



Notice of a meeting of Planning Committee

**Thursday, 18 December 2014
6.00 pm**

Membership	
Councillors:	Garth Barnes (Chair), Jacky Fletcher (Vice-Chair), Paul Baker, Andrew Chard, Matt Babbage, Diggory Seacome, Flo Clucas, Bernard Fisher, Colin Hay, Adam Lillywhite, Helena McCloskey, Andrew McKinlay, Klara Sudbury, Pat Thornton and Malcolm Stennett

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

Agenda

1. **APOLOGIES**
2. **DECLARATIONS OF INTEREST**
3. **DECLARATIONS OF INDEPENDENT SITE VISITS**
4. **PUBLIC QUESTIONS**
5. **MINUTES OF LAST MEETING** (Pages 1 - 14)
6. **PLANNING/LISTED BUILDING/CONSERVATION AREA
CONSENT/ADVERTISEMENT APPLICATIONS,
APPLICATIONS FOR LAWFUL DEVELOPMENT
CERTIFICATE AND TREE RELATED APPLICATIONS**
 - a) **14/01276/OUT Land off Stone Crescent** (Pages 15 - 38)
 - b) **14/01632/FUL Hobart House, Princess Elizabeth
Way** (Pages 39 - 42)
 - c) **14/01810/FUL Mellersh House, Painswick Road** (Pages 43 - 46)
 - d) **14/01901/COU 1 St Michael's Road, Warden Hill** (Pages 47 - 114)

e) **14/01956/FUL 29-31 Millbrook Street - DEFERRED** (Pages 115 - 128)

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

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

20th November 2014

Present:

Members (13)

Councillors Barnes, Chair (GB); Fletcher, Vice-Chair (JF); Babbage (MB); Baker (PB); Fisher (BF); McCloskey (HM); McKinlay (AM); Seacome (DS); Stennett (MS); Sudbury (KS); Thornton (PT).

Substitutes: Councillor Chris Coleman (CC)
Councillor Chris Nelson (CN)

Officers

Tracey Crews, Head of Planning (TC)
Martin Chandler, Team Leader, Development Management (MC)
Emma Pickernell, Planning Officer (EP)
Chloe Smart, Planning Officer (CS)
Ben Hawkes, Planning Officer (BH)
Cheryl Lester, Legal Officer (CL)

1. Apologies

Councillors Chard, Clucas and Colin Hay.

2. Declarations of interest

There were none.

3. Declarations of independent site visits

14/01612/OUT Land off Harp Hill

Councillor Fisher looked at this site briefly, including a walk down the drive.

14/01667/FUL 331 Hatherley Road

Councillors Sudbury and Baker both looked at this site from outside.

Members present on Planning View: Councillors Babbage, Barnes, McCloskey, Seacome, Stennett, Thornton, Coleman and Nelson.

4. Public Questions

There were none.

5. Minutes of last meeting

Resolved, that the minutes of the meeting held on 23rd October 2014 be approved and signed as a correct record *without* corrections.

6. Planning applications

Application Number:	14/01317/REM
Location:	Christ College, Arle Road, Cheltenham
Proposal:	Approval of reserved matters in connection with permission 13/00911/OUT. Residential development of 90 dwellings and associated roads, footways, parking, landscaping, and public open space.
View:	Yes
Members present for debate:	13
Officer Recommendation:	Permit
Committee Decision:	Permit
Letters of Rep:	9
Update Report:	Officer update re affordable housing contribution

EP introduced the reserved matters application, which follows approval of the outline application at the beginning of the year (considered by Planning Committee August 2013). The outline established the principle of residential development on this former school site, with all matters other than access reserved for future consideration. The same access is indicated in the REM application, with the outstanding matters of appearance, lay-out, landscaping and scale now up for approval. The outline was indicatively proposed for 85 dwellings; following extensive negotiation with the applicant and agent, 90 x two, three and four-bedded houses are now being applied for, which officers consider acceptable. There have been two report updates concerning affordable housing and contributions; the first explaining the clauses, and the second setting out that the applicant has agreed to provide an additional affordable unit, bringing the number up to 18 which equates with the 20% affordable agreed at the outline stage. The recommendation is to approve.

Public Speaking:

Philip Court, Technical Director for Taylor Wimpey Bristol, in support

The reserved matters application is for 90 new family homes with private gardens, together with roads, parking and landscaping. A public consultation was held in June 2013, the feedback was carefully considered, and adjustments were made to the scheme as a result of comments made. The main change was to the properties at the front: the 2.5-storey houses have been reduced to two-storey, to improve the frontage to Arle Road. Of those who responded to the consultation, three were strongly in favour of the scheme, 16 in favour, and three undecided.

The development will provide 18 much-needed affordable housing units, family homes which will be pepper-potted throughout the site and be tenure-blind. Under the terms of the S106 agreement, 17 affordable units were required, which is below the 20% originally required, but Taylor Wimpey has agreed to provide an extra unit.

There will be two parking spaces per dwelling, as well as additional non-allocated visitor spaces; this was influenced by comments made in the public consultation and concerns of residents. The development will enhance Arle Road, and include open space, trees, play areas and wide streets. The developers have engaged positively with the public and with officers to develop the proposal to the scheme before Members today.

Councillor Rawson, as local ward member

There is a lot which is positive about this proposal: officers have worked hard to improve on the outline version; the developers have engaged with local people and taken notice of their comments; the principle of development of this site for housing is acceptable. However, as ward member, there are still a few areas of concern.

An early aim was to ensure that the development fitted in with the existing character of Arle Road, and this has been partly achieved due to the effort of officers – the properties facing Arle Road are now more in character with others around than at the outline stage. However, this has not been fully achieved within the site, where a number of 2.5- and 3-storey houses are proposed. The report states that this is a compromise and is acceptable – but it should surely be better than ‘acceptable’ on a site of this importance.

Notes that 140 parking spaces and 61 garages are provided, but this will only be OK if the garages are big enough to be used for parking cars. There are examples around the town, such as in St Peter’s ward, where garages are not big enough to accommodate normal-sized modern cars. Also, in Market Street, this has led to parking problems with overspill to neighbouring roads. We need to do what we can to make sure that the garages are of usable size and fit for purpose.

Would like to be sure that the recommendations of the crime prevention design advisor are followed carefully to minimise the risk of crime, which is a particular issue in this part of town.

Concerns about access to the site have been allayed, but there remain concerns about the end of Arle Road when it joins Grevil Road and Princess Elizabeth Way. This is already a difficult junction, with considerable delays when turning right, causing occasional accidents, some of which are serious. The development won’t make a huge impact but it certainly won’t make it easier. Is the council flagging this up to Gloucestershire Highways? Asks for it be given some attention, as he would be failing in his duty as a ward councillor not to do so.

Member debate:

PT: regarding the size of garages, has raised this issue in the past and been told that it isn’t in Members’ purview to look at the garage situation. Can officers give an update on this situation and advise Members about who they need to speak to regarding the size of garages?

BF: has recently spoken to officers about things we should look at putting in the Local Plan, such as the size of garages, LED lighting, street lighting, fibre optic broadband, raising the standard insulation to triple glazing – these could all be incorporated. If the JCS goes forward, there will be a massive amount of house-building, and we should be building for the 21st century, not the 19th. In the meantime, can the size of the garages be included as a condition? Also, regarding green space at the site, would have liked to see this at the centre, as part of the hub. There is currently very little space for children to play, with no play facilities at the Leap. How close is the nearest play area? Could a condition be added to rectify this?

CN: following on from BF’s general comments, on planning view there was an interesting discussion about the affordable housing issue. This comes up regularly in large housing developments; the JCS aspiration is for 40% affordable, so why have we settled for a maximum of 20% on this site? It would be good in the future if, when the viability report is submitted, Members are able to access this – maybe via pink papers or in closed session. There would be value in them having a better understanding of the issue and whether 40% can be achieved.

KS: regarding affordable housing, was horrified to read to update – Planning Committee gave a clear steer in August 2013 and this was not acted upon. Is grateful to the applicant for providing the extra unit but very disappointed at the missed opportunity to look at this again. This is a big issue; it has been discussed on many occasions, concerning brownfield sites where the Committee wants affordable housing to be delivered. The current situation should not have been allowed to happen; the officers have described the situation as ‘regrettable’ but this is not the right word – it is far more serious than that.

On the subject of traffic, the outline application has already been agreed so there is nothing more to be done regarding access, but the proposed development cannot be considered in isolation. People who live there will use cars and bikes on the existing roads; Princess Elizabeth Way is already a nightmare – any accident there can cause gridlock on all the surrounding roads – and Gloucester Road is busy already and likely to get busier under the Cheltenham Transport Plan. The proposed development will cause a lot of issues in an area which already has a lot of issues. We need to alert our Highways colleagues that something needs to be done. There could be 4,000 new houses at Kingsditch, plus the new development of NW Cheltenham. What effect will this have on Poole Way, which is already difficult to get round in a car?

Returning to affordable housing, hopes for a proper apology from officers. To say this is regrettable is not enough.

CC: is generally supportive of the application, and the changes between the outline and the reserved matters schemes have made a real difference. The properties on Arle Road are valuable, and was satisfied on Planning View that developer has responded to comments about the area of open space at the back of the development and toned down the houses around it to improve the outlook. Is disappointed at the number of 2.5- and three-storey houses included in the scheme; the developer states that St Peter's is 'littered' with this type of property but that is not accurate – the majority of houses are two-storey – but appreciates that this is not a reason to refuse the scheme.

Has a number of questions regarding the development: (1) garages – can we have any say in what size these are? They must be suitable for cars to live in. The positioning of car parking and garages is included as a condition, so it would be ridiculous if we cannot be satisfied that these will be of the right size; (2) there are issues across the town, particularly on the outskirts, with broadband and the speed of service. Can this be included as a condition? (3) regarding traffic, agrees with what has been said by Councillor Rawson and Councillor Sudbury, and feels the Committee should interact with the County Council to make its concerns known about this site and the junction of PE Way and Grevil Road. Maybe the Chair and Vice-Chair can write a letter to County Highways on behalf of the Committee, if the application is passed and highlighting the concerns of the Committee?

Regarding affordable housing, is also disappointed with the situation but welcomes officers' openness in explaining how it came about and is reassured that officers have explained their difficulties. However, the position has not changed from when the outline application was dealt with – this site was ideal for 40% affordable housing, and cannot therefore get over how this has not been possible. The site is flat, not contaminated, a former school with all the services in place – cannot think of another site better able to cope with 40% affordable dwellings and is sad that this has not been achieved here. As ward councillor, has regularly knocked on doors of people in the area who are worried about where their children will live and has many times referred to this site just around the corner as one with potential for a high number of affordable units. 18 units on a site of this size are not enough. Accepts that on this application that we cannot get more than 20% affordable housing through it, but hopes that other developers don't look at it and think that they can 'get away' with half the affordable housing.

HM: is minded to approve and thanks the developer for taking notice of members' comments at the outline stage and making changes to the playground and the frontage. Like other members, is sad about the lack of affordable housing, but was also sad at the outline stage that the Diocese of Clifton wouldn't consider selling the land at a slightly reduced price to make more affordable housing on the site a viable option – the borough council has done this with some of its land. Is disappointed at how few two-bedroomed houses are proposed on the site, as these are what is needed to help young people get started on the property ladder. Regarding the comments from Wales and West Utilities, would like to see these included as an informative if possible.

EP, in response:

- regarding the size of the garages, this has been increased in size to make sure that they comply with county council guidelines on the minimum size for garages. Members can be confident that they will operate as garages should;
- on green space, items of play equipment are proposed for the central area, and the LEAP will have more. This is felt to be an appropriate location for a play area, close to the sports hall. There are also small areas of green space throughout the site;
- to CN's question about members being given access to viability reports, conversations about the general approach to this issue have been taking place, and these might be included in the future, but in the meantime, members are welcome to approach officers should they wish, who will make sure that the viability reports are available for them to look at;
- to the suggestion that high-speed broadband service should be included as a condition, we have to consider if this would meet the tests of a planning condition – is it necessary to make the scheme acceptable? Officers are not sure that it would meet those tests;
- on highways issues, this is the reserved matters application, so these have already been dealt with at the outline stage. A training session for Members with County Highways officers is planned for early December, and Members may wish to raise some of these issues with county officers then.

TC, in response:

- on the viability issue, training is being organised for officers which will also be open for Members to attend should they wish, to give a better understanding of developer financing, where developers are coming from regarding the issue, and to make officers better equipped to understand the evidence when reading the reports;
- to KS on affordable housing, members can be assured that officers are genuinely apologetic and are very upset by the issue.. It was not overlooked deliberately.

PT: returning to the garages, it isn't so much the size of the doors as the actual size of the garages themselves which can be a problem. In some cases, a car cannot be wholly parked inside the garage with the door shut. Are cars much bigger than they used to be?

MB: on the broadband question, and whether it would be reasonable to include this as a condition, we are moving towards a situation where broadband is almost a necessity, so it would be valid to include it as a condition – would like to see it added. Regarding the block paved area at the entrance and towards the east side of the site, this is a roadway where children are likely to play football etc – has concerns about the safety of the route and whether people will drive carefully.

EP, in response:

- regarding garages, will double-check on the plans about the width of these. The SPD states that they need to be 2.7m wide internally;
- to HM, an informative encompassing the comments from Wales and West Utilities will be OK and easy to add;
- regarding broadband, we have to consider whether including this as a condition meets the test to make it acceptable. It would certainly be desirable but to insist on it through a condition leads to the conclusion that the application would be refused if the condition is not included. There is no policy basis to this – it does not meet the test;
- regarding the block paved area, this has been designed as a shared space. There will be quite a lot of changes in direction for any vehicle passing through which will keep speeds down. It does not have the feel of a main route, and Highways Officers do not have any concerns with it;
- MJC has now checked the width of the garages on the drawings and they are 6m x 3m – this complies with guidelines.

CC: returning to the matter of broadband, this is a massive issue with new developments; residents move in, assuming it will be OK only to find it isn't. The issue needs to be raised. Is there anything that Planning Committee can do about it, to show the developers that this is an issue which they need to sort out? Could it be included as an informative?

CN: would also like to labour the point of broadband. It is ludicrous to think of a new development in Cheltenham without guaranteed access to broadband at a decent speed. These are issues which people have to suffer in rural areas, but it is outrageous in a town such as Cheltenham. We should be looking at advice and testing the boundaries of policy. Cheltenham needs houses, and it is absolutely essential to have access to high-speed broadband.

JF: what tests are carried out to decide whether or not a condition, such as on concerning broadband, is justified? Would like legal advice on this. CC suggested earlier that the Chair and Vice-Chair might write to the County on behalf of the Committee, expressing its concerns about the junction of Grevil Road with Princess Elizabeth Way. Is happy to do this – members could wait to raise the issue at the training session but it would be good to get their concerns down on paper and signed.

