerned about what is proposed in its place. This site is at the end of the terrace, and although the existing dwelling may have less style than those around it, what is proposed is potential over-development – three storeys high, and completely different from the existing dwellings in style and design. The issue of parking and transport is important – it is already a problem in Victoria Terrace, and although the additional parking spaces for the proposed dwellings is good, there is still the problem of getting in and out. As with Brighton Road, additional space for turning would be helpful. Regarding the highway, a large pothole appeared in the road last June – this is an unadopted road and the issues here are similar to what has been discussed at GCHQ Oakley, only smaller in scale. Asks if anything can be done through a construction method statement - construction vehicles could well damage the road, and would the developer be liable for this? These are the two big concerns of residents – the scale of the development and parking/highway issues.

Member debate:

SW: doesn't like the third storey. Councillor Jordan has made a good point about the state of the road and large potholes; commercial vehicles up and down during construction could cause further damage. S106 money should go towards road maintenance in the event of any further damage.

RW: this is an appalling design, which is a pity as the principle of building a pair of semi-detached houses here is OK, but not in a style so inappropriate to the rest of the street. The three-storey flat-roofed houses look like Lego. The proposal didn't need to be done like this. Will move to refuse.

BF: doesn't like the design. The construction is not in line – would have preferred to see no parking on the front, the building brought forward and the third floor taken off, with an extension to the back if a fourth bedroom is required. This is totally different from everything else in the street, and not supported by the Conservation Officer. The design is the major problem here - car parking is always a problem – and the drawings are deceptive. The scheme should be rejected on CP7 and BE7.

LG: the principle of development here is correct but agrees that the three-storey design is alien to this historical part of Cheltenham. Wasn't sure if the Heritage and Conservation comments were made tongue in cheek as set down, stating that improvements 'could be made'. Notes the Civic Society's comment that neither the three-storey houses nor the set-back from the rest of the terrace are appropriate. This proposal is totally foreign to the rest of the terrace, and cannot support it. Agrees with CP7(c) as a refusal reason, and suggests CP7(b) as well.

BD: three storeys are not on, but supports the principle as the site will take two houses and the present bungalow has very little to offer. Disagrees with the suggestion that the houses could be brought forward and the parking spaces removed – when the other houses in the street were built there were no cars, but these new properties must be set back in order to get cars in the drive.

KS: agrees with what has been said. The three-storey design is contrary to the integrity of the old Victorian buildings with sloped roofs and parapet walls – it is pastiche, with the appearance of two storeys and an ethereal third storey set behind. The developers need to think about the flat roofs – pitched roofs are more appropriate for our climate; flat roofs are not practical. The properties should be set forward, as setting them back means stealing parking spaces from the rest of the street. Could not drive up the street today, and notices two or three cars outside the bungalow, which wouldn't be

able to park there if new driveways are created. It is unfair to give the new properties more space which could be used to make a larger turning circle. Won't support the proposal - a shame as it is almost there, but doesn't respect the neighbouring area.

PT: can't support the three storeys. These houses could be brought forward and still have room for four car-parking spaces at the side and back. Has lived in a Victorian terraced street before everyone had cars – it was a nice place, but streets like this are now a mish-mash. The proposal comes close to mimicking the Victorian terrace but the top storey is inappropriate.

WT, in response:

- the parapet is a useful device historically to conceal the roof, and it was considered appropriate here to conceal the third storey, which is set back to reduce the bulk of the building;
- officers wanted the buildings brought forward to the building line but as parking was required, the compromise was to set them back and allow parking at the front;
- when the design was amended, the ground floor windows were enhanced to continue the rhythm of the historic terrace and maintain the hierarchy of the upper windows.

BD: what the report says about parking and what the drawing shows seem to be different.

MPayne, in response:

- the revised plans were submitted after consultation, and the original Heritage and Conservation comments were revised; the set-back was considered to be an improvement;
- to SW, an S106 to improve the road cannot be required, as this is out of the control of the applicant – it is not a material consideration and money cannot be required for an existing road.

SW: does not suggest the developer should pay for existing road damage but for damage which may be done as a result of the construction. It is unfair for residents to have to pay for this.

MR, in response:

- the difficulty is that this is a private road owned by a number of people, and not in the control of the applicant. What SW suggests would be a private legal matter.

BF: following on from WT's comments, suggests that the developers are not obliged to provide parking spaces in schemes such as this, so close to the centre of town.

HM: playing devil's advocate, will support of this application, and questions whether BE7 is a suitable refusal reason as it refers to parking in front of historical houses and these will be brand new ones.

MPayne, in response:

- BF is right that there is no obligation to provide parking, but officers would seek to obtain it in this type of situation. If none is provided, officers would need to see a car parking audit to show that there is available space.

BF: the need to provide parking is what has caused the clash with BE7.

MPayne, in response:

- the particular need is to ensure that parked cars don't block historic buildings. BE7 refers to 'introducing' car parking, but there is already parking in front of the bungalow.

KS: the bungalow has off-road parking and one driveway. By creating spaces for the occupants of the new houses, existing residents will lose two spaces – it is not right to allow this.

PJ: for clarification of MR's point – what is the difference between private and unadopted roads?

MPower, in response:

- there are three types of road: (1) private, gated roads with no access to the public; (2) roads maintained by the Highways Authority; (3) roads privately maintained by owners
- this is (3) a privately-maintained road, and if it is damaged by the developer, the owners could take civil action.

CC: Ms Loughlin discussed the possibility of a construction method statement which has not been discussed by Members. If the proposal is permitted, can this be added?

MPayne, in response:

- yes, it is acceptable to set hours of working – Environmental Health deal with this, and there are details on the website.

HM: suggests that if the permission is granted, a standard condition for waste and recycling facilities be added – it is not included at present.

SW: for clarification, following the comments about the various types of road, accepts that an S106 would not be appropriate here, but if the residents feel that the developer has created damage to the road, will they be able to claim compensation from the developer?

MPower, in response:

- to be specific, the 'owners of the road' can claim for any damage, and these might not be the residents, but yes, it would be a civil action between owners and the developer.

Vote on RW's move to refuse on CP7(b) and (c)

8 in support

7 in objection

REFUSE

Application Number: 13/02118/FUL
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)
View: Yes
Officer Recommendation: Refuse
Committee Decision: Permit
Letters of Rep: 7 Update Report: Letter from the applicant

CH introduced the application, which is exactly the same as the scheme originally submitted in 2011. This was subsequently amended, to achieve a set-back of the two-storey element and a red brick finish, and permission was duly granted. The applicant has now re-submitted the original scheme, which is not in line with CP7 or the SPD on extensions regarding subservience of the extension.

Mr Collard, applicant, in support

The information and photographs submitted by SFPlanning highlight that the SPD allows for what is proposed. Has lived in the house for some years – it is detached and a bit scruffy, but he and his wife love the area and would like their children there. Is happy to make a big financial commitment in order

to achieve the ideal family home, and is on friendly terms with the neighbours, who all support the proposal. There are two changes from the permission granted: the insulated rendering, rather than red brick, is proposed for practical reasons. The bricks are in poor condition – the render will protect them and also reduce heat loss by 80%, so ensuring lower heating bills. There is a mix of rendered and red brick houses in the Naunton Park area. Regarding the first floor setback, the proposal would have less impact than others, and to set it back would be damaging to the overall design. The aim is not simply to make the house symmetrical, but to build in a properly designed way. There are examples of semi-detached houses extended without any setback in the conservation area, proving that it is not always required. There have been no negative comments from neighbours, and a setback would reduce the amount of space available for the growing family. If Members decide to support the officer's recommendation, requests that there be a separate vote on the render.

Member debate:

SW: this was the subject of great debate on planning view, with the question asked: if this house was being built from scratch now, would we allow it? The answer is yes, and is therefore struggling with the argument that the extension needs to be set back. Recalls an application which was refused because it extended 1m beyond the garage but was subsequently allowed at appeal. Revisited the house once the extension had been built and noted it was not overbearing as had been stated in the report. This property is currently smaller than the houses on either side and may be slightly larger when the extension is done, but it will fit perfectly. Regarding the render, if it helps with energy conservation, it should be allowed; if it doesn't, it should remain brick. Is happy with the design.

KS: will support the application. Has utmost respect for the Conservation Officer and usually agrees with what is written but on this occasion doesn't. This street is in her ward, and she knows it well – it is tree-lined, with Edwardian redbrick houses, but this proposal won't harm that. The house is at the end of a set of three houses. The other two have extensions; a further block to the left will fit in and the render finish is not out of keeping. Regarding the set back for the upper floor, this will make the roofline look cluttered. This is a better scheme than the approved permission. Some of the bricks are look very old and tired, and the extension will be built of new bricks which don't match, resulting in a hotch-potch look – a render finish will remedy this. Although close to the conservation area, the house does not have any architectural merit and is not a part of the town's heritage. We have to allow people to extend and improve their homes to suit their lifestyle and, in this case, improve thermal efficiency. This proposal is the best solution here.

MS: agrees with the last two speakers. Regarding the set back, thinks the extension looks better flush, and if he lived in the house opposite would rather look at one integral building. Would not be supportive if this was an Edwardian house, but objecting to this scheme is rather picky. Regarding the render, does not think it will do too much damage, depending on the colour.

RW: agrees that the colour of the render is important. This application is unusual regarding the response from neighbours – is used to reading large numbers of objections to proposals. Does not think they are only supportive because they have a good rapport with the applicant, but also because the design is good. Beauty - and design – is in the eye of the beholder, and some designs are a little too clever, but if the neighbours are happy that the proposed scheme will blend in, who are we to say it won't. Was not on planning view, but is happy to vote in support of the scheme on account of what the neighbours and other Members say. Regarding the render, subject to ensuring that it blends in with other houses in the street, will be happy to support this too.

PJ: for various reasons, will move for approval of this application. We can rely on local neighbours to tell us when there are issues, but none have been raised, so we can be confident that the proposal

doesn't fall foul of CP4. Understands that setbacks are required for a reason, but disagrees with the officers here, and thinks in this case, the extension as requested will have a positive impact on the building. Is not keen on render as a rule but sees the argument for it here. Moves to approve, with conditions to be drawn up and approved by the Chair and Vice-Chair.

AM: supports this move to permit. Considers this scheme superior to the approved one – the setback extension was OK, but this is a step forward on that. The neighbours support it and he will too.