GB: confirmed that he is happy to send the letter with JF.

MS: regarding broadband, cannot see that it is too much to ask the developer to talk to service providers to ensure it is installed, particularly as there would be no cost implication for the developer. Agrees this issue should be included in the Local Plan as part and parcel of future developments. Regarding the junction with Princess Elizabeth Way, agrees that Gloucestershire Highways need to be alerted to Members' concerns, and maybe consider a mini-roundabout or some other measure to improve the situation - this is a very dangerous junction.

KS: looking again at the plans, thinks that the estate may be attractive to buy-to-let landlords and could end up with a lot of houses of multiple occupancy. Is there anything to be done through planning conditions to control this? The character of the area has changed recently giving rise to various issues. Adding more homes will mean more people needing places to park, and we have to be on the ball regarding this possibility, as we are often guilty of not thinking ahead enough.

EP, in response:

- regarding broadband, as MS has said, this is a Local Plan issue, and although it is mentioned in the NPPF and the draft JCS, there is currently no policy requirement. An informative on the matter would be a good idea, to flag up to the applicant the concerns of the committee, but it would have no enforceable weight;
- to KS, on the possibility of restricting the number of HMOs, dwellings can move from C3 to C4 use under permitted development, without the need for planning permission. In order to qualify as an HMO, there needs to be 4-6 unrelated individuals sharing a house. As these properties have a maximum of four bedrooms, it's not anticipated that conversion to HMOs will be a special issue at this site. Officers do not consider there is any need for a condition; it could be regarded as overly onerous on this particular site, when it has not been required elsewhere.

BF: KS is right. Councillor Rawson commented on the number of three-storey properties, and this is a popular area for HMOs, as seen in Arle Gardens. The properties may only have four bedrooms, but they also have two downstairs rooms which could easily be used as bedroom. It could become a problem here.

PB: the officer has commented on two issues which would not be appropriate as conditions, but what conditions would be appropriate? Parking enforcement is a huge issue on estates like this; was there

any sort of traffic management scheme at the early stages of this development? There are often problems with refuse lorries, child safety issues etc. Also, what are the arrangements for wheely-bins?

EP, in response:

- to KS and BF, if we try to exercise any form of control over potential HMOs, it would have to be through a condition restricting PD rights for C3 to C4 conversions. Officer advice is that this would not be appropriate, but it is the only way any such control could be introduced;
- regarding traffic issues, the developer has a separate agreement with County Highways, and the site was designed with sufficient off-road parking space to remove the need for residents to park on the roads;
- to PB, all the plots have space for wheely-bin storage, with access through the back gardens. All the roads have been designed to be accessible to refuse lorries.

CL, in response:

- there has been a lot of talk about conditions and when these are or aren't appropriate. National Planning Practice Guidance sets out that conditions restricting the future use of permitted development rights will rarely pass the test of necessity and should only be used in exceptional circumstances. The circumstances in this case do not appear to be exceptional;
- to JF, tests are set out in PPG, which need to be satisfied in order for a condition to be included. They are that the condition is necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Members are concerned about broadband and HMOs, but again would suggest that these issues do not pass those tests.

KS: believes there is a strong case for a condition regarding HMOs to be attached. In this location, there is a large number of HMOs, which cause significant parking issues. If anyone wanting to convert a family home into an HMO has to apply for planning permission to do so, at least we can keep an element of control. Officers have talked about testing the reasonableness of a condition, but it is Members who know what is happening in the area. Two parking spaces per house may seem OK, but if it ends up with 4-5 people with cars living in these houses, it will materially harm the quality of life for both new and existing residents. Local knowledge shows that this will not be reasonable. Including a condition relating to this shows that we are forward-thinking, doing what we can to ensure that the situation will work properly. Based on the evidence of the neighbourhood, we could end up with a large percentage of HMOs, and with the change in housing benefits, there is an increasing market demand from single people for a bedroom in an HMO. It would not be unreasonable to adopt this suggested condition and moves that it is included.

PT: supports what has been said. It hadn't previously occurred to her that the three-storey houses look very similar to those in Arle Gardens, with the garage on the ground floor. Has experience of this issue elsewhere in her ward – an additional bedroom is established in the garage under permitted development rights, and then an HMO with six separate units is established, all without planning permission being needed, and subsequently changing the character of the area. It is difficult to keep up with these changes. Is inclined to agree with KS, particularly as this development is in a convenient position for students. In these situations, people usually end up parking their cars across pavements but there are no pavements to park on here. Anything we can do to stop this happening should be done, or the development could end up an absolute mess in two or three years.

GB: there has been a lot of discussion and KS has moved to include an additional condition – to remove PD rights to ensure that houses cannot be converted to HMOs without planning permission. Members will need to vote on this.

EP, in response:

- if Members want this condition, it can be included, but would just remind them of the right of appeal against conditions as well as against refusals to grant permission. The special circumstances test would be very relevant in an appeal situation.

KS: would the specific character of the area, and the high number of HMOs already in Arle Drive and Arle Gardens, be enough to count as special circumstances in this case?

EP, in response:

- officer opinion is that it would not, but if Members want to attach this condition, it can be reflected in the decision notice. If the condition is appealed, it will be up to the Inspector to decide whether or not he agrees with this stance.

BF: is happy to support KS's move to add the condition.

PT: the condition will not affect the developer; it is about the people of the town living in the houses after they have been built.

Vote on KS's move to add a condition restricting PD rights

9 in support

3 in objection

1 abstention

MOVE CARRIED

CN: can a condition concerning broadband be added too?

GB: it has already been agreed that concerns about this are best raised as an informative.

CN: why can't this be included as a condition? The reasons are strong, even though, unlike the HMO condition, it *will* have cost implications for the developer.

CL, in response:

- there is no definitive planning reason for this condition to be included on this application. It has not been used with previous developments of this size and type, so the question would be why is this one any different? To expand on the test of being necessary, the question in the guidance is whether it would be appropriate to refuse planning permission without the requirements imposed by the condition.

CN: broadband delivery is included in the NPPF – this is a planning reason to include it as a condition.

TC, in response:

- the NPPF refers to telecommunications and high speed broadband at Paragraph 43, stating that local authorities should support its expansion when preparing their local plans, but there is no policy relating to this in the current Local Plan. The issue is covered at strategic level in the emerging JCS and will be supported at Local Plan level in due course, but at present there is no policy on which to hang a condition. Supports the advice of the legal officer.

CN: can't the NPPF be used to support the condition?

GB: Members have heard the advice of officers. The issue will be covered by an informative, together with the Wales & West Utilities advice.

Vote on officer recommendation to permit, with additional condition re removal of PD rights, and informatives concerning broadband and Wales & West Utilities

13 in support - unanimous

PERMIT

Application Number:	14/01612/OUT
Location:	Land off Harp Hill, Charlton Kings
Proposal:	Outline application for the erection of 1 dwelling
View:	Yes
Members present for debate:	13
Officer Recommendation:	Refuse
Committee Decision:	Refuse
Letters of Rep:	3
Update Report:	Photographs from applicant's agent

EP described the application as above, for outline permission with all matters reserved other than access, at committee at the request of Councillor Babbage. Officers are concerned that the site is too small to accommodate the dwelling. The site is in the AONB. There are highways concerns regarding safety, visibility at the entrance, and the lack of space for passing - a letter from the County concerning the highway situation has been circulated to Members as an update. The officer recommendation is to refuse.

Public Speaking:

Ms Becky Brown of SFPlanning, agent, in support

The report acknowledges that there is no policy to preclude small-scale development of this kind within the AONB, therefore the principle is acceptable. The indicative proposals show how the plot can be successfully developed without any adverse effects; the pattern of local development is organic, varied, and not exclusively frontage development. 3D images circulated to Members show that the proposed dwelling will sit inconspicuously in the site and be barely noticed. Cannot see how it could be regarded as harmful to the AONB when an approved dwelling between The Bredons and The Gray House, directly fronting Harp Hill, was not, and would further obscure the development site from view from the road. The report acknowledges that the site is not widely visible from public vantage points but doesn't mention that the approved dwelling would make it even less visible.

Generous amenity space can be created for the new dwelling without being cramped. There has been no objection from the closest neighbouring property. Design and external appearance will be addressed at the reserved matters stage. The applicant has worked with County Highways to resolve the access and highways issues. The width of access issue has been resolved with the addition of a passing bay, and the visibility splay requirements can be met to ensure safe access to the main road. The Council has used Grampian conditions elsewhere to ensure that the necessary work is done to provide suitable visibility, at Gravel Pit Cottages for example, and can use something similar here to ensure that all work is done until visibility is secured.

If the proposal is as unacceptable as officers suggest, would expect to see more opposition to it, but the Civic Society supports it, the Parish Council has made no objection, and only one out of 20 neighbours consulted has objected to the scheme. Based on the context, cannot see the proposal will harm the AONB, and safe access can be secured via a Grampian condition, and therefore urges Members to support the scheme.

Member debate:

PB: what is a Grampian condition?

EP, in response:

- it is a negatively-worded condition requiring certain works to be carried out before any part of the development can start. In this case, that would mean something along the lines of: 'Before any work starts on site, a scheme for visibility splays must be secured'. This precludes any other works if there is any possibility of the highways work not being carried through.

BF: cannot see much wrong with this proposal. It is in the AONB but there have been no objections from the conservationists, and in any case, permission was given to a large number of dwellings in the AONB at the GCHQ site. Development is usually acceptable in the AONB as long as it is small scale. Access is OK and there are no major highways issues. This is an outline application, so design details such as balconies can be discussed at a later stage. As an outline, the proposal is OK, and may consider moving to permit.

MB: in genuinely torn here. The scale of the proposal site is clearly not the same as the surrounding sites, but is tucked away. If the residents of the nearest house, Kings Welcome, had objected, would be inclined to vote against it, but with no objections from neighbours, is more minded to go with the move to approve.

PB: would also support a move to approve. Cheltenham is a town with a finite amount of land and constant pressure to find land for new homes. This proposal will have no negative impact on the neighbours, none of whom have objected. Subject to a Grampian condition as discussed and the parking spaces shown in the drawings being guaranteed, feels OK about supporting this.

EP, in response:

- the garden land SPD relates to layout of a new development, and how it should respond to the vicinity in terms of grain, frontage, building width; this proposal is at odds with the prevailing grain, which is loose-knit, with big properties on large, irregular sites. It's true that it would not be widely visible, but if other little plots of land were to be similarly developed on cramped sites, the semi-rural character of the AONB would be eroded, and officers are concerned about the potential impact of this;
- Members have received the highways officer's advice in the update; there is no reason to disagree with this;
- these are the reasons why officers are recommending refusal.

MS: supports the officer recommendation, as would anyone who was on Planning View – the proposal is totally out of character with the area and neighbouring properties. It's true that we need houses, but if they are cramped into sites such as this, the area will quickly become a series of little estates. Surely it is right that we keep some places special? This is out of character.

PT: can see what is being said about the grain of the area, but it is obvious what has happened on this site, where there are currently four large houses in large plots, but a few yards down the road there are the standard four ordinary-looking houses and gardens, still within the AONB, so the grain situation falls by the wayside here. Is prepared to support the application. On Planning View it was obvious that it is possible to see down the road; it is quite a nasty bend, but people have been living with it for a long time and one more dwelling is not going to make much difference.

HM: supports the officer recommendation due to the statement from Gloucestershire Highways. Planning Committee is often frustrated by highways officers saying that the implications of a small development are not severe enough to have any significant impact; here they are saying that the additional dwelling *will* have an impact, and we should take notice of this and refuse the scheme on those grounds.

JF: the highways officer says that one or two additional cars might make a difference to road safety here. The SPD is in place to control building in back gardens, and states clearly that access should not be shared. Will go with the officers on this one.

BF: regarding the size of the house and plot, the Battledown Estate has a covenant governing this, but Harp Hill isn't part of the Battledown Estate, so is this enforceable here? Notes that one of the letters of objection is from a neighbour who is proposing to build on adjacent land and seems to be saying 'you can't but I might'. Moves to approve.

EP, in response:

- regarding the Grampian condition discussed earlier, in order to comply with this, the applicant will need to get control over third-party land. Officers are concerned about the reasonableness of this. If Members want to approve, the exact wording of the Grampian condition will need to be approved by the Chair and Vice-Chair;
- to BF's comment about the Battledown Estate, is not sure whether this site is covered by the covenant, but it would not be directly applicable to the planning situation in any case.

Vote on BF's move to permit

6 in support

7 in objection (including Chairman's casting vote)

1 abstention

REFUSE

Application Number:	14/01667/FUL
Location:	331 Hatherley Road, Cheltenham
Proposal:	Erection of entrance porch, two storey side extension and part two storey and single storey rear extension (Following demolition of single storey rear extensions, detached rear garage and side car port)
View:	Yes
Members present for debate:	13
Officer Recommendation:	Refuse
Committee Decision:	Permit
Letters of Rep:	0
Update Report:	None

CS described the application as above, which is at committee at the request of Councillors McKinlay and Whyborn. The recommendation is to refuse as officers feel the proposal will not be subservient and will have an overbearing impact.

Public Speaking:

Mrs Anna Perks, applicant, in support

Wants to create a beautiful home for her family of three boys in this lovely area, and has worked hard on the plans, reducing the size a number of times. Thought the final submitted version satisfied all the

guidance, so it was distressing when the officer recommended refusal for the proposal. In view of the existing single-storey kitchen on the back of the house, it is an over-exaggeration to say that the proposal will be 6.1m from the original rear wall at ground floor level and 4.95m at first floor level. The first floor extension will be 3.5m from the original rear wall, to create a master bedroom with ensuite, and the ground floor extension could be 6m under permitted development. The two-storey side extension, single-storey elevation to the rear, and porch are all considered acceptable by the officer. The proposed first floor extension to the rear will not be visible, will not be oppressive or result in any loss of light to neighbouring properties, and is only 0.5m bigger than a similar extension down the road. There have been no letters of objection, but two letters of support, one from each neighbour. In light of these facts, is struggling to understand how refusal is in public interest, and therefore requests that Members support these improvements to her home.

Councillor Whyborn, in support

One of the functions of Planning Committee is to apply common sense to making decisions, so that we do not end up with 'planning by numbers'. Admittedly, the proposed extension is larger than normal guidelines, but having spoken to neighbours in the last 24 hours, they are happy with it. These semi-detached plots have narrow fronts and very long back gardens. This proposal will extend quite a long way back but neighbours are happy with the state of affairs. The family wants to extend the house in order to continue living there; if they can't, they will have to move. It is a larger than normal extension, but it passes the light test. Who are we to tell people what is acceptable? Common sense must prevail. There are no objections from the Parish Council. Understands the reasons for the officer recommendation and the need to protect the general principle, but we are often told that every application should be considered on its own merits. This proposal should be a splendid example of that, and not be decided by box-ticking.

Member debate:

MS: feels the same as Councillor Whyborn. On Planning View, walked down the garden and looked back at the houses, noting the number of extensions on adjacent houses – the proposal won't stand out or be particularly noticed. The development at the front will enhance the appearance of the house. Moves to permit.

AM: MS got there first and stole his thunder. The application doesn't look significantly different from others in the road, the neighbours don't object, Up Hatherley Parish Council doesn't object – so one might think there can be nothing wrong with the application.

BF: notes the suggested refusal reason but will support the move to permit.

HM: the applicant mentioned a nearby extension which was approved recently and is very similar. Can officers explain the difference between that and this?

CN: on Planning View, Members thought that this development looked the same as the one nearby, and officers were going to check the details to see if this is the case. Do they have any further information?

PT: was going to ask the same question. Will support the application, but is interested to know about the difference in size between this and the neighbouring developments.

CS, in response:

- the applicant mentioned that there had been two letters in support of the application. For the record, these were submitted with the application, not as part of the neighbour consultation, which is why the two letters are not acknowledged in the representations breakdown in the report;

- regarding similar extensions in the area, No 327 Hatherley Road was granted permission for a two-storey side and rear extension and single-storey rear extension, which is 4m in length beyond from rear wall – this was scaled down by officers;
- the reason for officers’ concern with this application is the cumulative effect of the various extensions, even though the impact of these has been scaled down;
- in terms of square meterage, basic calculations show that the original property is 95 sq m, and with the proposed extension it will be 194 sq m – more than double the size;
- the proposals are therefore not subservient, and will overwhelm the original property, which is why officers have recommended refusal.

PB: has viewed the property and understands where officers are coming from, but considers this to be a subjective view. Will this proposal have an impact on the area? No. Will it provide a reasonable family home? Yes. Is therefore happy to support the scheme.

Vote on MS’s move to permit

8 in support
4 in objection
1 abstention

PERMIT

Application Number: **14/01812/FUL**
 Location: **Australia House, Princess Elizabeth Way, Cheltenham**
 Proposal: **New soil pipes to Australia House and Canberra House**
 View: **Yes (drive past)**
 Members present for debate: **13**
 Officer Recommendation: **Permit**
 Committee Decision: **Permit**
 Letters of Rep: **0** Update Report: **None**

BH introduced this application, for two external soil pipes on flats in Princess Elizabeth Way. It is at committee as the local authority own the site. The officer recommendation is to permit.

Public Speaking:

There was none.

Member debate:

There was none.

Vote on officer recommendation to permit

13 in support – unanimous

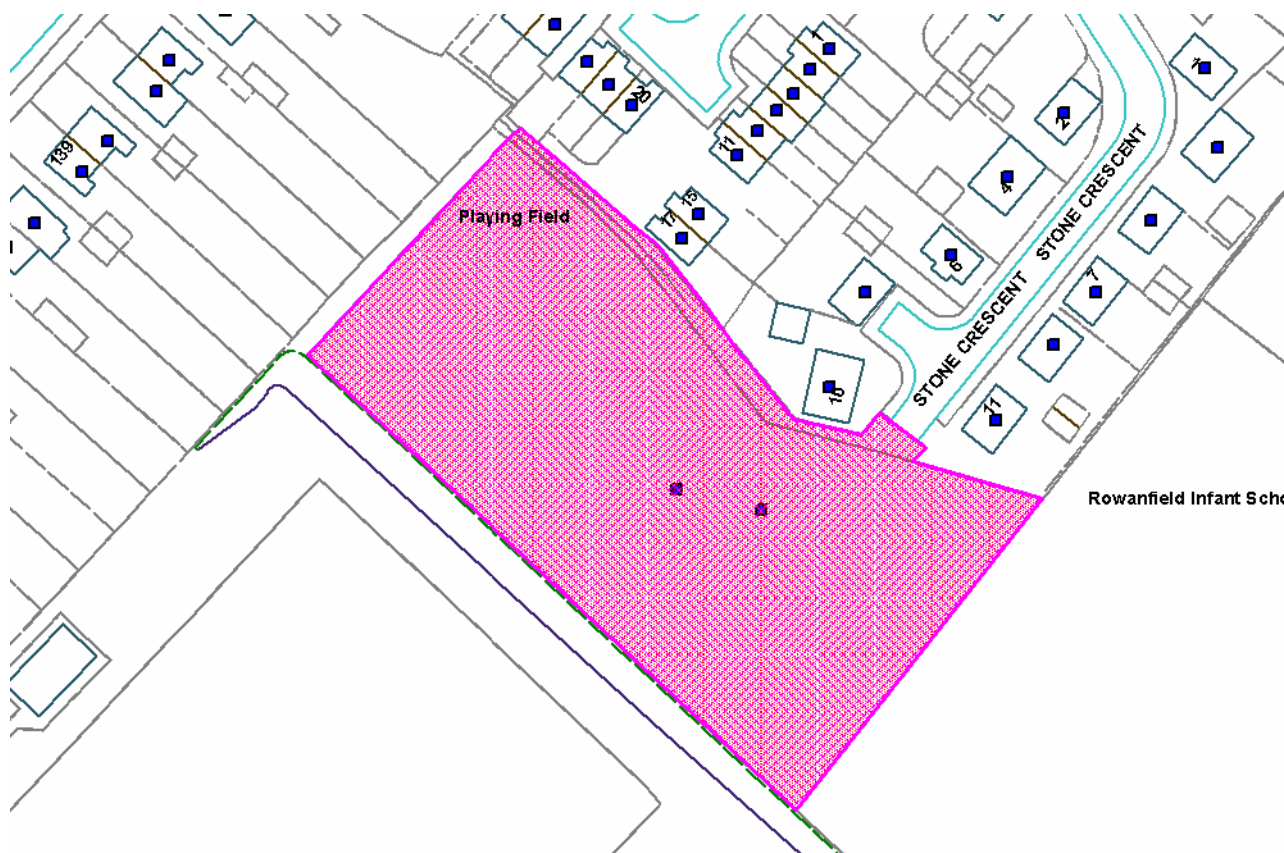
PERMIT

The meeting ended at 7.50pm.

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APPLICATION NO: 14/01276/OUT	OFFICER: Miss Michelle Payne
DATE REGISTERED: 11th August 2014	DATE OF EXPIRY: 10th November 2014
WARD: St Marks	PARISH: None
APPLICANT:	Gloucestershire County Council
AGENT:	SF Planning Limited
LOCATION:	Land off Stone Crescent, Cheltenham
PROPOSAL:	Outline application for residential development

RECOMMENDATION: Permit subject to a 106 Obligation



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site comprises a roughly rectangular piece of land, 0.55 hectares, to the north of the King George V playing field in St. Marks. The site is fenced off from the playing field and does not form part of the designated Public Green Space.
- 1.2 The surrounding area to the north is largely residential - the land to the north-east (through which the proposed development site would be accessed) having been developed for housing in the early 2000s. Rowanfield Primary and Junior Schools are located adjacent to the eastern site boundary.
- 1.3 The application is seeking outline planning permission for the residential development of the site with all matters, with the exception of access, reserved for future consideration. Access to the site would be provided from Stone Crescent.
- 1.4 The application is before the planning committee as Gloucestershire County Council is the applicant and land owner.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Landfill Site boundary

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
GE 1 Public green space
GE 2 Private green space
GE 5 Protection and replacement of trees
GE 6 Trees and development
NE 1 Habitats of legally protected species
HS 1 Housing development
RC 6 Play space in residential development
TP 1 Development and highway safety

Supplementary Planning Guidance/Documents

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

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Contaminated Land Officer

31st July 2014

No comment.

Cheltenham Tree Group

4th August 2014

We have no objections, subject to implementation of the tree protection measures recommended in the Tree Survey, AND any other requirements requested by the Trees Officer.

Crime Prevention Design Advisor

14th August 2014

I write with reference to the above planning application. The content contained within this letter refers specifically to designing out crime. Taking steps to ensure the security of the proposed development is adequate will provide reassurance to residents currently living within the area.

Research conducted by Secured by Design (the Police crime reduction initiative to encourage security to be considered in design) has proven that SSD developments are half as likely to be burgled, have two times less vehicle crime and show a reduction of 25% in criminal damage, thereby increasing the sustainability of a development.

The following points outline some of the key features of designing out crime:

- Surveillance opportunities should be maximised with homes positioned to face each other.
- Parking spaces should be situated within the curtilage of the dwelling or where they are overlooked by houses. Parking courts should be small.
- More security is offered where the access to the rear of homes is limited. All rear boundaries should be a minimum of 1.8m high and of solid construction (close boarded fencing, for example). Where surveillance needs to be maximised the fencing can be 1.5m high with a 300mm trellis topping.
- Permeability needs to be appropriate, should serve a purpose and should not compromise the security of individual dwellings. Paths which run to the rear and side of properties are strongly discouraged as these increase opportunities for burglary. Routes should be shared where possible as this increases the number of users and provides more security by reducing isolation. Any segregated paths must be wide, overlooked and as straight as possible. Excessive permeability can make a development more attractive to a burglar as it increases the number of escape routes.
- All properties should have clearly defined defensible space. It should be clear where public areas end and private begin.

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It is recommended that the development is built to meet Secured by Design standards. Secured by Design (SBD) is a police initiative owned by the Association of Chief Police Officers (ACPO), to encourage the building industry to adopt crime prevention measures in the design of developments. It aims to assist in reducing the opportunity for crime and the fear of crime, creating a safer and more secure environment, where communities can thrive.

Tree Officer

3rd September 2014

The Tree Section does not object to this outline application.

However it is important that the strip of land 3-4 metres wide which runs along the northwest boundary of the site and to the rear of the back gardens of properties on Brooklyn Rd is included within this site or otherwise disposed of. This land appears to be in ownership of the Cheltenham Borough Council and CBC Tree Section has been managing the large oak tree which the included Tree Survey states that ownership is unclear (T10). If this land is excluded from this site, management of the excluded land will be very difficult indeed/impossible.

It is critical that this is addressed prior to determination.

Any full application needs to include an Arb Method Statement, Tree protection Plan and a detailed Landscape Plan submitted as a part of the initial application process.

County Education

17th September 2014

Thank you for giving us the opportunity to comment on the above planning application. I have prepared a formal assessment detailing the planning obligations required by Gloucestershire County Council (GCC) from this proposed development of up to 13 dwellings at Stone Crescent, Cheltenham.

GCC is the relevant authority for education, highways and various other community services. It is responsible for determining and negotiating contributions towards these services which include education, libraries, community care, fire and rescue, transportation strategy, sustainable transport issues, pedestrian and cycle routes. The Development Control group within Environment Directorate, will co-ordinate GCC's response on highway / transportation issues.

I have considered the impact of this development on local education and the community resources for which GCC is responsible and whether planning obligations are relevant. This follows requirements and standards that are used by GCC elsewhere in Gloucestershire and also meets national practice. I set out below the planning contributions that will be required from this development.

1. GENERAL

- a. Assessments of GCC requirements centre on CIL Regulations 2010 (section 122 and 123) and National Planning Policy Framework March 2012 (paragraphs 203-206). Planning obligations will be sought where they are necessary to make the development acceptable in planning terms, directly related and are fair and reasonable in relation to scale and location of development proposed.
- b. Contributions are ring-fenced for capital works specified by GCC, held in independent accounts and are not interchangeable.

- c. GCC will account for unspent contributions, expenditure and accrued interest. Unless programmed or otherwise agreed, unused contributions are returnable, with interest, to the developer.
- d. The s106 will be between GCC, the landowner and developer. The developer must meet GCC's legal and technical costs in preparing the agreement/s.
- e. All contributions are bonded and indexed.

2. EDUCATION

- a. GCC is a Children's Services Authority (CSA) whose aim is to improve the co-ordination of services that affect children and young people such as:-
 - i. Education
 - ii. Social services - where they relate to children and young people
 - iii. Health services - where the CSA acts for organisations such as the NHS.
- b. New residential development gives rise to new pupils in relation to the type and numbers of new dwellings. There are direct linkages between the number of dwellings and number of pupils. GCC has to ensure sufficient accommodation for new pupils if existing schools do not have spare places or there are insufficient or no schools local to the development. There is justification at national, regional, county and local level for requiring contributions to local early years, primary and secondary facilities where evidence indicates and justification shows that that this would be reasonable.
- c. Contributions will be indexed to the Department for Education (DfE) annual cost multipliers or any replacement thereof deemed relevant by the Council to maintain the proportionate value of contributions and to ensure payment.
- d. When assessing education contributions GCC's criteria for a 'Qualifying Dwelling' is a house without age or health occupancy restrictions and with 2 or more bedrooms i.e. family accommodation. Flats and one bed houses are therefore excluded as they are occupied by lower number of pupils compared to houses.
- e. This proposal is for up to 13 dwellings which I assume are all qualifying dwellings. I have provided a review clause to account for any change to this.
- f. Affordable or social housing contributes to local education infrastructure requirements in the same proportion as open market housing.
- g. The County has reviewed and analysed the number of pupils at different development/dwelling types across the county. This shows that 7 pre-school, 25 primary and 15 (11-18 year olds) secondary pupils arise per 100 dwellings.
- h. Early Years requirements
This proposal will produce less than 1 pre-school child therefore no justification for a pre-school contribution.
- i. Primary requirements
 - i. The nearest primary school is Rowanfield Infant and Junior Schools. The pupil forecast data indicates there will be 2 spare spaces at these schools.
 - ii. In accordance with 2g above, 13 qualifying dwellings would give rise to 3.25 primary pupils. Taking the spare places into consideration there will be a shortfall of 1.25 primary places for whom contributions will be required to extend, remodel, upgrade and improve the capacity and suitability of these schools.
 - iii. The DfE pupil capital cost multipliers are £11,692 per primary pupil which is a fair and reasonable estimate of the current cost of providing pupil places.

- iv. **This proposal will be required to pay a primary education contribution of $1.25 \times £11,692 = £14,615$** to be used towards capital works to extend, remodel, upgrade and improve the capacity and suitability of Rowanfield Infant and Junior Schools. If the number of qualifying dwellings change from 13, this contribution will be increased or decreased by £2,923 per qualifying dwelling.
 - v. This contribution will be payable 6 months after commencement.
- j. Secondary requirements
- i. The nearest secondary school is All Saints Academy and Bournside.
 - ii. Current forecast data indicates there will be a shortage of secondary school places in the Cheltenham education planning area and as this development will increase the demand for places contributions will be required to extend, remodel, upgrade and improve the capacity and suitability of Cheltenham secondary schools.
 - iii. In accordance with 2g above, 13 qualifying dwellings would give rise to 3.25 primary pupils. Taking the spare places into consideration there will be a shortfall of 1.25 primary places for whom contributions will be required to extend, remodel, upgrade and improve the capacity and suitability of these schools.
 - iv. The DfE pupil capital cost multipliers are £17.832 per secondary pupil which is a fair and reasonable estimate of the current cost of providing pupil places.
 - v. **This proposal will be required to pay a secondary education contribution of $1.95 \times £17,832 = £34,772$** to be used towards capital works to extend, remodel, upgrade and improve the capacity and suitability of secondary schools in Cheltenham education planning area. If the number of qualifying dwellings change from 13, this contribution will be increased or decreased by £2,674 per qualifying dwelling.
 - vi. This contribution will be payable 6 months after commencement.