BF: will also support it. Regarding the render, what PJ says may be true, but these bricks are 50-60 years old and will be difficult to match. Is amazed that the recommendation is to refuse because of the SPD – that document is for guidance and to be taken into account, but isn't gospel.

AC: will also vote in support. This is a good design and development, and the neighbours support it.

BD: will vote for it. Suggests a condition regarding the colour of the render – this must be in keeping. Policy on building on and setback seems out of date, and should be discussed at some point.

PT: will vote in support of this, but reluctantly. Is not bothered about the setback – was confused but understands that this was required by policy, but thinks it looks OK. However, is concerned about the rendering. There are three rendered houses in the street: one is a big, grey place – a statement on its own – and the others are further back. Would prefer it not to be rendered and is surprised that this is needed for energy-saving – surely the house has cavity walls which can be insulated?

RG: in the report, the conservation officer lists 12 reasons why we should stick to policy - everyone likes the proposal but our rule is to enforce policy. If we stick to policy, wonders whether this will conflict with the NPPF paragraph 65 which refers to concerns being mitigated by good design and other benefits. Is normally a stickler – we write the policies and should stick by them – but as there seems to be some conflict here with NPPF 65, may have to make an exception here.

PH: thanks RG for raising this – is also a great stickler for policy, and he makes a good point here. Has a huge problem with the render, where all the properties around are red brick, and recalls a house in Charlton Park which was rendered and sticks out like a sore thumb. If it was just for cosmetic reasons, would not vote for it, but for the reasons given by the applicant, hopes it will be OK and will not grate every time she passes the house.

CH, in response:

- to be clear, officers look at applications against the written guidelines on extensions, and feel that a very large proportion of the side extension could be achieved with a setback;
- of course, the word 'normally' must be applied, and Members have made their feelings very clear that in this case, the proposal is acceptable to them;
- suggested conditions will include implementation of the approved plan and a sample of the proposed render.

SW: regarding the business of set back, do we need to revisit this? It would be a very useful tool if this application was on the other side of the road, and should not be removed altogether, but in this instance, it is not necessary.

Vote on PJ's move to approve, including the render finish

13 in support

1 in objection

1 abstention

PERMIT

Application Number:	13/02139/FUL
Location:	32 Church Road, St Marks, Cheltenham
Proposal:	Redevelopment of site comprising the erection of 6no. 1 bed apartments and 5no. 3 bed houses
View:	Yes
Officer Recommendation:	Permit
Committee Decision:	Permit
Letters of Rep:	19
Update Report:	None

EP reminded Members that there are two schemes with consent on this site for 10 and 7 dwellings, with a different combination of elements approved on each, one with flat roofs and one with mansard roofs. The application is at committee at the request of Councillors Coleman and Holliday.

Public Speaking:

Mr Farmer, local resident, in objection

On behalf of local residents, said there are two main reasons for objection. The second application, approved in 2012, is preferred by neighbours, as it is the best design and lowest density. People are frustrated with the planning system which allows developers to submit scheme after scheme until they get what they want. Can see the weight of professional opinion and realises that there are two schemes already approved, so residents are pretty much caught in a cleft stick, with the strong impression that this scheme will be approved the CBC or at appeal. The officer has done a good job with the conditions, but three of these could be strengthened. Would like an amendment of Condition 16 or assurances from the Committee that the construction method statement will only be approved after consultation with residents – this would address a number of concerns, such as loss of telephone and internet services when the telegraph pole is removed. Commends the approval of recreational facilities, but would like an amendment of Condition 14 to ensure that these too will only be approved after consultation with residents – a collaborative approach, preferably with the developers, is needed to address local needs. Lastly, regarding Condition 1, considers that five years is too long for implementation – the second application has until 2017, and residents don't want to be kept in limbo for another two years after this, with the possibility of squatters moving into the derelict property. There are further concerns about traffic which Councillor Holliday will address, but his message is that local people will be happier if these conditions are strengthened and they would like to work in collaboration of the council and developer to see this done.

Councillor Holliday, on behalf of local residents

Residents are unhappy about the timing of the consultation over Christmas, resulting in some of their comments not being as detailed as they would have liked. Expects Members are frustrated to be considering another application on this site, but while neighbours accept that some development is going to take place, they want to be sure it will be done in consultation with them, in a spirit of collaboration and goodwill. New Dawn Homes have made it clear over the years that they don't want to consult with residents, which is disappointing.

Residents accept the need for the site to be developed, if only to prevent the problem of squatters, but it must be the right development for them. It is concerning that the building sizes haven't been reduced to accommodate the additional property, and residents would like to be consulted in future, particularly regarding conditions outlined in the officer's report. Condition 12 is important as garages should not be converted into living accommodation without seeking planning permission, and

Condition 16, regarding the construction method statement, is also important to residents who remember the mess and debris caused by the development at The Hawthorns opposite. Enforcement officers were involved but it took some time for the developers to clean up the site, and local residents do not want to see this repeated. Regarding the re-siting of the telegraph pole, residents are concerned that there should be no interruption to their phone and internet service.

Would like reassurance that the loss of parking spaces at the front of the development will result in enough spaces for residents to part their cars. Newer properties in Market Street have garages but these are too small and residents are not using them for their cars – there are lessons to be learnt here. With regard to highways issues, is concerned that the development will add to parking problems in the area, and has problems with the highways officer's report. Accepts his conclusion and the inclusion of three recommended conditions but has major concerns regarding increased vehicle movements along Church Road, especially in light of the A40 traffic consultation and the impact of no right turn into Tennyson Road. Cannot accept this will not have a significant impact if implemented. Believes this highways proposal is likely to impact many roads in this ward, including Church Road, and has heard of motorist exiting Church Road East, turning left towards Gloucester Road and immediately doing a u-turn into Lansdown Court Drive. This sort of incident could well increase with additional residents in Church Road.

Urges Highways to reconsider their response to this application, which was written prior to the A40 consultation and need to be revisited. Doesn't want to be in a position of saying 'I told you so...' in the future if an accident should occur.

Residents accept that this site will be developed and prefer the 2012 scheme. Commends them for working through Mr Farmer, in conversation with the planning officer, to draw up a sensible approach to this application. Asks Members to take their comments on board, and urges Gloucestershire Highways to look again at the impact of the A40 consultation on the residents of Church Road.

Member debate:

MS: didn't like the first scheme and was disappointed when the Inspector allowed it. The second one was better, but this proposal is again like trying to fit a quart into a pint pot for one extra flat and one extra car. Had reservations about the previous scheme but couldn't think of any relevant refusal reasons; this scheme is a medley of the first two. Will have to support it, but considers the developer is trying to get too much out of the site. Noted the parking conditions on planning view, and in view of the size of the garages wonders if they will take a 4x4 vehicle.

BD: asked about the trees in tubs which appear to be attached to the houses in the drawings.

RG: would like legal advice on the three year/five year implementation issue raised by Mr Farmer. The developers are present and will hopefully take note. In his own ward, local residents and the developer of 79-81 The Park built up a good relationship and were able to sort out a lot of problems, once they started to talk. Agrees that Condition 16 should be strengthened, and the developer's contact number acquired so residents know who to get hold of if any issues arise.

BF: has sympathy with the residents. Is concerned that there are no set sizes for the garages. Did not like the first application, quite liked the second, but considers the current scheme brings together the worst bits of both, just to squeeze another unit in. Is looking to see if there are any policies which could be used for refusal – HS2 is shaky, CP7 or TP6 are possible but difficult. As there are already two approvals here, is not sure where to go with this.

PJ: can't remember the previous applications, but the developer is very good with local residents – maybe the current developer has a different approach, but agrees with RG that conversations between residents and developers can help. Regarding the design, it may be trying to fit a quart into a pint pot, but quite likes the look of it.

PT: asked for some clarification of the drawing on screen, to include the three-storey units. Is also interested to hear legal advice on the three years/five years matter – is never sure why developers are given five years to start work, allowing them to sit on sites as once they have a permission, it's difficult not to give them another. Commented on the size of the garages after the experience of Market Street, but was told that this is not a planning issue – which is stupid, as it is crazy to build a garage which cannot fit a car. Wonders why people buy these houses and let the developers get away with it.

AM: on the question of the number of years, isn't it down to the committee to say how long the developer has in which to build? Nothing is set in stone.

CL, in response:

- that is quite correct. Five years is a default standard, but this can be longer or shorter if it is reasonable to do so. In this case, with two planning permissions already granted and neither implemented, this would be sufficient reason for the development to be brought forward.

AM: has sympathy for Mr Farmer and Councillor Holliday's issues, but Members will struggle to come up with a refusal reason which will stand up at appeal. Is concerned the site is still undeveloped, and suggests that limiting the time for this application to no longer than already granted with the previous one may force the developer's hand.

RG: Councillor Holliday says there have been squatters on the site – we don't want this, we want housing. The permission should be for three years, not five.

PT: agrees, but is there any way we can force the developer to start building sooner?

BF: attended a planning training day in Derby with HM about a year ago, where the question arose of how to make builders build, and understood that a 106 agreement can be used to require completion by a certain date.

PJ: supports a three-year time limit on this application.

CC: should the Highways recommendation have changed in the light of the A40 consultation?

MPower, in response:

- there are some similarities here to the GCHQ Oakley application. There are two extant planning permissions, and the starting point is what the increase in traffic over these will be – one extra flat will not generate any significant traffic, and under the NPPF, permission can only be refused if the impact will be severe

RW: Councillor Holliday referred to no right turn into Tennyson Road, which is a recent development.

MPower, in response:

- is aware of the traffic consultation and this change, but an extra 0.4 trips per day as a result of the extra flat is not severe.

PT: is there any chance of a 106 agreement being used to put a time limit on the development?

CL, in response:

- is not sure what training BF was referring to, and maybe what he said could be relevant to very large developments for a variety of possible reasons, but it is not applicable here – developers are entitled to build or not to build as they wish, within the conditioned time limit.

CC: can EP facilitate communication between the residents and developers, as suggested?

EP, in response:

- would propose informal discussions and is happy to help set this up if required;
- regarding the construction method statement, is happy to let local residents see a copy of this if they would like to;
- the developer must resolve the telegraph pole issue separately from the planning system.