3. COMMUNITY SERVICES - LIBRARIES

Library contributions are not sought from a development of this size.

4. SUMMARY

- a. Planning obligation contributions will not be required for pre-school education or libraries but contributions will be required for primary and secondary education.
- b. This assessment may change if the residential mix is altered. It will also vary with time and should be considered valid for 3 months from the date of this letter. After this time we may review the assessment.
- c. I have not considered the implications on other County Council functions e.g. highways, public transport and network improvements. The Environment Directorate will provide views on sustainability issues and the technical viability of access to the site for this change of use.
- d. These comments are made without prejudice to any other functions for which GCC, the Highways Agency or the Borough Council have responsibility e.g. highways and transportation, or any stance GCC may take at inquiry, appeal, re-application etc and are made at officer level. GCC members' opinions may differ from my comments. These views do not imply any comment about the merits or otherwise of any development at this site.

Architects Panel

23rd September 2014

The panel generally felt that the site was suitable and the layout logical. Whilst it was appreciated that this was an outline application, it was felt that a greater mix of house type could be beneficial. The panel would therefore support this application.

Social Housing

20th November 2014

Level of Affordable Housing Provision

The outline application does not define the numbers of dwellings intended for the site.

Local Plan Policy HS4 states that 'in residential developments of 15 or more dwellings or residential sites of 0.5 hectares or greater a minimum of 40% of the total dwellings proposed will be sought for the provision of affordable housing'.

The latest SHMA that has been commissioned also requires a mix of 75:25 rented to intermediate housing.

Dwelling Mix/Tenure

Without being aware of the numbers of units intended for the site we cannot determine the affordable housing mix at this stage however in order to create balanced and sustainable communities we would require a range of property types; our preferred mix and tenure for the development will be determined once actual numbers are known.

As we are unable to clarify at this stage, affordable numbers, mix, tenure and location will need to be agreed at reserved matters stage.

The 75:25 split between affordable rent and intermediate rent is required on this site for the affordable housing provision. The intermediate Housing should be shared ownership.

We would expect the affordable housing to be "pepper-potted" in small clusters throughout the development and indistinguishable from other market dwellings.

Viability

If it is independently verified that it is not viable to deliver affordable housing to a level that is policy compliant, then there are a number of options the council will consider. These are as follows:

- Altering the unit mix or tenure split to facilitate a more viable scheme, while still addressing the housing needs of the Borough.
- Supporting the injection of public subsidy to achieve the full affordable housing requirement. This could enable the overall scheme to become viable via, for instance, a bid to the Homes & Communities Agency. Any s.106 agreement would therefore need to include a provision to facilitate this.
- Altering the % affordable housing sought on the site to reflect the viable position.

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In these cases an overage clause would be included within the s.106 agreement to capture any market improvement value between the time of the viability validation and before completion of the site. The overage clause will seek to secure payments which would provide the equivalent on site affordable housing value via a commuted sum provision, should market conditions improve and the viability of the scheme allow such payment. Any payment would be subject to the ceiling of the equivalent cost to the developer of providing a policy compliant affordable housing contribution.

The s.106 agreement will also include triggers for repeat viability appraisals, if the development hasn't started and completed with reasonable timeframes from when planning permission was given.

We would also expect the value of the affordable housing (as assessed within any viability appraisal) to be detailed within an s.106 agreement and used as the basis for determining what would be a reasonable offer from a Registered Provider.

Car Parking

Parking provision for affordable homes will be expected to be made on the same basis as that provided for market dwellings.

Rents

With regard to the 4 bed houses, we would require the rent to be charged at 3 bed affordable rent plus 5%, in any event, no more than the local housing allowance (LHA) for a 3 bed.

Service Charges

Any service charges on the affordable dwellings should be eligible for Housing Benefit.

Shared Ownership

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.

Affordable Housing Standards

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 4 (4 preferred) or equivalent measure.

In the case of affordable housing where there are ground-floor properties, we have a preference for dwellings (to be agreed) to be designed to meet current Lifetime Homes Standards, subject to viability.

Registered Providers

All affordable housing should be provided by a Registered Provider who will be expected to enter into a nominations agreement with the Local Authority, providing 100% nominations on first letting/sale and 75% of all subsequent lettings thereafter. This will assist the Local Authority in meeting its statutory housing duties under the Housing and Homelessness legislation.

A list of Register Providers managing accommodation in Cheltenham can be made available if needed.

Full Planning Application

On submission of a full planning application we would require an Affordable Housing Plan as part of the application, detailing the location of both the market and affordable homes in terms of their type and size as well as highlighting parking spaces and the dwellings they serve.

GCC Highways Planning Liaison Officer

21st November 2014

This response is made on the basis of the revised application description, which simply seems outline permission on the site for an unspecified number of units. The LHA considered that a scheme of 13 units could be safely accommodated on this site. The maximum number of units that could be constructed on the site is estimated to be 20, therefore this revised response considers the impact of up to 20 units. The LHA consider that an increase in the number of the units can be accommodated on the local highway network, given the low number of baseline trips, 20 units would only be expected to add an additional 10 trips to the network in each peak hour, this impact could not be classified as 'severe'.

The LPA has advised that they are considering access in the terms of access from Stone Crescent to the development, therefore the layout of the proposed access road, access to individual dwellings etc, can be considered at the REM stage.

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

Suggested Condition 1

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and visitors;
- iii. provide for the loading and unloading of plant and materials;
- iv. provide for the storage of plant and materials used in constructing the development;
- v. provide for wheel washing facilities;
- vi. specify the intended hours of construction operations;
- vii. measures to control the emission of dust and dirt during construction

Reason: To reduce the potential impact on the public highway.

Suggested Condition 2

Details of the layout shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out in accordance with the approved plans. No dwelling on the development shall be occupied until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public Highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

Reason: To minimise hazards and inconvenience for users of the development by ensuring that there is a safe and suitable means of access for all people.

Suggested Condition 3

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

Reason: To ensure that safe and suitable access is achieved and maintained for all people as required by paragraph 32 of the Framework and to establish and maintain a strong sense of place to create attractive and comfortable places to live, work and visit as required by paragraph 58 of the Framework.

5. PUBLICITY AND REPRESENTATIONS

- 5.1 Letters were sent out to 32 neighbouring properties to notify local residents that the application had been received; and additional letters were sent to notify when the revisions were made. In response to the publicity, 7 representations have been received.
- 5.2 The comments have been circulated to Members in full. The main concerns raised relate to the additional traffic that would occur and highway safety.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.1.1 The main considerations when determining this application relate to the principle of development, the outline application, and access and highway issues.

6.2 Principle of development

- 6.2.1 Local plan policy HS1 advises that housing development will be permitted on land allocated for housing development and previously-developed land but does not preclude residential development elsewhere. In all cases, development is required to make the most efficient and effective use of the site.
- 6.2.2 Furthermore, at the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development which for decision-taking means *"approving development proposals that accord with the development plan without delay"*.
- 6.2.3 In this case, whilst to date the site remained undeveloped, given it's location within the Principal Urban Area, officers consider that there is no suggestion that the principle behind developing the site for housing should be unacceptable.

6.3 Outline application

- 6.3.1 As previously mentioned, the application is in outline form with all matters reserved except for means of access to the site. The proposed access located off Stone Crescent to the north.

- 6.3.2 As originally submitted, the application proposed 'up to 13 dwellings' and included an indicative site layout for 13 detached houses together with indicative street elevations.
- 6.3.3 Whilst these details were indicative only and not for formal determination, officers questioned whether the indicative layout sought to promote the most effective and efficient use of the site, and as such whether there might be the potential to increase the number of dwellings and to introduce a greater mix of housing types, particularly given that the pattern of development in the locality varies quite significantly.
- 6.3.4 Additionally it was felt that although the indicative scheme was fairly low density, the layout appeared cramped - particularly in the west end - and that the layout could achieve a better relationship with the park.
- 6.3.5 As a result, the indicative layout and street elevations have been formally withdrawn by the applicant's agent and accordingly the description of the proposal has been amended to remove reference to '13 dwellings'.
- 6.3.6 Whilst it is preferable for an outline application to be accompanied by a certain level of indicative detail in order to inform the decision, i.e. that the principle is acceptable, it is important to remember that any such detail does not form part of the approval, and therefore reserved matters such as layout and design will always need to be assessed at a later stage.
- 6.3.7 Moreover, a 2012 amendment to The Town and Country Planning (Development Management Procedure) (England) Order 2010 removed the need for an outline application, where layout and scale are reserved, to state the approximate location of buildings, routes and open spaces; or the upper and lower limits for the height, width and length of each building.
- 6.3.8 As such, it is acceptable that the application is only seeking agreement to the principle of developing the site for residential accommodation via an access provided via Stone Crescent

6.4 Access and highway issues

- 6.4.1 Local Plan policy TP1 seeks to avoid endangering highway safety through the creation of new accesses, altering existing accesses, or increasing the use of an existing access.
- 6.4.2 As stated above, the only 'fixed' element of this outline planning application is the proposed access.
- 6.4.3 The GCC Highways Planning Liaison Team has considered the scheme on two occasions; firstly with regard to 13 dwellings, and subsequently for up to 20 dwellings following the omission of reference to the number of dwellings; and no Highway objection has been raised.
- 6.4.4 In respect of 20 dwellings, the Local Highway Officer has commented "*that an increase in the number of units can be accommodated on the local highway network, given the low number of baseline trips, 20 units would only be expected to add an additional 10 trips to the network in each peak hour, this impact could not be classified as 'severe'.*"
- 6.4.5 The location of the new access is therefore considered to be acceptable on highway safety grounds.

6.5 Other considerations

- 6.5.1 As the site area exceeds 0.5ha, local plan policy HS4 (affordable housing) is triggered and as such a minimum of 40% of the dwellings will be required to be affordable regardless of

the number of dwellings proposed, and the applicant has agreed to such provision. The applicant has also agreed to the necessary education contributions.

6.5.2 Provision for play space will also be required in accordance with local plan policy RC6.

7. CONCLUSION AND RECOMMENDATION

- 7.1 In conclusion, Officers consider that when assessed against the provisions of the NPPF and relevant local plan policies, the principle of developing the site to provide residential accommodation is acceptable.
- 7.2 It must be remembered that the application is in outline with only access to be agreed at this stage. There is no requirement for the applicant to submit additional indicative information at this time.
- 7.3 The one matter which is not reserved i.e. access, has been found to be acceptable.
- 7.4 Therefore, on balance, the proposal is considered to be acceptable and is recommended for approval subject to the signing of a s106 agreement securing 40% affordable housing, and contributions towards education and playspace.

8. CONDITIONS

Conditions to follow as an update.

APPLICATION NO: 14/01276/OUT		OFFICER: Miss Michelle Payne	
DATE REGISTERED: 11th August 2014		DATE OF EXPIRY : 10th November 2014	
WARD: St Marks		PARISH:	
APPLICANT:	Gloucestershire County Council		
LOCATION:	Land off Stone Crescent, Cheltenham		
PROPOSAL:	Outline application for residential development		

REPRESENTATIONS

Number of contributors	7
Number of objections	6
Number of representations	1
Number of supporting	0

10 Wharfdale Square
Cheltenham
Gloucestershire
GL51 8DL

Comments: 18th November 2014

I am writing to object to the planning proposal as I am unable to support it with out more information about the type and size of development.

I currently live at 10 Wharfdale Square and every car and person coming to the proposed new development would have to go past my house. Despite this and the fact that my garage is on Stone Crescent I wasn't informed of this proposal so there are potentially other affected people who do not know about this development. The only access route is via the east side of Wharfdale Square and there are currently under 40 houses served via this road. It appears that the development would consist of more than 13 houses as that is the number of houses on the plan that was rejected for not being varied enough. This would therefore be at least a 30 percent in the number of vehicles and people passing my front door resulting in an increase in both noise and traffic. Also Stone Crescent was only designed to access the small number of houses on it, not as the access road to a new development. Additionally there are no pavements on Wharfdale Square so the increase in traffic will also reduce the safety of pedestrians.

I am also concerned about parking. The estate was reasonably well designed with respect to parking, but is regularly congested with cars from parents taking their children to school so if the new development does not provide sufficient parking for the houses it contains this will have a negative affect on the currently housing.

Would it be possible to have more concrete proposals, or limits on the number of houses to be built?

4 Lucinia Mews
Cheltenham
Gloucestershire
GL51 8DR

Comments: 25th August 2014

The proposed development will significantly increase road traffic on the ramp between Wharfedale Square and Alstone Lane, and on the southeast side of the square.

In general, this will significantly increase the probability of accidents on these roads, as they are narrow, winding and heavily parked, and have blind corners at the south and east corners of the square, where the hedge hides cars from one another, and many drivers have taken to driving in the middle of the remaining roadway here.

In particular, it will increase delays and accident risks during the school run, as school-run cars fill available space on the ramp, reducing it to one-way traffic, and obstructing its junctions with the square and with Alstone Lane. Normal regulations on parking at junctions are ignored by drivers and enforcers.

If the proposed development is approved, the council should consider requiring the developer to widen the roadway on the ramp, where existing pavements could be narrowed, and the on southeast side of the square, and to remove the hedge on the southeast side of the square to improve visibility. Otherwise traffic hazards and accident risks will increase unacceptably.

Existing entrance and exit routes mean that these hazards and risks affect Lucinia Mews residents as much as they affect Stone Crescent residents.

3 Stone Crescent
Cheltenham
Gloucestershire
GL51 8DP

Comments: 19th November 2014

Letter attached.

139 Brooklyn Road
Cheltenham
Gloucestershire
GL51 8DX

Comments: 2nd August 2014

I bought this house with the confidence that there would never be houses built at the end of my garden. I have young children who attend Rowanfield school and was planning an open gate at end of garden for easy access to school and park. If planning goes ahead this can not happen. I do not like the fact that people will be looking into my garden from their house at the end, if I would of known this I wouldn't of given the house I bought 3 years ago a second thought!

Am and never will be happy about this and hope it doesn't go ahead! I feel violated and let down that this has even become a plan. As I said before... if I would of known this could happen I would NOT of got this house. If it does happen then I would have no choice but to sell which will be disruptive and very very upsetting for myself and children.

6 Stone Crescent
Cheltenham
Gloucestershire
GL51 8DP

Comments: 11th August 2014
Letter attached.

Comments: 18th November 2014
Letter attached.

7 Wharfdale Square
Cheltenham
Gloucestershire
GL51 8DL

Comments: 21st November 2014

I am having problems accessing the information on the planning portal ref 14/01276/OUT. As today is the deadline, I would like you to accept my email as comments on the proposal.

My neighbour has given me a copy of the letter you sent which gives details of this outline application. I am surprised that all residents of Wharfdale Square haven't been invited to comment as the proposed development will have a direct impact on the traffic in and out of our little estate. I am concerned about the prospect of an unlimited, undefined build now proposed as compared with the proposal for 13 detached houses. I object on the grounds of traffic impact and wish to be consulted on future stages of the application.

Please can you confirm that these comments will be taken into consideration

11 Wharfdale Square
Cheltenham
Gloucestershire
GL51 8DL

Comments: 28th November 2014

Firstly I would like to say how very disappointed I was that I had to be made aware of this significant planning application through my neighbour. I have not received any notification from the council of the proposal above, which would represent a major change to the local community, and be of significant detriment to the local area, and my enjoyment of my property.

I note that the initial application for 13 houses has been amended to omit the number of dwellings. Thus the application appears to be, in effect, for unlimited dwellings. This, in and of itself, is cause for significant concern as there is insufficient detail to determine exactly how the proposals would affect the local area.

Notwithstanding the amendment above, the initial proposal for 13 detached dwellings would have a significant impact on the area. As it is, Stone Crescent has 11 detached dwellings. A further development of 13 new houses would more than double the traffic in the road. The development around Wharfdale Square currently enjoys relatively calm traffic, allowing children and teenagers the freedom to play in the brick paved thoroughfares. Doubling the traffic would undoubtedly have a negative impact on safety. The traffic issue is only compounded by the regular use of the square by parents of children at Rowanfields school for their twice a day school run. Even at present, access to and from the square is significantly impeded, as the parked cars on the roadway between Alstone Lane and Wharfdale Square effectively turn that roadway into single lane traffic. I have personally witnessed a number of "near misses" on that road. Adding another

Page 30

20 cars to the area can only negatively impact safety in an area where primary school children are frequently crossing the road. Additionally, with an increase of traffic past my property, there will be an inevitable increase in noise.

I sincerely hope that you will consider carefully the impact of this proposed development, and give your utmost consideration to alternative routes of access.

Campion House
3, Stone Crescent
Cheltenham

GL51 8DP

Dear Sir

I write in response to reference 14/012761
out (development at end of Stone Crescent).
We strongly oppose any development of said
piece of land, based upon the increase in
traffic this will bring into Wharfedale Square.
The Square has not been designed to cater
for traffic in a 'two way' road scenario.
Traffic & parking already means that
pedestrians can not use the pavements within
Wharfedale Square, and parking from the
Rowanfield schools near the Square, and
the access road from Motone Road, over

usually resembling a car park - any additional traffic would be a disaster.

Yours.



Cheltenham Borough Council,

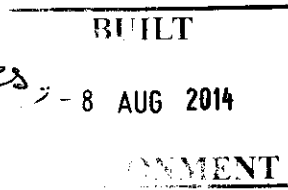
PO Box 12,

Municipal Offices,

Promenade,

Cheltenham,

Glos GL50 1PP



6 Stone Crescent
Cheltenham,
Gloucestershire.
GL51 8DP

8-8-14

Reference Outline application for 13 dwellings at land off Stone Crescent, Cheltenham.

Reference No. 14/01276/OUT

Even though in principal I have no objections to additional dwellings being built, I do however feel strongly that the current access road would be inadequate for the additional traffic that would need to access any new dwellings.

At present two dwellings Nos 4 & 8 currently have between 4 and 5 cars for each household and I believe No 7 has recently been purchased with the objective of conversion for living accommodation for young professionals as is the case with Nos 4 & 8 so there is a probability of another 4 cars for that dwelling!

The turning area cannot be used for that purpose as cars are always parked on it. I suggest you also have a word with the refuse collection guys and ask them about how difficult their job is


PTO

Driving along this road. I notice that they no longer do a 3 point-turn but now have to reverse all the way back on the road to leave Stone Crescent.

Yours sincerely,

A large black rectangular redaction box covering the signature area.

Cheltenham Borough Council,
Planning Department,
For attention of Miss M. Payne,
Planning Officer.


6 Stone Crescent,
Cheltenham,
Glos. GL51 8DP
18-11-14

*Re: Outline application for residential development at land off Stone Crescent, Cheltenham
Planning application ref: 14/01276/OUT*

Before commenting on my concerns regarding this amended development proposal I would firstly like to correct an error and clarify a statement in the 'Planning, Design & Access Statement' by the agent S.F. Planning.

The developer of the current 60 dwellings built in the early 2000's was Barratt homes not Bloor homes as stated in paragraphs 1.4 & 1.6 .

Secondly the statement in paragraph 1.5 referring to vandalism of the fence separating Stone Crescent from the land to which the proposal relates, the vandalism ceased after a number of the residents of Stone Crescent paid for the erection of the current steel fence to replace the previous close boarded wooden fence.

I had concerns regarding the previous 13 dwelling proposal, not from the house design/street views aspect as the design was sympathetic to the current dwellings in Stone Crescent.

My concerns were mainly in respect of the fact that with 2 cars per dwelling there would have been potentially an additional 26 vehicles using the road which in my opinion is already overstretched to capacity as I'm sure the majority of residents of Stone Crescent would agree.

In the 'Planning, Design & Access Statement' in paragraph 1.8 there is a photograph of Stone Crescent looking back towards the proposed development site with the road clear of traffic.

However this picture is not an accurate reflection of the number of vehicles parked on each side of the road for the majority of the time. For the biggest part of the time there are lots of vehicles parked on each side of the road partially restricting vehicular access. I will later send you some photographs that will fully demonstrate this.

Not only is Stone Crescent overcrowded with parked vehicles, so too is Wharfdale Square which forms the access and exit route to the proposed development.

It amazes me that the council officers would consider even more than an additional 13 dwellings requiring access from Stone Crescent and Wharfdale square with the vehicular restrictions as they are at present!

In my previous letter I suggested you spoke the people responsible for refuse collection for this area in regard to the difficulties they experience.

Was this done? What were their comments?

We have too on a number of occasions required the emergency services, I can particularly recall occasions when the fire department experienced difficulties manoeuvring their fire engine with all of the parked vehicles in the street.

I strongly suggest the planning officers reconsider this latest amendment proposal of more than 13 additional dwellings to the site in respect of the potential negative impact it will have on the current residents of Stone Crescent and Wharfdale Square.

I look forward to hearing your reply.

Yours sincerely,



APPLICATION NO: 14/01276/OUT		OFFICER: Miss Michelle Payne	
DATE REGISTERED: 11th August 2014		DATE OF EXPIRY: 10th November 2014	
WARD: St Marks		PARISH: None	
APPLICANT:	Gloucestershire County Council		
AGENT:	Mr Mark Godson		
LOCATION:	Land off Stone Crescent, Cheltenham		
PROPOSAL:	Outline application for residential development		

Update to Officer Report

1. SUGGESTED CONDITIONS

- 1 Approval of the details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
Reason: This is an outline permission only and these matters have been reserved for the subsequent approval of the Local Planning Authority.
- 2 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of five years from the date of this permission. The development hereby permitted shall be begun not later than whenever is the later of the following dates:-
 - (a) the expiration of 5 years from the date of this permission;
 - (b) the expiration of 2 years from the final approval of reserved matters;
 - (c) in the case of approval on different dates the final approval of the last such matters to be approved.
 Reason: As required by Section 92 of the Town and Country Planning Act 1990.
- 3 Prior to the commencement of development, plans showing the existing and proposed ground levels and slab levels of the proposed and adjacent buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented strictly in accordance with the agreed details.
Reason: To ensure a satisfactory relationship of the proposed building with the adjoining properties and land in accordance with Local Plan Policies CP4 and CP7 relating to safe and sustainable living, and design.
- 4 Prior to the commencement of development, the surface water drainage system shall be designed in accordance with the principles of Sustainable Drainage Systems (SUDS). This shall include a maintenance strategy and full details (including calculations) shall be submitted to and approved by the Local Planning Authority. Prior to the first occupation of any part of the development, the surface water drainage system shall be completed in all respects in accordance with the details approved and shall be retained as such thereafter.
Reason: To ensure the surface water drainage system does not contribute to flooding or pollution of the watercourse in accordance with Local Plan Policy UI3 relating to sustainable drainage systems.

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

Reason: To avoid any increase in the Borough's imbalance between population and the provision of outdoor play space and related facilities in accordance with Local Plan Policy RC6 relating to play space in residential development.

- 6 Prior to the commencement of development, including any works of demolition, a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall:

- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and visitors;
- iii. provide for the loading and unloading of plant and materials;
- iv. provide for the storage of plant and materials used in constructing the development;
- v. provide for wheel washing facilities;
- vi. specify the intended hours of construction operations;
- vii. measures to control the emission of dust and dirt during construction

The approved statement shall thereafter be adhered to throughout the construction period.

Reason: To reduce the potential impact on the public highway in accordance with Local Plan Policy TP1 relating to development and highway safety.

- 7 Prior to the commencement of development, details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.

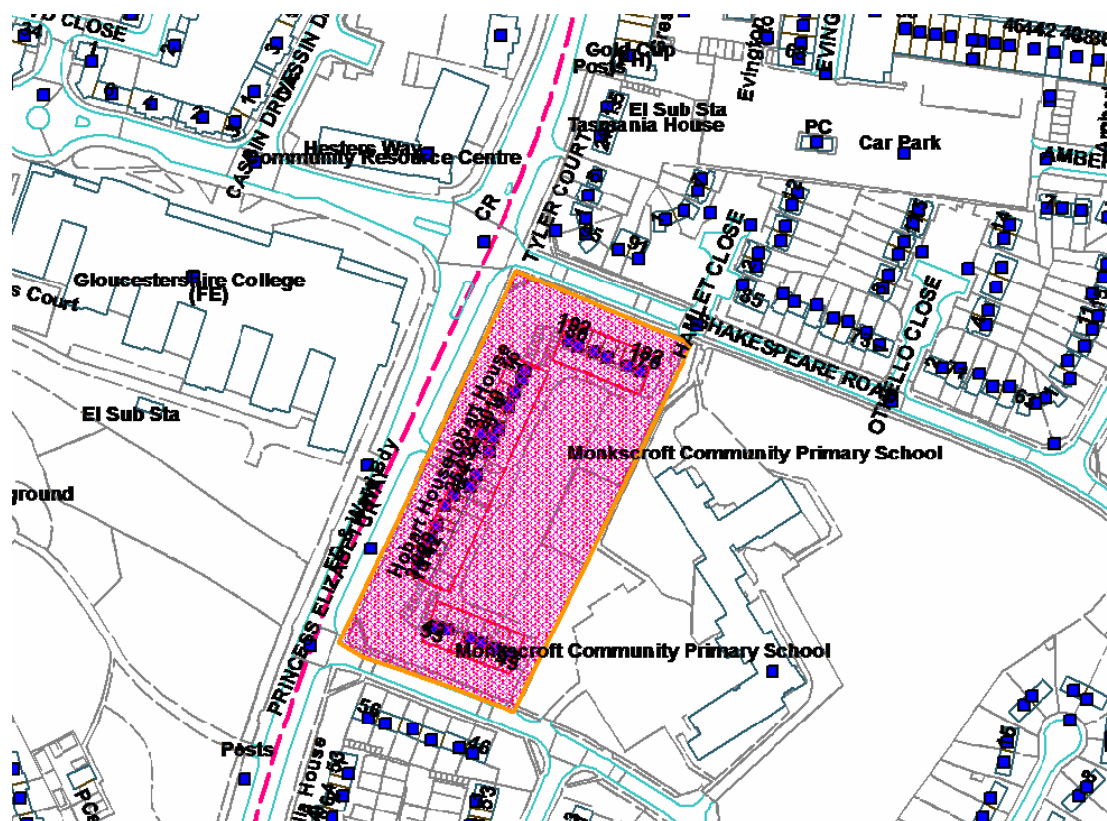
Reason: To ensure that safe and suitable access is achieved and maintained for all people as required by paragraph 32 of the Framework and to establish and maintain a strong sense of place to create attractive and comfortable places to live, work and visit as required by paragraph 58 of the Framework.

- 8 No dwelling in the development shall be occupied until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the nearest public highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

Reason: To minimise hazards and inconvenience for users of the development by ensuring that there is a safe and suitable means of access for all people in accordance with Local Plan Policy TP1 relating to development and highway safety.

APPLICATION NO: 14/01632/FUL	OFFICER: Miss Michelle Payne
DATE REGISTERED: 12th November 2014	DATE OF EXPIRY: 7th January 2015
WARD: St Marks	PARISH: None
APPLICANT:	Mr Tim Hobbs
AGENT:	Cheltenham Borough Homes
LOCATION:	Hobart House, Princess Elizabeth Way, Cheltenham
PROPOSAL:	Replacement windows and doors and associated external alterations to Hobart House, nos. 33-55 Shelley Road and nos.170-192 Shakespeare Road

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This application relates to a three large block of flats on the eastern side of Princess Elizabeth Way between Shakespeare Road and Shelley Road. The buildings are facing brick with a pitched tiled roof behind a parapet, and at four storeys are extremely prominent within the street scene. The rear of the site backs onto Monkscroft Community Primary School.
- 1.2 The application is seeking planning permission for the replacement of all existing windows and external doors and associated alterations.
- 1.3 The application is before the planning committee as the properties are council owned.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

None

Relevant Planning History:

12/01291/FUL

PERMIT

12th October 2012

Regeneration of external areas to include reconfiguration of car parks, paths and landscaping, new bin stores, new cycle store and installation of railings and gates

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

National Guidance

National Planning Policy Framework

4. CONSULTATION RESPONSES

None

5. PUBLICITY AND REPRESENTATIONS

- 5.1 54 individual letters of notification were sent out to the residents of the buildings and, in addition, two site notices were posted. No representations have been received in response to the publicity.

6. OFFICER COMMENTS

- 6.1 The main consideration when determining this application relates to design.
- 6.2 Local plan policy CP7 requires all development to be of a high standard of architectural design; to complement and respect neighbouring development and the character of the locality; and to avoid causing harm to the architectural integrity of the building.

- 6.3 The proposal to replace the existing windows and external doors will not significantly alter the appearance of the buildings and is considered to be acceptable.
- 6.4 The recommendation therefore is to permit the application.

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.

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.