Vote on officer recommendation to permit with a three-year time limit

12 in support

0 in objection

3 abstentions

PERMIT

Application Number:	13/02180/FUL		
Location:	259 Gloucester Road, Cheltenham		
Proposal:	Erection of three storey extension comprising 6no flats		
View:	Yes		
Officer Recommendation:	Refuse		
Committee Decision:	Refuse		
Letters of Rep:	18	Update Report:	None

EP explained that this proposal is for an extension to an existing terrace on Gloucester Road, opposite the train station. The recommendation is to refuse on design grounds, the impact on amenity and lack of parking. There is an update on this third refusal reason – the applicant submitted a parking report yesterday, stating that this is a sustainable location so close to the train station, but officers still recommend refusal for the first two reasons.

Public Speaking:

Councillor Holliday, in objection

Residents' concerns are well documented in the papers, but would remind Members that the application site fronting onto Gloucester Road is only half of the development site. Development of this site may be a good thing but it needs to be right for the site, and have adequate parking provision and access. On planning view, Members will have seen that parking in Roman Road is a big problem for residents, partly due to its proximity to the railway station – cars are sometimes parked for two weeks while their owners go on holiday – leaving residents unable to park in their own road. Permitting this application with no parking provision would make it even worse. There are concerns about access for emergency and refuse vehicles to the site, and highway safety issues including access and egress to the site by construction vehicles and the danger of the additional traffic to residents and members of the public using the road. Residents and councillors remember too well the dangers caused in this respect by unlicensed car lot whose enforcement to cease trading went on for far too long. If the applicant had carried out a parking survey as requested, these access and

highways issues would have been highlighted. Urges committee to strongly consider residents' valid objections and refuse the application.

Member debate:

MS: if there is a change to the refusal reasons as stated, with regard to traffic and parking, considers that Members should have a proper update before they make their decision.

RG: the NPPF talks about severe impact of new dwellings, but this scheme provides no off-street parking. It may be that none of the occupants will have a car, but if only half of them do, where will they park? The lay-by is full of cars of people going to the shop, Roman Road is full. After 8.00pm there will be nowhere to park. This scheme will have a severe impact on on-street parking, and maybe should be deferred to hear what the developer proposes to do about it.

RW: it would be absurd to remove the third refusal reason, as anyone who ever needs to park near the station is well aware of the acute problems there – it is always extremely difficult to park. Would vote against the proposal if this was the only reason for refusal, but there are two other reasons as well – six flats on this space is a serious over-development.

BD: lives nearby and suffers from commuters parking on the street. A definite no-no.

PJ: Officers don't often support on-street parking, so is happy to go with their recommendation here.

MPower, in response:

- this is a sustainable location – next to the station, on bus routes, convenient for cycling and walking - and the NPPF is clear that this is the type of area where development should be;
- in another similar application, where there was even evidence of accidents to back up the case, the Inspector allowed an appeal and awarded costs;
- in this sustainable location, to refuse on parking grounds would have policy support – the other refusal reasons are stronger;
- regarding highway safety, reminded Members of the Sherborne Arms – fly parking, cruising, road safety concerns – but the Local Plan said that no parking provision here was acceptable, and in fact set maximum parking standards;
- understands Members' concerns but is worried about costs at appeal from similar decisions, so his advice is to concentrate on the more substantive refusal reasons.

CC: is confused. If an Inspector is likely to support two out of three refusal reasons, why is there concern that inclusion of the third may dilute that decision?

MPower, in response:

- all refusal reasons must stand scrutiny independently.

CC: it only loses emphasis if the argument to the Inspector is not as strong as it could be.

MPower, in response:

- the refusal must be contrary to highway safety

AM: fails to understand. If the Inspector agrees that CP7 and CP4 are valid refusal reasons but not TP1, why would this result in costs?

PT: thinks this is crazy. Even in a sustainable location, people will still want to have cars – why can't we get this point over to the Inspectors and make them understand? University students have cars which are parked in streets and prevent residents' parking in St Paul's, Market Street and Bloomsbury Street. Parking is almost as bad at the station. Proximity to the station does not make this a sustainable location.

KS: PT has made her point. This is not a sustainable location. People from outside the area use it as a car park. When an Inspector from outside the area makes a decision as to whether this is a sustainable location, this must be taken into account. People need cars for all sorts of reasons, and this development offers them nowhere to park.

PJ: locations are described as sustainable to encourage people not to use their cars. This was included in the Local Plan but the no-drive policy has clearly not worked. Is happy for the third condition to be left in and to support officers.

RW: also thinks the condition should be left in. If Members or Officers want a highways safety issue to add to this to be more comfortable, they should take a walk down Roman Road, where cars are parked on both sides with nowhere to pass and appalling visibility, resulting in road rage and major danger to pedestrians, cyclists and all other road users. It is a death trap, and a further 3-6 cars will add to this appalling situation.

EP, in response:

- if this application is refused and goes to appeal, officers are duty bound to substantiate all refusal reasons. Costs are awarded if the Inspector considers any of the refusal reasons to be unreasonable, and additional consultation advice may be needed if a refusal reason can't be backed up. So even if the appeal is dismissed, there is still a risk of costs.

PT: if the Inspector agrees to the extra flats being built, what about access for building materials etc.? The only way is by driving over the pavement.

EP, in response;

- developers have various ways to get round this;
- if the application goes to appeal, conditions can be suggested should it be allowed.

CC: the officer recommendation is to refuse for the first two reasons in the report. Members would like to include all three refusal reasons. Someone needs to move to refuse on all three reasons, bearing in mind the officer warning that this may give rise to costs against CBC, as Members are basing their argument on extreme local knowledge.

BF: agreed to do this.

Vote on BF's move to refuse on all three of the refusal reasons as set out in the report

14 in support

0 in objection

1 abstention

REFUSE

The meeting ended at 9.30pm

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
AGENT:	Mr Darren Beer
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 – March 2014

Members deferred consideration of this application at their last meeting as it was considered that there were still concerns with regard to the application that needed further information. The principal issues identified by Members related to:-

1. surface water and flood risk
2. the submitted construction method statement
3. highway issues
4. consultation with the Cotswold Conservation Board.

The applicant has been asked to submit further supporting statements with regard to the first three of those issues and these are copied for Members' information below.

It is also confirmed that a consultation with the Cotswold Conservation Board has been carried out and any comments received will be reported to Members.

1. Officer comments

- 1.1. Members are reminded that the application is one for the approval of matters reserved by an outline permission. Reference has been made to the time scales involved and the fact that the outline permission was first granted 16 years ago. The normal practice is that an application for the approval of reserved matters should be submitted to the Local Planning Authority within 5 years of the date of the permission. However, it is quite properly within the powers of a Local Planning Authority to vary that time scale taking into account all circumstances of the case.
- 1.2. The original outline permission was granted in October 1998. However, in 1999 permission was granted by Cheltenham Borough Council Planning Committee to allow for applications for reserved matters in compliance with the 1998 outline permission to be made no later than 10 years from the date of that 1999 permission. It was further agreed, again by Planning Committee, in June 2001 to extend the time during which reserved matters applications had to be submitted to a period of 15 years. That is 15 years from the date of the 2001 permission (01/00637/CONDIT), in other words by 26th June 2016.
- 1.3. Those extensions of time were granted in both 1999 and 2001 for sound planning reasons relating to the economic interests of the town as a whole. They were seen at the time as part of an important retention package to secure and maintain GCHQ's presence as a significant employer within the town. Several years on GCHQ has invested in their Benhall site and are still a significant employer within the town; making a meaningful contribution to the economy of the town.

- 1.4. It may well be that the 2001 permission played a significant part in that whole process, the Local Planning Authority will never really know, but it should be borne in mind that the extensions of time from both 1999 and 2001 were granted for proper, sound, planning reasons at the time and it would be wrong to argue now, when faced with the consequences of those decisions, that they should not have been taken.
- 1.5. The outline permission establishes clearly the principle of development of the site and sets out the expectations in terms of the approval of matters reserved by that outline. In that context it must be remembered that the points of access (and the restriction to no more than 40 houses off Harp Hill) along with the amount of affordable housing are matters that are fixed and are not open for negotiation if a reserved matters application is submitted.
- 1.6. The application before you is for the approval of reserved matters pursuant to outline planning application 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. Whilst the outline did not specify the numbers of houses to be built on the whole site it was always considered that a figure somewhere in the region of 700+ dwellings would be constructed. The 311 now proposed would mean that that figure would be achieved. It should be remembered that the total commitment at Oakley, in terms of numbers of dwellings, has formed an important and significant part of the Council's 5 year housing land availability.
- 1.7. The application has been submitted along with a raft of supporting documentation. In addition to plans detailing the layout; vehicle tracking; the landscaping; the affordable housing; the dwelling types; their storey heights; bin and cycle stores; external works; garages and car ports and drainage strategy, the submission also includes a Landscape and Visual Appraisal; an East Cheltenham Heritage Appraisal; a Design and Access Statement; an Arboricultural Constraints Report and a Land Quality Assessment. All these reports and plans have informed the Officers recommendation and can be viewed through the Council's web site. Members are urged to fully apprise themselves with the content.