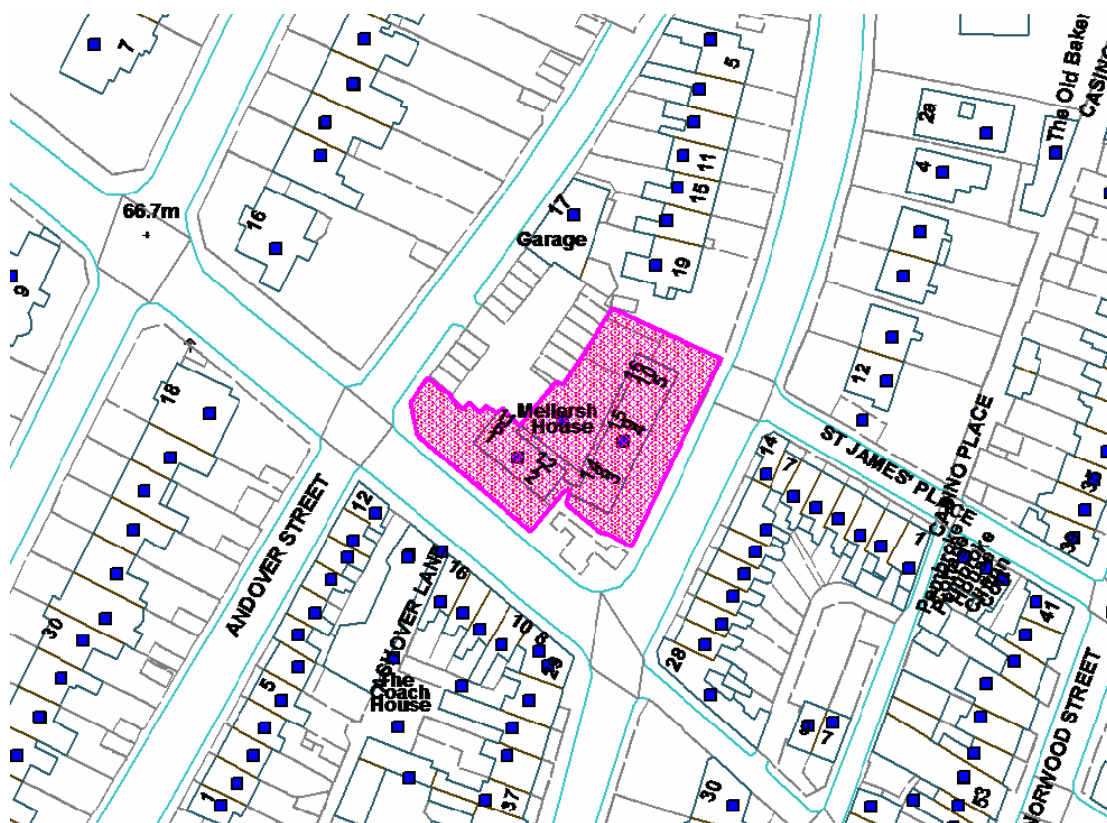
At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.

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APPLICATION NO: 14/01810/FUL		OFFICER: Mr Craig Hemphill
DATE REGISTERED: 13th October 2014		DATE OF EXPIRY: 8th December 2014
WARD: Park		PARISH:
APPLICANT:	Cheltenham Borough Council	
AGENT:	Cheltenham Borough Homes	
LOCATION:	Mellersh House, Painswick Road, Cheltenham	
PROPOSAL:	New bin store area located by the communal front entrance in Andover Road and drop kerb on Andover Road	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 Mellersh House consists of two linked three storey blocks of flats on the corner of Painswick Road and Andover Road. The blocks are set back from the road behind concrete planters and green verges.
- 1.2 The application proposes a new enclosed bin storage unit located to the front of the block facing Andover Road, adjacent to the vehicular entrance to the buildings. The storage unit will measure 3.5m by 1.55m with a curved roof ranging from 1.4m to 1.8m high and will be finished in timber cladding. The unit is designed to be secure, holding up to two commercial sized bins (1,000 litre capacity). An existing low wall will be demolished to allow the store to be installed.
- 1.3 Currently there is no allocated bin storage area serving the block of flats. Bins and bin bags are currently placed around the entrance of the flats. On completion of the works the bin capacity will be greater than at present.
- 1.4 The application also proposes to drop a section of the kerb to allow refuse collection vehicles access to the bin store.
- 1.5 The application is before committee as the Local Authority owns the site.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area

Relevant Planning History:

04/00649/FUL 5th August 2011 DISPOS

1 x sky receiver dish to outside wall

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 4 Safe and sustainable living

CP 7 Design

BE 1 Open space in conservation areas

Supplementary Planning Guidance/Documents

Central conservation area: The Park Character Area and Management Plan (July 2008)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Heritage and Conservation

1. The key issue is the impact of the proposal on the conservation area, in principle the provision of a bin storage area is acceptable.
2. The corner intersection between the two blocks is the current location for large communal wheeled waste and recycling bins: this is an informal arrangement and subject to overspill and a bit of an eyesore.

3. The proposed siting for the bin store is very prominent but close proximity to the two buildings is the most appropriate location on the site allowing easy access and usage for residents and to the street for disposal.
4. The removal of single refuse bins from the front of the building will benefit the wider conservation area.
5. A low brick wall will be removed to accommodate the bin store area: although part of the original scheme the wall in itself is of no merit.
6. The storage units will be secured within the areas and this will prevent them from shifting around the site which is welcomed.
7. The design of the bin stores has been carefully considered and the timber cladding will hopefully prove to be a durable material that will weather well.

SUMMARY: the provision of a purpose built bin store will enhance the conservation area despite its prominent location on the site. The design and materials are appropriate for the function and location and this application is recommended for approval.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	10
Total comments received	0
Number of objections	0
Number of supporting	0
General comment	0

- 5.1 Letters have been sent to neighbouring properties along with a site notice being displayed at the site and an advert placed in the Echo in accordance with normal Conservation Area practice.
- 5.2 No comments have been received.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2 The main considerations for the application are the design and appearance of the proposed bin store and its impact on the character and appearance of the Conservation Area and impact on amenity generally.

6.3 Design and Layout

- 6.4 The existing ad-hoc bin arrangement which operates at the site results in bins and bin bags being left around the forecourt at the entrance to the flats on a prominent corner location in the Conservation Area. This arrangement can be unsightly and have a harmful impact on the visual amenity of the area.
- 6.5 The proposed bin store will be clearly visible, but it will provide a formal solution for the storage of bins at the site. This will help to improve the appearance and visual amenity of this part of Conservation Area.
- 6.6 In considering the application the Conservation Officer has concluded that *'the provision of a purpose built bin store will enhance the conservation area despite its prominent location on the site. The design and materials are appropriate for the function and location'*.

6.7 Impact on neighbouring amenity

- 6.8** Although the bin store will be visible it is not considered that it will result in any additional impact on neighbouring amenity that already exists, indeed the tidying up of the area should outweigh any possible visual impact issues.

6.9 Other Matters

- 6.10** The application includes the dropping of a section of the kerb to allow refuse vehicles access to the bin store. It is not considered that this would result in any additional impact to highways safety.

7. CONCLUSION AND RECOMMENDATION

- 7.1** For the reasons outlined above the application is considered to be acceptable and is therefore recommended for approval.

8. CONDITIONS / INFORMATIVES

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with drawing numbers 1810.02 PBM33 A and PBL4-360-D received 3rd October 2014.
Reason: To ensure the development is carried out in strict accordance with the approved drawings.

INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

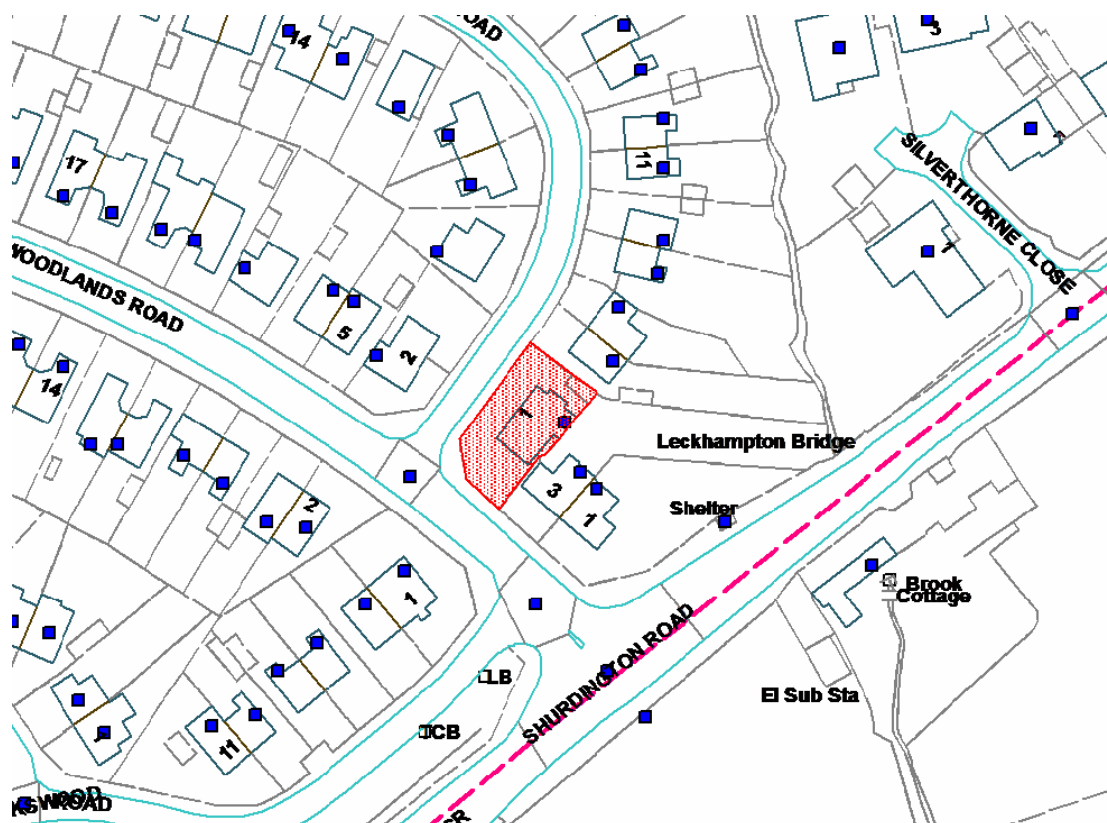
At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.

- 2 The applicant is reminded of the need to also obtain approval for the vehicle crossing from Amey Gloucestershire before any works commence; you can contact them on 08000 514 514 or alternatively email: GCCHighways@Amey.co.uk.

APPLICATION NO: 14/01901/COU	OFFICER: Miss Chloe Smart
DATE REGISTERED: 17th October 2014	DATE OF EXPIRY: 12th December 2014
WARD: Warden Hill	PARISH: Leckhampton With Warden Hill
APPLICANT:	Mrs Justine Chapman
AGENT:	PSK Architecture
LOCATION:	1 St Michaels Road, Cheltenham
PROPOSAL:	Proposed change of use from residential dwelling (C3) to pre-school and nursery (D1)

RECOMMENDATION: Refuse



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1. The application site is a detached bungalow located within a residential area on the corner of St Michaels Road and Woodlands Road.
- 1.2. Planning permission is sought to allow a change of use from a residential dwelling (C3) to a pre-school and nursery (D1). The application follows on from a pre-application submission to the Council earlier in the year.
- 1.3. The applicant proposes a maximum of 18 children at any time for between the ages of 2 to 5 years. The opening hours would be between 8am and 3pm Monday to Friday, with the pre-school operational for 38 weeks of the year (school term time only).
- 1.4. A request has been made by Councillor Ryder for the application to be determined at planning committee. This is due to reservations regarding the proposal and to local concerns to be discussed and debated. A Parish Council objection has also been received.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

N/A

Relevant Planning History:

14/01061/PREAPP 8th July 2014 CLO

Change of use from residential to a pre-school

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development

CP 4 Safe and sustainable living

CP 7 Design

HS 7 Loss of residential accommodation

TP 1 Development and highway safety

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Building Control

21st October 2014

No Comment

Crime Prevention Design Advisor

5th November 2014

In my capacity as Crime Prevention Design Advisor for Gloucestershire Constabulary I would like to comment on the material considerations of the planning application specifically relating to designing out crime.

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I would like to draw your attention to the PDF document attached to the carrying e-mail which relates to the following comments. See annex A as below, referring to your Planning Authority's planning policy

It is recommended that the development is built to meet Secured by Design standards. Secured by Design (SBD) is a police initiative owned by the Association of Chief Police Officers (ACPO), to encourage the building industry to adopt crime prevention measures in the design of developments. It aims to assist in reducing the opportunity for crime and the fear of crime, creating a safer and more secure environment, where communities can thrive.

Research conducted by Secured by Design has proven that SBD developments are half as likely to be burgled, have two times less vehicle crime and show a reduction of 25% in criminal damage, thereby increasing the sustainability of a development.

Developer Obligations

Please be aware that these representations are prepared by Gloucestershire Constabulary Crime Prevention Design Advisor to address Crime Prevention through Environmental Design (CPTED) and the 7 Attributes of Safer Places. A separate representation may be submitted by the Constabulary Estate's Department to seek developer obligations towards Police infrastructure through Section 106 and the Community Infrastructure Levy.

Gloucestershire Constabulary's Crime Prevention Design Advisors are more than happy to work with the Council and assist the developers with further advice to create a safe and secure development, and when required assist with the Secured By Design accreditation. Please feel free to contact me should you have any queries or wish to discuss these issues further

Annex A - Planning Policy

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

"Development will be permitted only where it would:

- (c) make adequate provision for security and the prevention of crime and disorder; and
- (b) not, by nature of its size, location, layout or design to give rise to crime or the significant fear of crime or endanger public safety.

ACCOMPANYING PLAN AVAILABLE TO VIEW ON LINE

Parish Council

17th November 2014

The Council objects to the application and requests that the following observations be noted and considered by the Planning Committee in respect of the plans for the above application:

Observations

There is a 71% objection rate to this proposal on the CBC public planning portal which is significant. The majority of supporters of the application do not live in close proximity of the site whilst the objectors do.

The main objections are around safety, principally concerning traffic drop off and pick up of children in an already congested area. St Michael's Road is a very narrow road of only 5 metres wide, and if you examine the colour coded PDF document appendix 2639554 there is a potential for 12 cars to attempt access to this property for the 11.45 am finish and the 12.00 pm midday start, leading into Woodlands Road which is already a 'rat run' out onto

the busy A46. Consequently this would create a severe safety issue at an already busy junction.

The impact of the development on the local community cannot be underestimated. The overall fit of this location is out of character to the surroundings; if you examine other facilities within a half mile radius of this property you will observe that St. Christopher's in Lincoln Avenue, Winton House Day Nursery in Warden Hill Road and Nursery Rhymes Day Nursery in Kidnappers Lane are all 'stand alone' facilities with drive in and drive out access and egress.

The planning department are requested to visit number 3 Woodlands Road as the resident of this property works from home and his office overlooks the rear of this bungalow the subject of this application, his ability to continue with a successful enterprise would be severely jeopardised, due to noise and loss of privacy. There is also a health concern of waste being stored adjacent to the boundary fence separating the 2 properties.