2. The applicant comments further in respect of the reasons for deferment at the last Committee Meeting.

- 2.1. *Further to Members' consideration of the Reserved Matters planning application at the 20th February planning committee, the applicant has gone away and reconsidered all of the issues that have been raised at that meeting. We would like to take the opportunity to respond to the issues raised by Members in advance of the Planning Committee confirmed for the 20th March.*

Density

- 2.2. *The proposals before members represent a significant reduction in the density of development when compared to the earlier phases of Oakley. The applicant agrees with Members that it would not be favourable to replicate the appearance and experiences of the previous phase. The density of the application proposals has also been influenced by the topography/high ground and juxtaposition of the site with the AONB.*
- 2.3. *It should be noted that the area within and adjacent to the AONB is only at 20 dwellings per hectare, creating a very low density of development dominated by its landscape setting. The conclusions of the landscape and visual assessment for the site fully endorse this approach.*

- 2.4. *The remaining development areas will be delivered at a density of 30 dwellings per hectare, this will be concentrated on the areas of the site where the land form is much lower than the adjacent AONB setting. In combination the overall density for the site is only 30 dwellings per hectare.*
- 2.5. *In the context and comparison to phases 1 and 2 this is a marked reduction which in recognition of the sites particular characteristics is felt appropriate by the applicant and endorsed by Council officers.*

Highways and road widths

- 2.6. *During the pre-application dialogue and during post submission negotiations, significant alterations have been made to the highways within the scheme to meet with the support of the highway officer from Gloucester County Council.*
- 2.7. *It should be noted that an increased level of parking for both the home owners and visitors has been incorporated to reasonably ensure that the parking difficulties as raised by members in relation to phases 1 & 2 will not be repeated if this application were to be approved. The applicant has spent a significant amount of time with the highway officer to ensure visitor parking is provided in the correct locations (for example where a higher concentration of dwellings would be positioned).*
- 2.8. *The scheme will deliver a primary infrastructure network which will allow a bus service to move through the site as requested by the highway officer. This has been provided by the applicant although the requirement for the same did not form part of the established outline planning permission. It should be noted that this will not adversely affect the parking strategy for the development.*
- 2.9. *The proposed layout also takes into account the safe egress of service, delivery and emergency vehicles to all parts of the development to ensure each dwelling is catered for without exception.*

Affordable housing

- 2.10. *During the post submission negotiations, the applicant has worked very hard with the affordable housing officer to ensure the mix and balance of affordable housing not only meets with the requirements of the Section 106 agreement; but will also meet the existing local need.*
- 2.11. *Significant amendments were undertaken during the application process to ensure the buildings and spaces for the affordable elements were reflective of the agreed mix, distributed across the development to ensure complete integration.*

Drainage

- 2.12. *We fully recognise Members concerns that they wanted to make sure the details of the drainage strategy had been carefully considered for this site. We want to reassure Members that significant engagement with both the Environment Agency and GCC has take place since May 2013.*
- 2.13. *The proposed drainage scheme would provide protection to the site for all events up to and including the 1 in 100 year event including climate change for the lifetime of the development whilst providing betterment to the existing flood issues in the surrounding area and which the EA have confirmed is a suitable approach.*
- 2.14. *All drainage matters have been discussed extensively with the Environment Agency, resulting in their support for the proposals, subject to a series of conditions.*

- 2.15. *The proposed development at GCHQ Oakley is to be drained in accordance with the National Planning Policy Framework (NPPF) and in accordance with the good practise. The level of protection provided will ensure that there will be no risk to all properties and people within the site for all events up to and including the 1 in 100 year event including a 30% allowance for climate change. For this same period the surrounding areas will be either unaffected or be improved from a drainage perspective.*
- 2.16. *All adoptable foul and surface water drainage is to be designed in accordance with Sewers for Adoption 7th Edition and the Building Regulations.*
- 2.17. *Discussions have been held with the Environment Agency (EA) regarding the strategy for the site which they confirmed was satisfactory in a letter dated January 20th 2014, based on the below principles.*

Surface water drainage

- 2.18. *We thought it may be helpful to provide Members with a detailed overview of the Surface Water Drainage Strategy.*
- 2.19. *The proposed drainage of the development at GCHQ has been designed in a sustainable manner using SUDS' techniques to meet the latest flood prevention standards of 1 in 100 plus 30% which takes into account future climate change.*
- 2.20. *The scheme will reduce surface water flows to the watercourse improving the existing situation downstream of the site, whilst still providing protection to the site itself. It should be noted that flows to the stream have been reduced by at least 20%.*
- 2.21. *The site is currently served by 7 known sewer outfalls to the Wyman Brook along with at least 7 other direct gully discharges to a ditch running from south to north connected to the Wyman Brook*
- 2.22. *These outfalls are unrestricted and are used to drain the impermeable areas within the existing site.*
- 2.23. *To determine the impermeable area discharging to each gully outfall the areas were taken off from the survey.*
- 2.24. *For the sewer outfalls the total impermeable area of the existing site (minus that being drained by the gullies) was divided up proportionally to the separate outfalls dependant on the outfall size.*
- 2.25. *WinDes calculations were then carried out for each of the gullies and outfalls to determine the existing rate of outfall for the 1 in 1, 30 and 100 year events.*
- 2.26. *The NPPF advises that discharge from a development should mimic the existing regime, which would mean the peak allowable discharge rates for the site would be the same as that which leaves via the existing outfalls.*
- 2.27. *There is a known issue with flooding downstream of the site and therefore it is proposed to reduce the discharge rates leaving the site by a minimum of 20% to provided a betterment.*
- 2.28. *During heavier rain events the existing system would also flood which would leave the site without restriction at a high flow rate. This has not been included in the existing flow rates or subsequent flow reduction and therefore the actual betterment to the surrounding area is greater since the new system would be constructed to avoid flooding.*

2.29. *The two main drainage challenges we have is that infiltration is not suitable on the site due to made ground and poor infiltration rates and secondly there is a significant slope over the majority of the site making above ground storage impractical in most locations. It is therefore proposed to store the 1 in 100 year storm event plus 30% within an attenuation pond. The 30 year storm event would be stored within a culverted pipe as show on the plan appended to this statement.*

2.30. *The north of the site would be attenuated through a combination of underground storage tanks and culverts.*

Foul Drainage

2.31. *The existing site currently discharges to the north west of the site via a 150mm dia pipe.*

2.32. *The flows developing from the site will be discharged via this same connection with the recently constructed sewer within the site to the North West of the development having been designed to accommodate the additional flows arising from the development of this site. Due to the topography of the site a gravity connection will be suitable.*

Detailed Design of the Drainage Strategy

2.33. *The detailed design of the drainage network has been completed in tandem with the progression of the planning application. Through the detailed design we can confirm that the actual discharge rates from the site will provide a reduction of between 21% and 48%, over the existing rates. This is a further improvement over the original strategy.*

2.34. *The EA confirmed that the principle of the detailed drainage design is satisfactory and represents betterment over the existing regime.*

Design buildings and boundaries

2.35. *The approach to the design of the size and shape of the buildings is one of traditional design and in the laying out of the various streets, but elevations offered in a more modern way. A summary of the key points are: -*

- *A well balanced mix of both open market and affordable homes ranging from 2 to 5 bedrooms*
- *Building heights, widths and depths to reflect historic patterns of development and are well related to street frontages, the public realm and community amenity areas*
- *Provision of locally recognizable materials for walls and roof's in sympathetic tones, especially on the higher slopes within and adjacent to the AONB*
- *A generous but not over complex inclusion of light render, but predominantly facing brickwork*
- *Boundary treatments include low walls, railings, soft planting, hedgerows and verges*

2.36. *It should be noted that members raised an issue over draft condition 5 relating to the inclusion of 'timber windows and doors', with a recommendation that modern materials such as uPVC are preferred. The applicant agrees with Members that it would be more suitable to use UPVC on this site and this is shown on the proposed design drawings and documents, therefore we would support any proposed amendments to this condition.*

2.37. **Construction Management**

- 2.38. *Condition 10 of the outline planning permission required the developer to submit a comprehensive scheme detailing the method of demolition, the re-use of existing materials and resources, the disposal of waste material within the site and the protection of adjoining properties from disturbance by noise, vibration, lighting and dust during demolition and construction shall be submitted to and approved in writing by the LPA so as to minimise disturbance to adjoining occupiers during building operations.*
- 2.39. *The information to discharge this condition was submitted to the Council on the 3rd September 2013 and approved by the Environmental Health Officer on the 28th November 2013 under reference: 13/1526/DISCON. The condition was discharged subject to the hours of all operations within the site (including deliveries to and from the site) during the process of demolition being restricted to 7:30 am to 6:00 pm. On Mondays to Fridays inclusive; 8.00 am to 1.00pm on Saturdays and 8.00 am to 1.00pm on Sundays and Bank Holidays at which time no noise producing work shall be undertaken.*
- 2.40. *The number of vehicle movements into and out of the site will be minimal during demolition as the majority of the materials arising from the demolition of the buildings on site will be reused to re-grade the site. Only minimal vehicle movements will take place to remove scrap metal to a local waste management facility.*
- 2.41. **Summary**
- 2.42. *It is felt that the scheme presented for you today represents a very high quality development as endorsed by various officers and key stakeholders. Extensive pre applications have taken place over the last 12 to 18 months.*
- 2.43. *It is with great pride that the applicant is able to bring forward this redundant brown field site back into active use, thus contributing to the creation of new homes for now and for the future to the Cheltenham area. In addition the scheme will deliver investment into local education, open space provision, improvements to local drainage and enhance the site which is currently an eyesore.*
- 2.44. *For these reasons and with the support and recommendation of the case officer, we trust that the application can be approved in line with the report presented to you.*
- 2.45. *The principles of the original master plan have therefore been incorporated, but improved to allow better connections, permeability and legibility across the site as endorsed by officers and key stakeholders such as the civic society and architects panel. A summary of the key points are: -*
- *Roads have been widened*
 - *Layout designed to allow for a bus route and also full access for emergency services and refuse/recycling collection*
 - *Secondary and tertiary streets created as 'shared surfaces' so pedestrians and cyclists feel*
 - *Over provision of car parking made to avoid having a situation apparent on the earlier phases*
 - *Large amenity green areas have been provided for amenity, informal recreation and surface water management features*
 - *Important and mature TPO trees have been retained*
 - *Perimeter boundaries designed sensitively in built form and landscape terms*
 - *10 parking spaces have been provided for parking to access adjacent allotments as requested by the Council in order to assist in the delivery of their open space strategy*
 - *Key note buildings provided to the western boundary fronting phase 1 play area, as a recognition of the previous large building*

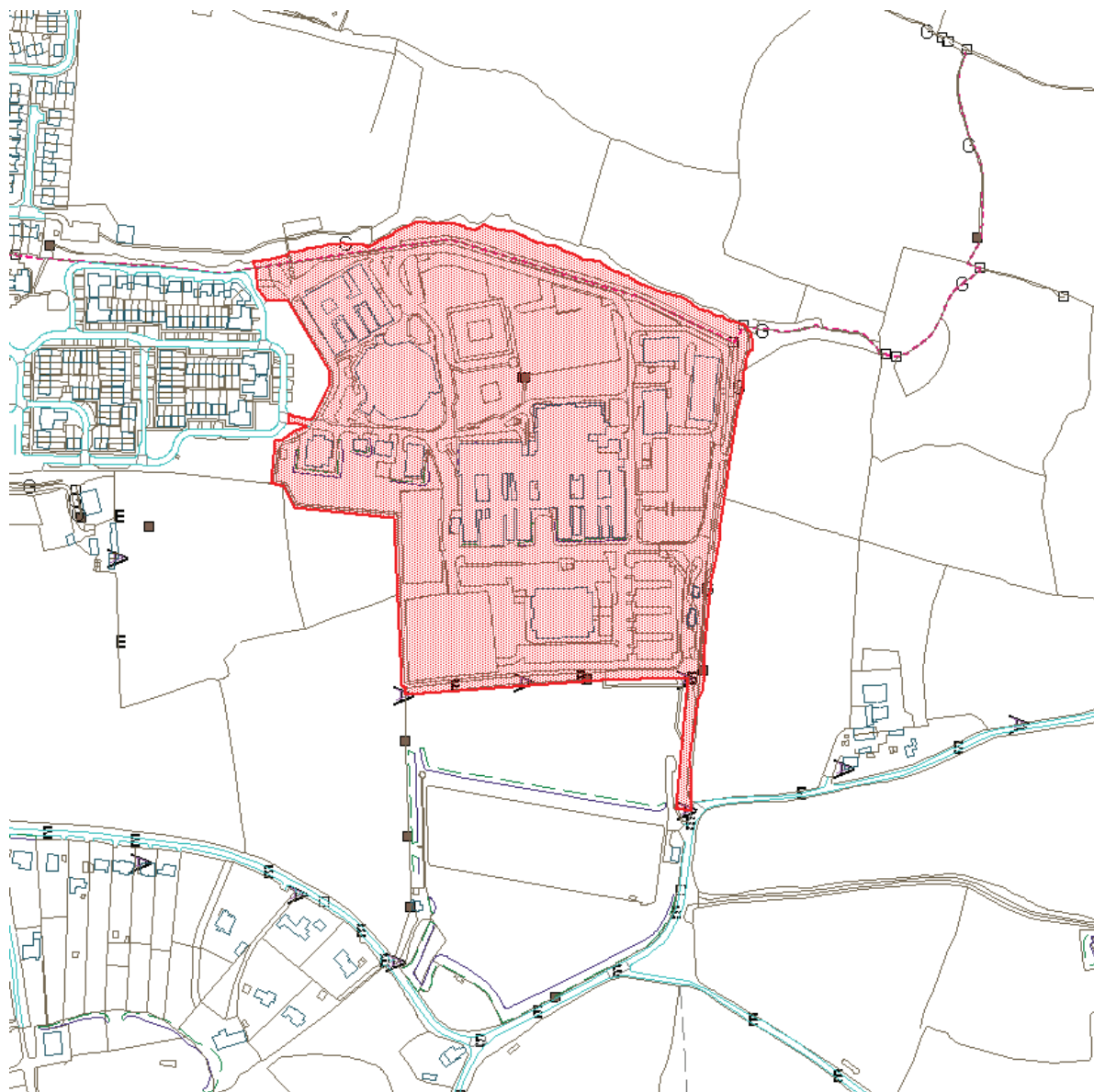
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- *High quality landscape environment has been created to promote green connections generally across the scheme*

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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

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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.

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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.

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.

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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.

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.	

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 apply the following conditions 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.

Conditions

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.

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.

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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.

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 building more houses 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 two-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.

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3. Some elements of innovative / interesting design. However, a number of areas lack high quality design.
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!

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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 car park spaces 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 harms 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.

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 are 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 happen on occasions; to be honest it almost happened to me because of vehicle parking in unreasonable locations and making blind pots 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 vehicles traffic from Sainsbury's offloading trucks. Also the road is blocked by people parking on side of there 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 , its a disaster at times and eventually the government will be held to responsible should some life be taken because or concerns have not been taken into account.

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 wanting to go home instead of passing by Sainsbury's, especially for those staying further on top of the estate. We must also take into consideration that the people on the estate have families and friends - 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 do not want to imagine with further increase 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 incidents 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 to far 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, it is 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.

Comments: 20th January 2014

Looking at the revised layout drawing published here on the 2nd of 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.

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 lets 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.

SOLUTION

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 residence 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.

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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 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 2 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 three 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 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 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

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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 (e.g 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 and 2 be independent from Phase 3?

Mr Baker: as Taylor Wimpey currently owns the roads, are there plans for an agreement with Persimmon (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

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

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 Sainsburys is not enforced, and is regularly used as an easy parking option for Sainsburys shoppers increasing the congestion in the bottleneck of Redmarley Road. Redmarley Road is also used as an easy parking option for Sainsburys 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 Sainsburys customers contribute a large amount to this parking problem.

The design of Phases 1 and 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 Sainsburys 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 developers 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 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 Sainsburys access) and the situation will be exacerbated with the number of houses proposed in Oakley Phase 3 (with access via Redmarley Road). Sainsburys 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.

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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.

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 Sainsburys 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

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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 Sainsburys 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 Secretary
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 occurs 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 within the current development, which causes further stricture of the road, blocks access to drives and blocks safe viewing.

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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

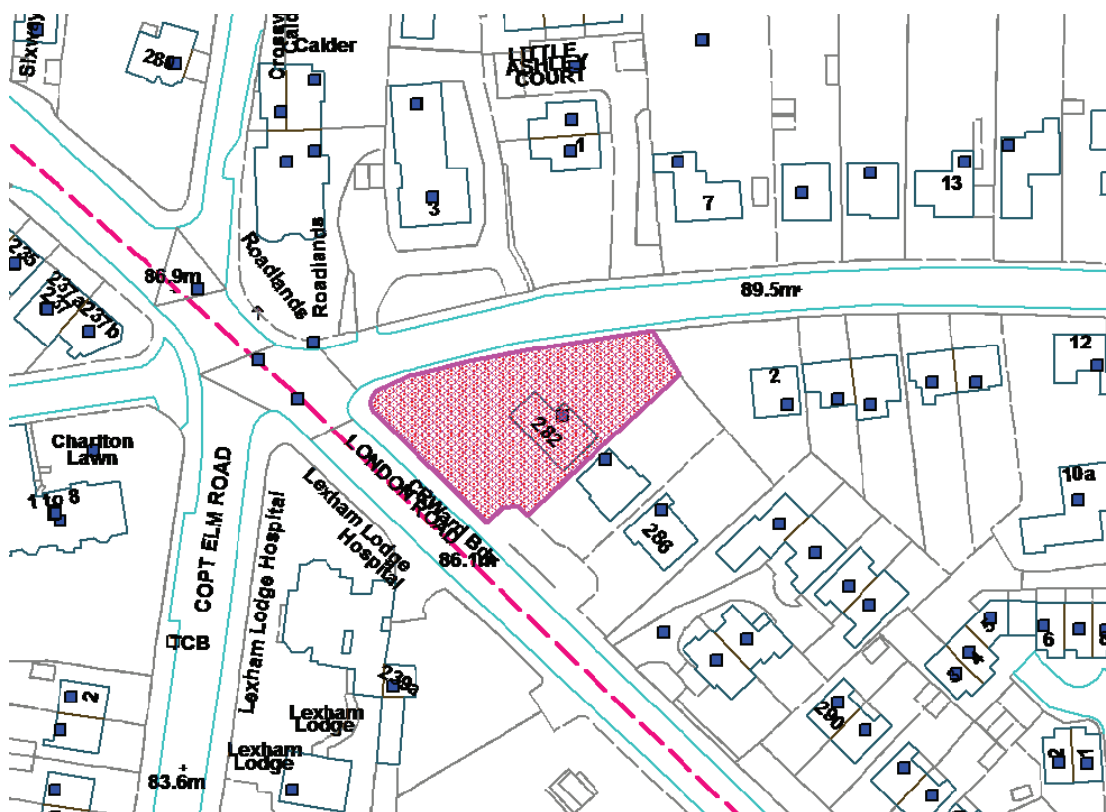
I object to the application on the basis that the development by Taylor Wimpey was not designed or implemented to take the volume of traffic generated by the further development proposed.

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: 13/02143/FUL	OFFICER: Mrs Emma Pickernell
DATE REGISTERED: 18th December 2013	DATE OF EXPIRY: 12th February 2014
WARD: Battledown	PARISH: Charlton Kings
APPLICANT: Mr Krish Pillai	
AGENT: Ralph Guilor Architects	
LOCATION: 282 London Road, Charlton Kings, Cheltenham	
PROPOSAL: Demolition of existing dwelling and erection of two new dwellings	

RECOMMENDATION: Permit



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is a roughly triangular plot currently accommodating a two storey pitched roof brick and tile dwelling with a large flat roof side extension. It is located at the 'Sixways' junction in Charlton Kings and is bound to the south east by London Road and to the north by Ryeworth Road. The site is within the Cudnall Street (Charlton Kings) conservation area.
- 1.2 This application proposes the demolition of the existing dwelling and it's replacement with two new, detached dwellings. The dwellings are of a contemporary design with flat roofs. The materials comprise a mixture of render, brickwork and areas of cladding within the rendered sections.
- 1.3 The accommodation provided by the scheme comprises 2 no. 4 bed dwellings each with living/dining/kitchen/utility and study rooms on the ground floor. Access would be via the existing access point and two parking spaces per dwelling and vehicular manoeuvring space would be available to the front.
- 1.4 The site is 0.2ha in area and as such the density of the proposal is 10dph.
- 1.5 The land levels rise by approximately 2m between the site and Ryeworth Road and the land banks up along the northern boundary of the site. House two is set into this bank and an area would be excavated to provide a level patio.
- 1.6 The site is well landscaped with a strong hedge along the Ryeworth Road frontage which would be retained. 5 trees would be removed; 3 lawson cypress, a Scots Pine and a cherry. The drawings indicate that new tree planting would take place along this boundary.
- 1.7 This application comes to committee as a result of the objection received by the Parish Council.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area

Relevant Planning History:

13/01367/FUL 3rd October 2013 WDN

Demolition of existing dwelling and erection of two new dwellings

13/01367/CAC 3rd October 2013 WDN

Demolition of existing dwelling

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

GE 5 Protection and replacement of trees

GE 6 Trees and development

HS 1 Housing development

RC 2 Youth and adult outdoor playing facilities

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)

Landscaping in new development (2004)

Play space in residential development (2003)

Cudnall Street conservation area character appraisals and management plan (June 2009)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Glos Centre For Environmental Records

13th January 2014

Report available to view.

Tree Officer

8th January 2014

This current scheme is preferable to the Tree Section in relation to tree retention as more category B trees (as per the Arboricultural Report) to the front of the site have been given additional space compared with the previous scheme. Also the poorer specimens (with exception of T15) to the rear of the site will be removed and replaced, therefore the Tree Section has no objections to this application. Prior to a decision being issued a Tree Protection Plan needs to be submitted and agreed.