It will also be necessary to liaise with the residents of 3, St Michaels Road again to discuss loss of privacy and traffic congestion.

The Council considers it important for attention to be given to planning policy TP 6 in the Cheltenham Local Plan in relation to parking provision in development. This proposal does not appear to comply with this policy and compliance to this policy is especially crucial in this location.

The Leckhampton with Warden Hill Parish Council requests that this application is considered by the full Planning Committee

GCC Highways Planning Liaison Officer

14th November 2014

I refer to the above application received on 21st October 2014 for the Change of Use from residential to childcare facilities.

Location

The surrounding highway network comprises residential estate roads, St Michaels Road is a Class 4 highway which is narrow and in places less than 5 metres in width. It is subject to a speed limit of 30 MPH there are footways and street lighting in the locality.

Accessibility

Woodlands Road forms part of a local public transport network with a designated cycle route also being available connecting the local area to Cheltenham town centre. The demographic of the surrounding area is felt to include a high proportion of working families who could access the development on foot and then proceed to other destinations using public transport or cycles. There is a local bus service with transport links into the centre of Cheltenham. The town centre has a full range of amenities, and accessibility to the national transport structure. There are local schools shops and public houses within 2k of the site.

Access and Visibility

The proposal is for use of the existing access. The proposal is to use the existing access which has a visibility splay of 54 metres to the north east and clear visibility to the junction of Woodlands Road. There is an intention to increase the height of the existing boundary fences from 1.2 metres to 1.8 metres. I do not consider this to be detrimental to highway safety as there was an established boundary hedge at this height or in places higher, and the width of the footpath allows for adequate vehicle inter-visibility at the junction and the point of access. There is a segregated pedestrian footway, to provide a safe access for pedestrians.

Accident Analysis

I can confirm I have researched the recorded accident data and have found no evidence of any recorded incidents at this location.

Parking and Turning

The application form states 2-3 parking spaces however the submitted proposed plan, (drawing no. 1470) shows parking for 2 vehicles and turning, however this does not show any dimensions, each parking space is required to be a minimum of 4.8 metres long and 2.4 metres wide, after evaluation of the plan, I consider that the turning provided will not accommodate the manoeuvring of vehicles, however the area has on street parking.

Vehicle Trip Generation

I consider that the proposal will result in an intensification use at the point of access and the local highway network, but arrangements have been proposed to mitigate this intensification by staggering the arrival and departure times for children to a maximum of 6 at any one time.

Recommendation

I raise no highway objections to this application.

Environmental Health

26th November 2014

I have reviewed the application and offer the following comments:

The change of use to a pre-school will have a significant detrimental effect on the amenity of nearby properties. The loss of amenity will be caused by noise from children using outdoor areas. Children will naturally create some noise when playing outdoors and little can be done to prevent this. The garden of the premises is in close proximity to other residential properties which will inevitably suffer some disruption from this source for the 2 hours a day that the outdoor area is proposed to be used. The application does not include any proposals to mitigate this effect and indeed such measures as are likely to be effective in controlling this noise source are likely to be visually intrusive to the point of being unacceptable.

The loss of amenity will also be caused by arrivals and departures of children at the premises. I note the application proposes staggered start and finish times and a changeover time between 11:45 and 12:00. This amounts to a total of 24 arrivals and 24 departures each day in total, 18 of each in a 90 minute period at each end of the day. During the changeover period there will potentially be 12 movements (6 in, 6 out) in 15 minutes. In assessing the impact I must assume that most arrivals and departures will involve a vehicle and such a high level of use in a residential area will produce noise as vehicles stop/start, load and unload.

Due to the issues outlined above, I would therefore recommend refusal of this application.

4th December 2014

I understand that further information has been submitted to support this application, which includes some details of planting around the border of the site and a fence to the boundary if 3 Woodlands Rd.

The proposed 1.8m high hedge will take some years to mature and initially will contain significant gaps. Even when fully grown a typical hedge offers little in the way of noise

insulation. It will have no effect at all on noise from vehicle arrivals/departures and drop-offs/collections, which will occur outside of the hedged area.

The fence to the boundary of 3 Woodlands Road is likely to have little effect on controlling noise levels unless it is specifically designed for acoustic performance, and I can see no information to this effect.

The additional information does not change my opinion and I must repeat my recommendation that this application be refused.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	5
Total comments received	68
Number of objections	44
Number of supporting	24
General comment	0

5.1. Five letters have been sent out to inform neighbouring properties of the proposal. At the time of writing this report, a total of 68 comments have been received, with 44 raising an objection and 24 in support.

5.2. Comments Received

Summary of objections;

- Disruption and noise to immediate neighbours and the wider locality.
- Loss of privacy.
- Residential character of the area would be altered.
- Parking and highway safety concerns.
- Location not suitable/practical for intended use.
- Not in keeping with the character of the area.

Summary of support;

- Need for childcare in the area.
- Provision for staggered drop off and collection
- Noise and traffic disruption would be minimal

6. OFFICER COMMENTS

6.1. Determining Issues

6.1.1. The key considerations relating to the proposal are the principle of the proposed change of use from residential, the suitability of the site for the proposed use, the impact on neighbouring amenity and access and highway arrangements.

6.2. Loss of residential accommodation

6.2.1. Local Plan Policy HS7 restricts the loss of residential accommodation through change of use or demolition. The policy states that development involving the loss of residential accommodation through change of use will not be permitted unless it falls within certain criteria. Part (d) of this policy allows for change of use providing the proposed use would be beneficial to the wider economy and the local community; and cannot suitably be accommodated on alternative sites.

- 6.2.2.** The text accompanying policy HS7 refers to a children's nursery as a community facility and therefore the loss of residential accommodation for a use of this nature would not be contrary to this policy.

6.3. Principle of change of use

- 6.3.1.** In order to facilitate the proposed use in a successful manner without compromising neighbouring amenity, there is a requirement to provide secure and appropriate outdoor amenity space and adequate bin storage. It is also essential that the proposal does not compromise highway safety.
- 6.3.2.** The property is located in a prominent corner plot, with the associated amenity space to the front of the site. There is currently a low boundary wall enclosing the site at the front, which steps up alongside St Michaels Road.
- 6.3.3.** During pre-application discussions, officers raised concerns regarding the use of the site as a pre-school and specifically had concerns as to the means of enclosure to the front of the property. The initial pre-application incorporated a high close boarded fence to the front of the property and whilst this would have provided the security aspect required, this would be unacceptable from a design perspective. The reason for this is that there is an established character of low boundary fences at the front of properties in the area. As such, a high fence at the front of the property would be considered an incongruous addition to the street scene.
- 6.3.4.** As part of the current submission, an indicative layout plan has been provided to demonstrate how the site might be used. The plan suggests that the space to the front of the property would be enclosed by a 1.8 metre evergreen hedge. Additional 1.2 metres would be used within the site to further enclose certain areas.
- 6.3.5.** The layout of the site is such that the amenity area is to the front of the property and therefore needs to be sufficiently enclosed to facilitate the use. Officers consider the need for such a high boundary treatment at the front of the property, which is not in keeping with the character of the area, highlights the unsuitability of the site for a use of this nature. Furthermore, whilst the low boundary fences would not require planning permission, their requirement further highlights the unsuitability of the site. Overall, it is a contrived arrangement that will compromise the spacious character of the wider locality.
- 6.3.6.** The amenity space for uses such as this would normally be to the rear of properties, however given the close proximity of the neighbouring dwellings and small spaces available to the rear of the application site, this would also result in a significant impact on neighbouring amenity.
- 6.3.7.** Officers have strong reservations that the site is not suitable for the use proposed. The rest of this report will expand upon this.

6.4. Impact on neighbouring amenity

- 6.4.1.** Local Plan Policy CP4 requires development to protect the existing amenity of neighbouring land users and the locality.
- 6.4.2.** A number of objections have been received in relation to the proposed change of use, with one of the main areas of concern relating to the noise and disturbance which would be generated as a result of the proposal.
- 6.4.3.** Due to the nature of the proposed use, the Council's Environmental Health Officer (EHO) has been consulted on this application and also provided comments as part of the pre-application process.

- 6.4.4.** As part of the pre-application response, concerns were raised in relation to the potential impact on neighbouring properties. Suggestions were put forward by the EHO as to measures which could minimise the impact; however the overall response was one of concern and caution.
- 6.4.5.** Having now had the benefit of a site visit, the EHO has provided a strong objection to the proposal.
- 6.4.6.** The consultation response considers that the proposal will have a significant detrimental impact on the amenity of nearby properties. This would primarily result from noise created using the outdoor areas of the property, which are within close proximity to neighbouring properties. The proposal does not incorporate any specific measures to mitigate noise, nor does the EHO consider such measures would be effective.
- 6.4.7.** In addition to concerns regarding the noise generated from the use of the outdoor area, the EHO is also concerned with the arrival and departure of children at the premises. The applicant proposes staggered arrivals and departures, but there would still be changeover periods with a high level of activity, which is considered unacceptable given the close proximity of neighbouring dwellings.
- 6.4.8.** In light of the comments received from the EHO, the proposed change of use is considered unacceptable due to the potential for noise and disturbance to surrounding residential properties. It is considered any measures to mitigate noise would be ineffective and therefore the proposal is contrary to Local Plan Policy CP4 which seeks to protect the amenity of neighbouring land users.

6.5. Access and highway issues

- 6.5.1.** As stated earlier in the report, a number of the objections received relate to the impact of the proposal on the local highway network.
- 6.5.2.** Local Plan Policy TP1 advises that development will not be permitted where it would endanger highway safety. In order to fully consider the impact of the proposal on highway safety, Gloucestershire County Council Highways have been consulted.
- 6.5.3.** In summary, whilst the proposal would result in an intensification of the use at the site, GCC Highways consider that the applicant has made the necessary provision to ensure the staggered arrival and collection of children.
- 6.5.4.** In addition, Woodlands Road forms part of the local public transport network, with a local bus linking the area to the town.
- 6.5.5.** Finally, the applicant has suggested the area to the rear of the property could be used for parking. The Highways Officer considers this would not be sufficient to accommodate turning. Notwithstanding this, it is considered that there is adequate on street provision within the locality.
- 6.5.6.** Given the proposal is likely to rely wholly on land outside of the application site to allow the dropping off and collection of children by car, officers advised that the applicant submit a parking survey to demonstrate the parking provision within the locality but this has not been carried out. In the absence of an objection from Highways on this aspect of the proposal, officers would have no basis on which to insist on this information.
- 6.5.7.** Notwithstanding the lack of objection from the County Council, the parking arrangements are another indication that the proposed use is inappropriate for this site.

6.6. Other considerations

- 6.6.1.** A detailed response has been received by the Parish Council raising an objection to the proposal and requesting the application is considered by the planning committee. The main concerns relate to the level of local objection, the majority of supporters not living within the immediate area, the impact on the character of the locality, neighbouring amenity and highway safety.
- 6.6.2.** A request has been made as part of this objection for officers to visit the neighbouring property at No. 3 Woodlands Road. Officers have visited the site and also examined the concerns raised by neighbouring residents. Given the proposal relates to a change of use, the impact of this use on the immediate neighbouring properties can be sufficiently assessed within the site.

7. CONCLUSION AND RECOMMENDATION

- 7.1.** Having considered all of the above, the proposed use of this property as a nursery/pre-school is considered unacceptable in this location. Whilst this type of use can be suitably accommodated within a residential area, the proposed site is not considered suitable due to its layout, prominent corner position and proximity to neighbouring dwellings.
- 7.2.** The proposed change of use would result in a contrived form of development, which highlights the constraints of the site for this particular use and would not be in keeping with the residential character of the area. The measures to enclose the site further highlight its unsuitability for the proposed use.
- 7.3.** In addition, the change of use would have a significant adverse impact on the amenity of neighbouring occupiers. This is both in terms of the potential noise disturbance from the use of outdoor areas and also the drop off and collection of children.
- 7.4.** Whilst no highway objection has been raised, the site relies wholly on the local highway network for drop off and collection and does not make adequate off street provision.
- 7.5.** In light of all of the above, officers consider the site is unsuitable for a use of this nature and the recommendation is to refuse planning permission for the reason set out below.

8. REFUSAL REASONS

- 1 The proposed change of use represents an inappropriate and unacceptable form of development for this site. The use will cause unacceptable harm to the amenity of neighbouring properties, by virtue of an increase in noise and disturbance within such close proximity of neighbouring dwellings. Furthermore, the proposal would result in a contrived form of development which would not be in keeping with the spacious character of the area.

As such, the proposal is contrary to Local Plan Policies CP4 (Safe and Sustainable living) and CP7 (Design) of Cheltenham Borough Local Plan.

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APPLICATION NO: 14/01901/COU		OFFICER: Miss Chloe Smart
DATE REGISTERED: 17th October 2014		DATE OF EXPIRY : 12th December 2014
WARD: Warden Hill		PARISH: LECKH
APPLICANT:	Mrs Justine Chapman	
LOCATION:	1 St Michaels Road, Cheltenham	
PROPOSAL:	Proposed change of use from residential dwelling (C3) to pre-school and nursery (D1)	

REPRESENTATIONS

Number of contributors	68
Number of objections	44
Number of representations	0
Number of supporting	24

8 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RR

Comments: 5th November 2014

It is with regret that I oppose the proposed change of use for 1 St Michaels Road. I admire the sentiment behind it and have spoken to Chloe many weeks ago, at which point I had not formed my opinion.

However, I cannot accept the potential traffic problems, ie congestion and parking, as the recent building work on one of the neighbouring houses demonstrated.

Of much greater concern is the potential risk to the children and parents that the facility is intended for. I just don't think it is suitable location, and would be extremely worried that an accident would occur at some point in the future. Personally, if the proposal went ahead, I would avoid using that junction (just in case), which I don't think is a fair position to be put in.

Comments: 4th December 2014

The revised proposal makes absolutely no difference to my objection to the development of 1 St Michaels Road, as it does nothing to mitigate my concerns regarding safety, parking, congestion and increased noise levels.

14 Haslette Way
Up Hatherley
Cheltenham
Gloucestershire
GL51 3RQ

Comments: 5th November 2014

I strongly support this application. I worked as Chairperson for St Christopher's Playgroup last year whilst my daughter attended. Mrs Chapman is professional, calm and totally committed to providing excellent childcare. But what I always admired was the quiet, organised and content atmosphere every session had. St Christopher's is over subscribed and there is demand for this setting.

The plan has careful thought for traffic by ensuring all children will not arrive at once and limiting the total amount to 18 children shows clear consideration to noise and traffic concerns. I wish the applicant every success and know with this opportunity she will be able to provide a very high quality childcare service that Warden Hill that is needed.