Notwithstanding the above information being submitted, please attach the following conditions:

- TRE02B Tree protection plan
- TRE03B Protective fencing
- TRE04B No fires within RPA
- TRE05B No service runs within RPA
- TRE06B No-dig construction methods with RPA
- 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 specify species, density, planting size, layout, protection, aftercare and maintenance. The size of the trees shall be at least a Selected Standard as per BS 3936-1:1992. The trees 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.

Parish Council
28th January 2014

Object as previous

Comments on previous application were made on 28/8/13 and were as follows:

OBJECTION:

- Plans submitted have insufficient information to make a reasoned judgement
- Out of keeping with Cudnall Street conservation area
- No information on materials C.K.P.C
- Opposed to garden grabbing.
- Car exit provision by Sixways lights
- Significant house at Sixways should be in keeping

Environmental Health
3rd January 2014

In relation to application 13/02143/FUL for 282 London Road, Charlton Kings, Cheltenham, GL52 6YF please can I add the following:

Condition:

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:

The developer shall provide a plan for the control of noise and dust 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

Advisory: One point the developers should consider is to keep to the recommended times of work for construction on sites (Monday - Friday 07:30 - 18:00, Saturday 08:00 - 13:00) to reduce the noise impact upon other local residents

GCC Highways Planning Liaison Officer
10th January 2014

I refer to the above planning application received on 19th December 2013 with drawing no: 1321/10.

I note the comments made by the Highway Authority on the previous withdrawn proposal for 2 dwellings (ref no: 13/01367/FUL). In highway terms this current scheme is almost identical, with appropriate levels of car parking being provided; therefore I see no reason to make a different recommendation to that made to the LPA on 29th August 2013.

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

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 shown on drawing No. 1321/10 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.

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?

Yes.

3. Comments on the Application

The scheme is a redesign of an earlier submission which has been substantially reduced and is now sits far better on the site and next to its neighbours. The dwellings are set on the building line of the adjacent houses and the massing, although contemporary in its form, sits comfortably next to the existing neighbours. We would support the contemporary styling, aesthetics and materials although there was a question as to whether the local brickwork should be red rather than buff?

4. Summary

We believe the design is good and would support the scheme.

Cheltenham Civic Society

10th February 2014

We think this shows little respect for the context, and the design is not appropriate here

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	13
Total comments received	3
Number of objections	3
Number of supporting	0
General comment	0

5.1 The application was advertised by way of a notice and the site and in the Echo and letters sent to 13 neighbouring properties. Three objections were received.

5.2 Amendments have been made to the proposal and a further consultation period is being carried out. This ends on 14th March 2014 after the date on which this report is published and as such any further comments received will be reported to members in update(s). To date one further objection has been in response to the re-consultation.

5.3 The comments received to date can be summarised as follows:

- Contemporary architecture inappropriate for the location
- Poor design
- Impact on the street scene
- Out of keeping
- Restrictive covenants
- Highway danger
- Neighbour amenity

6. OFFICER COMMENTS

The key considerations in determining this application are considered to be (i) principle, (ii) design, layout and impact on conservation area, (iii) Neighbour amenity, (iv) trees and landscaping, (v) highway safety.

6.1 Site and Context

6.1.1 The site is the eastern-most building within the Cudnall Street conservation area and is identified within the Character Appraisal as a 'significant neutral' building. The appraisal goes on to say: *"No. 282 London Road forms part of the mid 20th century planned residential development along this section of London Road. It is constructed from brick and has a tile roof. The house is set away from historic buildings and public space but its inclusion within the Conservation Area is questionable."*

6.1.2 The house as existing does not make a positive contribution to the conservation area and its demolition is considered to be acceptable in principle. Further there is no objection to an increased number of dwellings on the site provided they can be successfully accommodated. The site however is in a prominent location and is in relatively close proximity to a number of listed buildings and as such a careful consideration of the proposed scheme is necessary.

6.2 Design, layout and impact on conservation area

6.2.1 The scheme is the result of negotiations with officers; earlier iterations of the scheme involved a third floor, the stepping forward of one of the houses into the corner, a narrower gap between the buildings and more expansive front elevations.

6.2.2 The design is contemporary, however modern designs are not ruled out in a conservation area; the NPPF states that Local Authorities should not seek to impose architectural styles or particular tastes. However there is a requirement that development in such areas must preserve or enhance the character and appearance.

6.2.3 The scheme as now presented is considered to be an acceptable design. Although contrasting with its neighbours, it follows the established building line and picks up on the proportions of the more traditional properties in the locality. The vertical emphasis and articulation which has been added helps to break up the mass of the buildings so that they do not appear overly wide and the space between the two dwellings is similar to that which exists between neighbouring properties thereby picking up on the general rhythm and grain of development in the area. The materials proposed are considered appropriate to the area and conditions are recommended which would allow further consideration of the final finish of the buildings. The approach followed here is that advocated by the Development on garden land and infill sites in Cheltenham SPD in that it responds to the existing character of the area.

- 6.2.4 The layout is considered to be acceptable; as mentioned above the spacing between the buildings is appropriate and the parking and turning area has been well designed. However the plot adjacent to Ryeworth Road comes within relatively close proximity to the northern boundary. The plans indicate that the hedge along this boundary is to be retained but it is not clear whether this is achievable given the excavation works which would be required. If it is not possible to retain the hedge, it is considered that a new mature hedge must be planted in its place as this has a softening effect and the green approach down Ryeworth Road to the Sixways junction is a positive feature of the conservation area. As such details of this will be required in order to satisfy the landscaping condition. Subject to the presence of a hedge in this location approximately 2m of the building would be visible above the hedge.
- 6.2.5 Whilst more space between the boundary and the building in this area would be preferable officers consider that, on balance the scheme as proposed is acceptable as it secures the replacement of an unattractive building in the conservation area with two well designed properties which are acceptable in all other respects. Furthermore the potential harm can be mitigated through a comprehensive landscaping scheme.
- 6.2.6 For these reasons the proposal is considered to be in line with the aims of the NPPF including replacing poor design with better design (para 9), responding to local character whilst not preventing or discouraging appropriate innovation (para 58) and not resulting in significant harm to the conservation area (para 132). The proposal is also in line with local plan policies CP3 (sustainable environment) in that it would conserve the best of built environments and CP7 (Design) in that it would be of a high standard of architectural design. It also follows advice contained in the Development on garden land and infill sites in Cheltenham SPD.

6.3 Neighbour amenity

- 6.3.1 The relationship between the proposed properties and the immediate neighbour is largely unchanged. The buildings follow the building line, not projecting significantly beyond the front or rear of this building. No windows are proposed in the side elevation and the recessed balcony would only achieve oblique views of the front garden.
- 6.3.2 Other surrounding properties may be able to see the proposed dwellings, however the distances between these buildings are such that there would be no adverse impact by way of overlooking or loss of light.
- 6.3.3 For these reasons the proposal is considered to be in line with policy CP4 of the Adopted Local Plan in that it would not cause unacceptable harm to the amenity of adjoining land owners.

6.4 Trees and Landscaping

- 6.4.1 In addition to the hedge it is also important to consider the impact on the trees. The tree officer has confirmed that the scheme would result in the protection of the most important trees towards the frontage of the site. The trees which are proposed to be removed are relatively poor specimens and it is proposed that these would be replaced with new trees. As such there is no objection to the proposal on tree grounds.
- 6.4.2 As mentioned above the detailed landscaping scheme will be integral to the success of the scheme and appropriate conditions are recommended with regards to the protection of existing trees and the planting of new.
- 6.4.3 As such the application is considered to be in accordance with the NPPF which refers to good landscaping as an intrinsic element of good design in chapter 7. and policy GE5 (Protection and Replacement of Trees) which requires the replacement of felled trees

6.5 Highway Safety

- 6.5.1 London Road is a classified road and as such Highways have provided a comment on the proposal. They have confirmed that they raise no objection to the proposal subject to the implementation of the parking and turning provision indicated on the plans. As such this aspect of the scheme is considered to be acceptable and as such is in accordance with policy TP1 (Development and Highway Safety) of the Local Plan.

6.6 Other matters

- 6.6.1 The proposal results in the net increase of 1 dwelling on the plot as such the proposal would be required to contribute towards playspace provision in the locality. In this instance a contribution towards youth/adult provision is appropriate and the required amount is £368.
- 6.6.2 Reference has been made within the representations to a restrictive covenant attached to the land however this is not relevant to the consideration of this planning application.

7. CONCLUSION AND RECOMMENDATION

- 7.1 The proposal is a well designed scheme which when considered in the round, represents an enhancement to the conservation area and is acceptable in all other respects. As such the application is recommended for approval subject to the following conditions.

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 1321 11 B received 28/02/14.
Reason: To ensure the development is carried out in strict accordance with the approved drawings.
- 3 Prior to the first occupation of the development, the car parking area and manoeuvring 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.
- 4 Prior to the commencement of the works hereby approved a plan for the control of noise and dust from works of construction and demolition at the site shall be submitted to and approved in writing by the Local Planning Authority. The plan should also include controls on these nuisances from vehicles operating at and accessing the site from the highway. The development shall be carried out in strict accordance with the approved plan.

Reason: In the interests of amenity of neighbouring properties in accordance with policy CP4 of the adopted local plan.

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- 5 Prior to the commencement of any works on site (including demolition and site clearance) a Tree Protection Plan (TPP) to BS5837:2012 shall be submitted to and approved in writing by the Local Planning Authority. The TPP shall detail the methods of tree/hedge protection and clearly detail the positioning and specifications for the erection of tree protective fencing. 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.
- 6 Tree protective fencing shall be installed in accordance with the specifications set out within BS 5837:2012. The fencing shall be erected, inspected and approved in writing by the Local Planning Authority prior to the commencement of any works on site (including demolition and site clearance) and shall remain in place until the completion of the construction process.
Reason: In the interests of local amenity, in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.
- 7 No fires shall be lit within 5m of the Root Protection Area(s) and materials that will contaminate the soil such as cement or diesel must not be discharged within 10m of the tree stem. Existing ground levels shall remain the same within the Root Protection Area(s) and no building materials or surplus soil shall be stored therein. No trenches for services or drains shall be sited within the crown spread of any trees to be retained.
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.
- 8 All service runs shall fall outside the Root Protection Area(s) unless otherwise agreed in writing by the Local Planning Authority. Any such works shall be in accordance The National Joint Utilities Group; Volume 4 (2007).
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.
- 9 All paths, parking areas and other forms of hard landscaping that fall within the Root Protection Area(s) shall be constructed using a no-dig method. Prior to the commencement of development, full details of the proposed no-dig method shall be submitted to and approved in writing by the Local Planning Authority and 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.
- 10 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 specify species, density, planting size, layout, protection, aftercare and maintenance. The size of the trees shall be at least a Selected Standard as per BS 3936-1:1992. The trees 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.
- 11 Prior to the commencement of development, the design and details including materials and finishes of the following shall be submitted to and approved in writing by the Local Planning Authority:
 - windows
 - doors
 - rainwater goods
 - eaves

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.

- 12 Prior to the construction of any part of the approved dwellings, 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.

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 amendments to the design of the proposed dwellings.

Following these negotiations, the application now constitutes sustainable development and has therefore been approved in a timely manner.

APPLICATION NO: 13/02143/FUL		OFFICER: Mrs Emma Pickernell	
DATE REGISTERED: 18th December 2013		DATE OF EXPIRY : 12th February 2014	
WARD: Battledown		PARISH: CHARLK	
APPLICANT:	Mr Krish Pillai		
LOCATION:	282 London Road, Charlton Kings, Cheltenham		
PROPOSAL:	Demolition of existing dwelling and erection of two new dwellings		

REPRESENTATIONS

Number of contributors	4
Number of objections	4
Number of representations	0
Number of supporting	0

284 London Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YF

Comments: 23rd December 2013

Firstly I note that the architect has not updated his Design and Access Statement to justify his revised design submitted with this application.

Regardless, the architect's persistence with contemporary architecture in this location remains completely out of character with this area of the Cudnall Street conservation area. For this reason alone the application should be refused.

Comments: 4th March 2014

I refer to the revised plans and elevations published on the Council's website on 28th September.

I have objected to the previous two incarnations of this application, not because I have a problem with two dwellings on the site but because I strongly object to the contemporary architecture proposed in this location.

I like contemporary architecture when in an appropriate setting, but this is certainly not an appropriate setting. Not only is it within the conservation area, but it completely jars with neighbouring properties. The latest elevations simply go from bad to worse. I note that the Council's Architects Panel thought that the previous proposal 'sits far better on the site and next to its neighbours.' They really should get out more!!

If this application is approved, the development will look completely at odds with the street scene and vernacular on this important approach to the town. The architecture of the recent residential development immediately adjacent to No. 286 London Road is far more in keeping with its surroundings.

I urge the Council's Officers to ensure that this application is presented to the Planning Committee recommended for refusal. To do otherwise would be a travesty.

1 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LG

Comments: 6th January 2014

The architectural design continues to be totally out of character for the Cudnall Street Conservation Area, and the application should be declined.

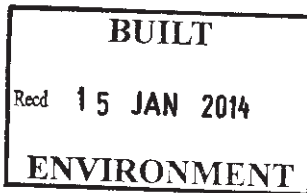
286 London Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YF

Comments: 16th January 2014

Letter attached.

Comments: 11th March 2014

The latest design is even worse than the earlier one, and is totally out of keeping with the neighbourhood!



286 London Road
Charlton Kings
Cheltenham
Glos
GL52 6YF

15 January 2014

Dear Ms Crews

Planning Application 13/02143/FUL

I had anticipated using your website for comments on the above application.

However, although I had been able to view the application and drawings online, I have been unsuccessful when it came to accessing your website to make my comments.

Finally, on 9th January, I telephoned your department and was told that the deadline for comments had been extended to 28th January. I have attempted to access your site every day since, without success.

Therefore I am attaching a list of my comments to this letter, for your attention.

Yours sincerely



Ms Tracey Crews
Head of Planning
Build Environment
Cheltenham Borough Council
PO Box 12
Municipal Offices
Promenade
Cheltenham
GL50 1PP

PLANNING APPLICATION - REFERENCE 13/02143/FUL

MY COMMENTS.....

C1 RESTRICTIVE COVENANT

The conveyance between O E Cannell and E T H Stinchcombe of land now containing 282,284 and 286 London Road and 2,4,6,8 and 10 Ryeworth Road, made on 2nd April 1953 refers to the following:
"NOT more than eight messuages..... should be constructed on the property thereby conveyed."
"NOTHING should be done or permitted to be done or carried on upon the said property or any part thereof which should or might in any way be or become a nuisance or annoyance to the Vendor or his successors in title or the owners or occupiers of adjoining properties."

C2 The private driveway consists of three parcels of land of 282, 284 and 286 London Road respectively, which was subject to a deed of grant dated 19th July 1969 and subsequent to the restrictive covenant referred to in C1.

IN MY OPINION....

The design of the buildings is completely out of keeping with the Cudnall Street (Charlton Kings) conservation area.

The design of the buildings is detrimental to the street scene.

The roof designs are completely out of keeping with the neighbouring properties which have hipped roofs.

Adding a further dwelling will increase the danger caused by vehicular traffic over the private driveway shared with the occupiers of 284 and 286 and on to London Road. In particular, this driveway is used by young children running along it as an alternative to using the pavement alongside. However, the danger to pedestrians could be mitigated, by allowing the access of 282 London Road to the main road by its own driveway and allowing 284 and 286 sharing the separate access, with a suitable fence or wall between the two accesses.

THIS APPLICATION SHOULD BE REFUSED ON THE GROUNDS OF DESIGN, DANGER TO PEDESTRIANS AND ROAD USERS OF INCREASED VEHICULAR TRAFFIC AND THE IMPACT ON NEIGHBOURS OF EXTRA VEHICLES.


286 London Road
Charlton Kings
Cheltenham
GL52 6YF

APPLICATION NO: 13/02143/FUL		OFFICER: Mrs Emma Pickernell
DATE REGISTERED: 18th December 2013		DATE OF EXPIRY: 12th February 2014
WARD: Battledown		PARISH: Charlton Kings
APPLICANT:	Mr Krish Pillai	
AGENT:	Mr RALPH GUILOR	
LOCATION:	282 London Road, Charlton Kings, Cheltenham	
PROPOSAL:	Demolition of existing dwelling and erection of two new dwellings	

Update to Officer Report

1. CONSULTATIONS

Heritage and Conservation

12th March 2014

Comments

1. The conservation area character appraisal document for Cudnall Street has identified the existing building as a neutral building.
2. The principle of demolishing the existing building is acceptable, subject to the form, mass, size, detailed design and location on the site of any replacement building(s).
3. The proposals are for two new large detached houses, with each property having four bedrooms, one dressing room and three bathrooms.
4. The proposed architectural style is flat roofed contemporary and the proposed proportions and style is acceptable.
5. However I am concerned about the impact of one of the houses, because it is proposed to be very close to the Ryeworth Road boundary.
6. This northern most house (ie plot 2) has a large footprint, resulting in a large form and mass, which in combination with its location on the site and its close proximity to the Ryeworth Road boundary, will result in its visual impact.
7. I do not accept that the current mature high hedge will be able to be retained during the site works, and such a suggestion is quite impractical.
8. The visual impact of this house on this part of the conservation area is inevitable with the site layout as proposed and with the large footprint of the building as proposed.
9. Obviously seeing buildings in conservation areas is not necessarily harmful. However this side of the Ryeworth Road has a spacious leafy semi-rural character, which also enhances the setting of the listed building on the opposite side of Ryeworth Road.
10. I suggest that the corner of this house is reduced and the building's footprint is reduced by the floor area of the family room on the ground floor and the rear

bedroom on the first floor. The suggested reduction in footprint will reduce the visual impact of the building and give more space for the desired retention of the existing hedge.

11. I have previously given informal comments expressing this concern.

CONCLUSION: please ask for revised drawings to address the above concern or refuse.

Refusal reason: The proposed new development by virtue of the height and location of the new building (plot 2) would harm the character and appearance of the conservation area. Accordingly, the proposals are contrary to sections 66(1) and 72(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990, national policy set out in the NPPF and PPS5 (Planning for the Historic Environment) and policies BE5, and CP7 of the Adopted Cheltenham Borough Local plan.

2. OFFICER COMMENTS

2.1 As detailed above, a formal comment has now been received from the conservation officer. This confirms that the style and proportions of the building are acceptable however expresses concern about the proximity of plot 2 to the Ryeworth Road boundary and the consequential visual impact. The comments express doubt regarding the viability of retaining the hedge and go on to suggest that house 2 should be reduced in size in order to allow the retention of the hedge.

2.2 Discussions have taken place with the Council's tree officer with regard to the likelihood that the hedge would survive bearing in mind the works proposed. His view is that Laurel hedges are especially hardy and that the works proposed would be unlikely to result in its demise. In any event he considers that it would be straight forward to bulk up the hedge with additional plants, or even successfully replace the hedge should that be necessary.

2.3 In any event the comments have been forwarded to the agent for comment and the following comments have been provided in response:

1. *We note that your conservation officer considers the contemporary design proposed on this site and the replacement of the existing dwelling with two detached houses to be acceptable*
2. *With regard to the comments made regarding the position of plot 2 and the existing boundary hedge, we draw your attention to the fact that the existing hedgerow is not protected within conservation area policies and could in fact be removed today without any approval.*

That having been said, it is not the applicants wish to have the hedge removed.

It is proposed to retain the hedge by means of driven sheet piles along the edge of the hedgerow which will retain the existing soil and root systems in place while the excavation for the dwelling for plot 2 takes place on the other side of the sheet piling. The ground levels will then be backfilled to the retaining walls built. Should any of the hedging be damaged or lost it will be replaced with mature planting to reinstate the hedgerow. We are sure your tree officer will recognise this as being achievable.

The corner of plot 2 has been already set in to increase its distance from the Ryeworth Road boundary.

3. *Because the ground level of plot 2 is approximately 1.5metres below Ryeworth Road the mass of the building facing Ryeworth Road is considerably negated and with the tall evergreen boundary hedging much of the building will be masked from Ryeworth Road. The building therefore will have a minimal impact on the conservation area.*

Please would you make these comments known to the planning committee?

2.4 Although the concerns of the conservation officer are acknowledged and understood, in the light of the advice which has been given by the tree officer and the explanation of methodology outlined by the agent it is not considered that a refusal could be sustained with relation to the impact of the building adjacent to Ryeworth Road given that this will be softened by the hedge.

2.5 The play space condition was omitted from the previous report and is therefore attached below.

3. CONCLUSION AND RECOMMENDATION

The assessment of the proposal and suggested conditions are unchanged from the original report.

4. CONDITIONS

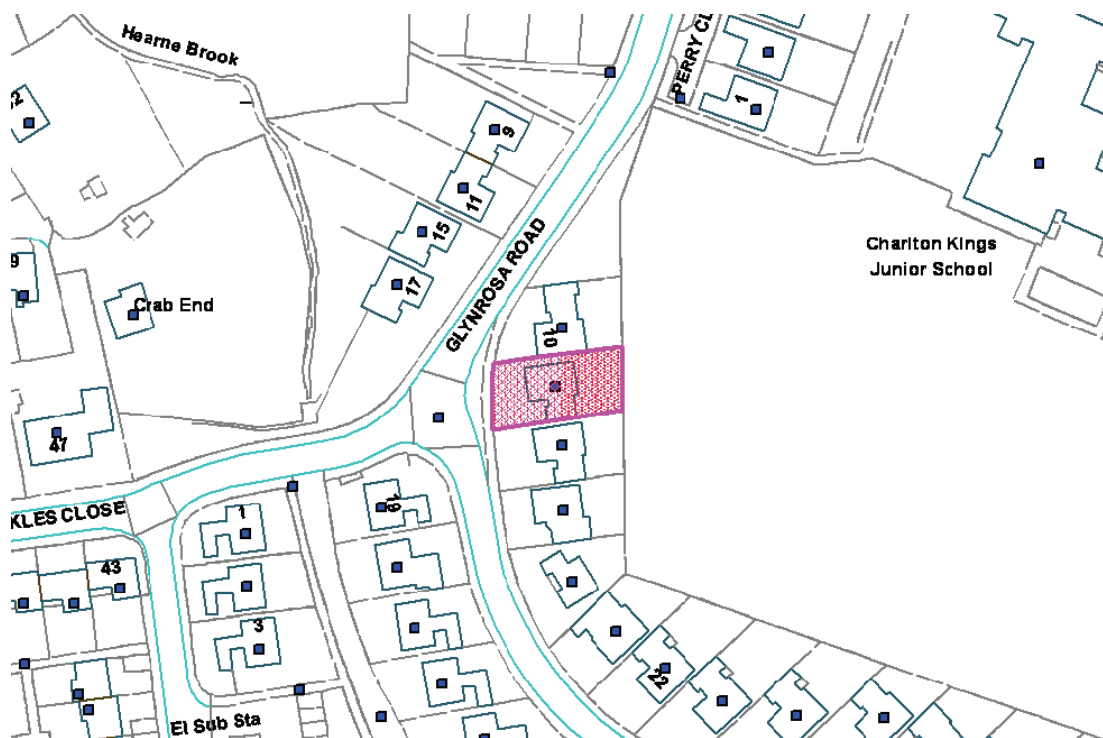
- 13 Prior to the commencement of development, a scheme for the provision or improvement of recreational facilities to serve the proposed dwelling(s) shall be submitted to and approved in writing by the Local Planning Authority. The dwelling(s) shall not be occupied until the approved scheme has been 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.

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APPLICATION NO: 14/00095/FUL		OFFICER: Miss Michelle Payne
DATE REGISTERED: 23rd January 2014		DATE OF EXPIRY: 20th March 2014
WARD: Charlton Kings		PARISH: Charlton Kings
APPLICANT:	Mrs Karen MacDonald	
AGENT:	M and L Designs	
LOCATION:	12 Glynrosa Road, Charlton Kings, Cheltenham	
PROPOSAL:	Single storey front extension, and part single storey / part two storey side extension	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This is a householder application for the erection of a single storey front extension, and a part single storey/part two storey side extension at 12 Glynrosa Road; a modern detached dwelling situated within Charlton Kings parish. The property is one of a number of similar dwellings, which are gable fronted with shallow pitched roofs; however the building line is staggered and many of the properties have been extended.
- 1.2 The building is predominantly painted render with a recessed brick detail to the front elevation at ground floor, white UPVC windows and doors, and a brown tiled roof. An attached garage to the side also has a shallow pitched roof gable with brick to the front elevation to reflect the design of the house.
- 1.3 The application is before planning committee following an objection from the Parish Council who suggest that the extension would take light from neighbour's side window, that the extension is not in keeping with adjacent properties and that the development would be out of scale. Members will visit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Landfill site boundary
Smoke Control Order

Relevant Planning History:

None

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

Supplementary Planning Guidance/Documents

Residential alterations and extensions (2008)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Contaminated Land Officer

24th January 2014

No comment.

Parish Council

11th February 2014

OBJECTION. Taking light from neighbour's side window. Not in keeping with adjacent properties. Development out of scale.

5. PUBLICITY AND REPRESENTATIONS

5.1 On receipt of the original submission, letters of notification were sent out to five neighbouring properties. In response to the publicity, one objection was received from the immediate neighbour at no. 14 Glynrosa Road. The comments have been circulated to Members in full but briefly the objections relate to:

- Loss of light to a bathroom window
- Height of the rear single storey element
- Removal of an existing hedge
- Potential damage to rear access pathway
- Adequate foundations
- Noise during construction

5.2 On receipt of revised drawings, a further letter was sent to the objector only to allow a further 7 days for comments.

6. OFFICER COMMENTS

6.1 The main issues when considering this application are design and neighbouring amenity, and following revisions to the original submission, the proposals are now considered to be acceptable.

6.2 The single storey front extension is a modest addition which would project just one metre forward of the principal elevation, beneath a pitched roof. It is very similar to an extension which has recently been constructed at no. 22 Glynrosa Road.

6.3 The side extension has been revised during the course of the application to achieve a greater degree of subservience to the parent dwelling. At ground floor, the extension would be set back one metre from the principal elevation and would extend across to the site boundary with no. 14 Glynrosa Road however at first floor the extension would be set back a further 700mm from the front and 800mm in from the side boundary. The use of a hipped roof form together with these revisions would ensure that the extension would not dominate or detract from the original building. At ground floor only, the extension would project approximately 4.1 metres beyond the rear elevation of the existing building.

6.4 Both proposals would achieve an acceptable degree of subservience to the original dwelling and would allow the original form of the building to be easily read. In addition, all works would be constructed in materials to the existing building to ensure that they are consistent in character.

6.5 As previously mentioned, a number of concerns have been raised by the neighbour at no. 14 Glynrosa Road, to the south of the application site, and all of the comments have been duly noted and are addressed below.

6.6 Whilst this neighbouring property does have a window in its side elevation, it is obscurely glazed and which serves a bathroom. Whilst levels of light reaching this bathroom window may be affected by the proposals, Members will be aware that a bathroom is not a habitable room and not afforded protection.

6.7 The existing hedge on the applicant's land would undoubtedly need to be removed to accommodate the proposed extension however permission is not required to remove it. The eaves height of the extension adjacent to the boundary is 2.6 metres and, in fact, possibly lower than the existing hedge. Furthermore, no. 14 Glynrosa Road sits slightly higher than the application property. Therefore the extension would not result in any significant impact on outlook or daylight reaching this neighbouring property.

- 6.8 Other concerns raised by the neighbour, such as potential damage to their existing side access and any future damage are a civil matter and not a material planning consideration.
- 6.9 With regard to construction hours, an informative has been attached setting out the 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.
- 6.10 With all of the above in mind, the recommendation is to grant planning permission.

7. 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. 31113/01 A and 31113/02 A received by the Local Planning Authority on 7th March 2014.
Reason: To ensure the development is carried out in strict accordance with the revised drawings, where they differ from those originally submitted.
- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
Reason: To ensure a satisfactory form of development in accordance with Local Plan Policy CP7 relating to design.

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.

Following negotiations, and the submission of revised proposals, the application now constitutes sustainable development and has therefore been approved in a timely manner.

- 2 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.

APPLICATION NO: 14/00095/FUL		OFFICER: Miss Michelle Payne	
DATE REGISTERED: 23rd January 2014		DATE OF EXPIRY : 20th March 2014	
WARD: Charlton Kings		PARISH: CHARLK	
APPLICANT:	Mrs Karen MacDonald		
LOCATION:	12 Glynrosa Road, Charlton Kings, Cheltenham		
PROPOSAL:	Single storey front extension, and part single storey / part two storey side extension		

REPRESENTATIONS

Number of contributors	1
Number of objections	1
Number of representations	0
Number of supporting	0

14 Glynrosa Road
 Charlton Kings
 Cheltenham
 Gloucestershire
 GL53 8QS

Comments: 9th February 2014

Concerns to be addressed before support:

1. Light to the window on the side elevation (bathroom) of 14 Glynrosa will be lost due to the 2 storey new build. Solutions could be to cover roof in light reflecting material and paint side of house light colour to reflect light in and or reduce the slope of the roof of the new build to allow light into the window.
2. The height of the single story back extension (boot room etc..) should not be any higher than the existing evergreen hedge. Solution: a flat roof for this part may be more acceptable.
3. The single story extension to the rear should not result in damage or removal of the evergreen hedge that presently separates the two gardens. That this hedge will not be removed is already indicated in section 7 of the application form; however I cannot see how this is to be avoided from the drawings. An evergreen hedge has greater aesthetic appeal compared with the back of a brick wall when sitting in the garden.
4. Assurance is sought re potential damage to the boundary area as the build comes right up to that area. The pathway leading to the garden of 14 Glynrosa covers drainage and any damage to this would have to be made good with no cost to the owners of 14 Glynrosa.
5. The access to this pathway is via a gate. The frame or this gate is presently secured to the side of the garage of 12 Glynrosa. If this building is to be altered then any damage to this frame and gate would need to be set right without cost to the owner of 14 Glynrosa.
6. Assurance is to be provided that the advice of structural engineers is to be sought in relation to the ability of the foundations of the existing single story building to support a two storey building. Whether new foundations have to be built or not then assurance is needed that any damage caused to the foundation of 14 Glynrosa will be repaired and that this guarantee is to be kept in place for a minimum of 10 years after the build in relation to subsidence caused by

Page 92

the new build to the foundations of 14 Glynrosa. Any damage caused by the new build to 14 Glynrosa will need to be made good with no cost to the owners.

7. Assurance is sought in relation to the noise and potential inconvenience caused by the building process. As such weekend and evening (after 5pm) work will only be conducted with permission from the residents of 14 Glynrosa.