23 Durham Close
Cheltenham
Gloucestershire
GL51 3DF

Comments: 9th November 2014

I understand this proposed Pre-School - not Nursery- will be as inconspicuous as an almost identical property operating on Everest Road. You would have to look fairly hard to see any sign of a Pre-School!

Number 1, has been a run down, overgrown 'residence' for as far back as I can remember I should think it would be to the delight of the neighbourhood that it will cease to be an eyesore.

St Christopher's currently operates, on a busy junction with no complaints of noise from neighbours, no complaints from the shift workers who live nearby and they have never had a complaint from the attached Church who conduct funerals on a regular basis - it has twice the amount of children that Mrs Chapman is proposing for St Michaels Road.

The nearby properties currently have the hum of traffic from the A46 as a backdrop; if I were them I should be more concerned with the proposed development of the land opposite which I understand will include an Industrial Site!

I have known Mrs Chapman for a number of years through my children going to playgroup and as a committee member. She is a remarkable woman; I believe she has every intention of making this a well maintained integral part of the community that will provide much needed Pre-School places in this area.

58 Canterbury Walk
Cheltenham
Gloucestershire
GL51 3HF

Comments: 24th October 2014

Much needed facility in the area, giving local families flexibility and choice of child care provision. plans are well thought through and considerate of neighbours eg staggered drop offs and limited number of children in using the garden. It will be a real asset to the community

42 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RR

Comments: 9th November 2014

We wish to register our strong objections to the proposed pre-school at 1 St Michaels Road, for the following reasons:-

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The Woodlands is a 1950's residential area that wasn't designed for today's vehicles or volume of traffic. Bringing a business with both staff and customer vehicles to an already narrow road, will only cause more congestion and the risk of accidents.

There is already a shortage of houses in the area, highlighted by the mass building developments proposed locally - so why is it a good idea to change a residential property to a business property and further reduce housing numbers?

There are already congestion and parking problems in St Michaels Road due to parents parking and walking through the alleyway to drop off and collect children from St James school. This new proposed pre-school/nursery will only cause more congestion but both to ends of the road.

Even with staggered drop off times, parents who have older children to drop off to Warden Hill or St James, aren't going to go off elsewhere to kill time to wait for their slot, further adding to traffic volume and congestion.

71 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RP

Comments: 9th November 2014

The location of this property is simply not practical for the intended use. Its lack of parking means that a very busy junction will become even more dangerous (especially to pedestrians and cyclists), and a narrow residential road will become clogged up with even more parked vehicles. There is a bend in St Michaels Rd near to the property that can already cause issues for motorists who have to drive on the wrong side of the road. The extra traffic would increase that danger and would surely be risky for the children being dropped off.

7 The Orchard Grove
Shurdington
Cheltenham
Gloucestershire
GL51 4TN

Comments: 13th November 2014

I am writing to add my support to this proposal. I am a user of pre-school care in the Warden Hill area and had to wait a while to get this care, and there are many more on the waiting list. My experience, and that of others illustrates there is a need for affordable pre-school care in this area during term time only.

I have read other comments and there appears to be some miss understanding of a nursery compared to a pre-school that is proposed here. A pre-school would be open during school terms only and not during the school holidays.

Regarding concerns relating to increased traffic and parking, these seem to be over inflated as the pre-school proposer has thought of staggered drop offs to reduce the impact by those that drive and there are many people who walk, as illustrated at St. Christopher's Playgroup.

If the address remained a bungalow there is no certainty a large family would not move in with multiple cars or a childminder, who could have potentially more children playing outside for longer and not have staggered drop offs/pick ups. There are similar arguments for the perceived noise potential, but these perceptions, surely, are distorted, as people have mentioned there is a busy main road close by presumably creating background noise already. There is only so much noise

well managed 6 children can make, and again if a family lived in the bungalow, this noise and numbers of children may not be so well managed.

I appreciate the concern people may have to the proposal, but fear the perceived negative impact of the Pre-School is exaggerated and some facts misunderstood, and the actual impact will be minimal, and even enhancing the local area, particularly to those moving into the area. These high quality services are highly sought after.

4 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RR

Comments: 28th October 2014

A maximum of 18 children at any one time, according to the proposal can be accommodated. So potentially between 11:45AM and 12:00AM there could be 18 departing and 18 arriving. A 15 minute slot for 36 kids, ok that is extreme but allowed for in the plan. Assuming 50% capacity (more realistic) then that would be 18 kids handed over in 15 minutes. This is still far too many especially for traffic. Also there will be an increase in noise levels for a quiet street.

This will cause danger both for drivers and small children as this property is yards from the busy A46 and Woodlands road junction. The position of the property is unsuitable, and the maximum number of children is too great. A property near a free car park such as Hatherley Library or Morrisons would be more sensible.

Therefore we oppose the plan for the reasons above.

2 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RR

Comments: 5th November 2014

Letter attached.

1 Hawkswood Road
Cheltenham
Gloucestershire
GL51 3DT

Comments: 28th October 2014

I would refer to your letter of 20th October 2014 regarding the above where you invite comments on this proposal.

Please be aware that I have resided at 1 Hawkswood Road (directly opposite the proposed pre-school/nursery) for the past 30 years. My wife and I chose our house location because it sat very neatly into a lovely, quiet residential area unspoilt by commercial development or noisy schools.

The proposed site and the bungalow opposite it were built as family residences and mirror each other at the entrance to St Michael's Road. They are surrounded by residential properties ' this area was designed for residential use not schools or nurseries.

Homes for families which we desperately need in Cheltenham so to lose even one would be a travesty.

The roads in this area are busy at the best of times with the local Co-operative store (recently re-designed and re-located into a large public house within 800metres) being stocked with delivery lorries using 38 tonne articulated trucks plus 12 tonne trucks supplying bread etc. There is regular congestion at the side of our house with these and other logistic companies not being able to pass each other. To add to this situation would be putting any youngsters being dropped off /collected at extreme risk.

A typical scenario could be that a mum dropping off a toddler who could also have another babe in arms plus a child of school age in tow. If either of the two children not being carried got into the busy road.... well?

This is a busy corner and to multiply this by 6 at any time of day is an accident waiting to happen

Quite simply, there is no safe parking anywhere as the plans quite clearly indicate. The last thing that I would ever want to see is double yellow lines around the corners to prevent parking by residents and/or potential users of this proposed facility. It is very easy to say that ONLY 6 families dropping off they youngsters at any given time but who will police this?

I would now move onto the noise aspect of this proposal. Children of the proposed age are usually full of beans and quite noisy and exuberant they need to let off steam. As previously stated this is a quiet, residential area and I and many of my neighbours would like it to remain so. The applicant has stated that she presently runs a similar operation to this at St Christopher's Church Hall. Might I suggest that this is an ideal location for a business such as this? It has good, safe access for dropping off and collection of the youngsters and if necessary parking for all. There is a lovely grassed area for play for the young ones and all of the other facilities required for such an operation. Number 1 St Michael's Road will be like trying to get a quart into a pint pot but with so many other incumbent health & safety risks.

With regard to visual impact the previous owner had a 25ft beech hedge surrounding the property but with assistance of Leckhampton with Warden Hill Parish Council this was removed and replaced with the correct height fencing as laid down in planning regulations. I note that there is now a proposal to plant a further hedge to screen the children whilst at play? Have we managed to restore the open aspect of the property only to have it removed because of this proposed change of use with the planting of a hedge or leylandii trees?

On now to privacy: this private residence has been recently landscaped to its former glory which because of the circumstances of the former resident has fallen back due to lack of maintenance. But a new residential owner would very quickly get it back to a very pleasing home & garden. We do not all want to be surrounded by high walls, fences and hedges nor do we want to look out on same.

Amenity value - The proposal states the need for this amenity and I would have thought that with the proposals for the development at Leckhampton on the White Land not 200metres away the applicant should be making moves to secure one of the smaller industrial units that could be custom built to suit the exact needs of a pre-school/nursery. There would be no danger to youngsters from busy roads, lots of safe, warm, indoor play areas with little or no disturbing noise to residents and no visual impact.

In order for the CBC Planning Committee (Elected Members) to get a much better understanding of the potential dangers to allowing this change of use to proceed I would respectfully request that they visit the proposed site and undertake a planning view.

For ALL of the reasons above I would strongly object to ANY change of use. This is a private dwelling and should remain as such.

Comments: 8th December 2014

Having duly read and digested the proposer's amendments I would comment as follows:

Paragraph 1:

I have previously commented on this item where I advised that only recently a hedge was removed and a low wall replaced plus the addition of an internal correct height fence installed. This was done to restore the 'open aspect' of the front garden which now matches ALL of the other landscaping of the other houses in this residential area.

You may recall the storms and high winds back in the late eighties when an awful lot of damage was done to walls and fences in the area. My own house suffered the complete destruction of the 6' brick wall along the boundary of our property that faces No.1 St Michael's Road. When I called the planning office I was told that I could only build a new wall to the maximum height of 1metre.

This caused both my wife and I some consternation but it was explained to us that this was to maintain the 'open aspect' of the garden to match all of the others. We followed instructions and our garden is a lot more 'open' than when we purchased it. So for the applicant to suggest surrounding the garden with additional fencing and hedging is totally unacceptable to us plus if one reads the Environmental Health Officers report there will be no acoustic gain and it will be most displeasing to the eye demeaning the amenity value to all of the surrounding properties.

The proposed site and the bungalow opposite it were built as family residences and mirror each other at the entrance to St Michael's Road. They are surrounded by residential properties this area was designed for residential use not schools or nurseries.

If one looks at the general make up of this mature residential estate you will observe that it comprises of both bungalows and semi-detached properties. The bungalows now house many retired couples/singles and the semis house families. Once again I stress that this is a residential area comprising of homes for families which we desperately need in Cheltenham so to lose even one would be a travesty.

Paragraphs 2 & 3:

To install a 1.8m high fence between No 1 St Michael's Road and No. 3 Woodlands Road will further add to the possibility of accidents as it will now even further reduce the line of vision for any vehicle pulling off of the drive at No.3 Woodlands Road. I am most surprised at this ill thought out proposal.

For ALL of the reasons above I would strongly object to ANY change of use. This is a private dwelling and should remain as such.

35 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RP

Comments: 10th November 2014
Letter attached.

3 Woodlands Road
Cheltenham
Gloucestershire
GL51 3RT

Comments: 3rd November 2014

I am amazed that this case has received pre-application advice and still been submitted for such an inappropriate proposal.

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We live next door to the proposed site at number 3 Woodlands Road and we vehemently object to this application for the following reasons:

- 1 The change of use of the proposed site to commercial use as a children's nursery will be unneighbourly and detrimental to the amenity of neighbours, by reason of (among other factors) noise, disturbance, overlooking and loss of privacy.
- 2 Waste being stored directly on our boundary fence which will be on a commercial scale. The majority of this waste will be nappies and wipes.
- 3 Detrimental impact on car parking, traffic congestion and safety caused by staff and parents dropping off and collecting children.
- 4 Detrimental impact on the character of the area where the building would be completely removed from residential use.

Objection 1

The change of use of the proposed site to commercial use as a children's nursery will be unneighbourly and detrimental to the amenity of neighbours, by reason of (among other factors) noise, disturbance, overlooking and loss of privacy.

I currently work from home and my wife only works part time so we enjoy the amenity of this quiet residential location and spend the majority of our time here. We have children who have both been to nursery so understand how chaotic and noisy the morning drop off and collection of children can be.

18 children ranging from ages of between 2 to 5 years old in one room will create an unacceptable and perpetuating level of noise and disturbance throughout the day, 5 days a week. There will be no respite for us whatsoever. This is totally inappropriate business use in a quiet residential road and the impact on amenity and noise and disturbance outweighs any presumption in favour of sustainable development.

I can see directly into the main day nursery room from my office window on the ground floor just 2.6 metres away. Equally, our garden patio at the rear also looks directly through the windows of the main day nursery room. This is an invasion of our privacy. Anyone who comes into the nursery will see directly onto our patio in the garden where we spend a lot of time in the warmer months during breakfast and lunch breaks. The proposed removal of the garage will also be detrimental to our existing privacy as staff vehicles parking there will now drive directly up to our boundary fence.

The biggest impact will be noise and waste. With only windows separating the main day nursery room from our boundary, the noise levels in the warmer months when these are open will be unacceptable. Nurseries are noisy. Children will be encouraged to join in with singing, music development (including cymbals, bongo's or drums, triangles etc etc) and on top of this you will have general disruption such as continued crying at different times of the day. The noise level and extra activity resulting from this change of use can in no way be considered similar to residential households that have large families.

I would like to invite you as the planning officer to visit our property at 3 Woodlands Road and see the site from our rear garden to understand first hand the impact on our right to privacy.

Objection 2

Waste being stored directly on our boundary fence which will be on a commercial scale. The majority of this waste will be nappies and wipes.

The proposed position of the waste bins is directly on our boundary fence. The increase in waste will be appreciably higher and beyond what would be reasonably expected of a purely domestic use. Especially as the majority of waste will be nappies and wipes the impact in the warmer months will be insufferable.

Objection 3

Detrimental impact on car parking, traffic congestion and safety caused by staff and parents dropping off and collecting children

The property has no provision for parking except for 2 staff parking spaces. So all visitors have to drop off in the street! This will impact on both congestion and safety and cause conflict with the enjoyment of the existing residential amenity. There are 4 full time staff so where do the other 2 members of staff park? The applicants own residential address across the road is not a facility of the site application and therefore irrelevant for planning support. The applicant could move house and therefore the property would no longer be able to facilitate additional parking.

I would suggest that this site is more of a convenience for the applicant than an appropriate search for a suitable site.

The existing proposal is to stagger drop off and pick up times and limit this to a maximum of 6 children. The applicant has no control over this. 6 parents can drop their children off from 8am to 11am but that doesn't mean that they have to drop them off at 8am. They can drop their children off from anywhere between those times so whilst they may be encouraged to do so there is nothing to police this process so there is no guarantee that there are not more than 6 parents dropping off at one time.

This will have a huge impact on both parking and the safety of children at drop off/picking up times. St. Michaels Road is a quiet residential road and was built for that purpose. Properties there have their own driveways with off street parking on a narrow road.

Any parents dropping off in St. Michaels Road will undoubtedly park their cars as close to the nursery entrance as possible so are most likely to park their cars half on the pavement and half on the road so both obstructing the pavement and the road for existing residents.

If they can't park their cars there they will park on the other side of Woodlands Road which is a busy thoroughfare. Not ideal where you would expect to transfer children during rush hour.

Objection 4

Detrimental impact on the character of the area where the building would be completely removed from residential use.

Objection 4 is really no more than a conclusion to all the above objections. I understand the continued requirement for non-residential institutions and that part of planning policy involves sustainable development but the facilities provided have to be suitable for use but also ensure that both the residential character and amenity for existing residents is retained.

The noise level and general disturbance of a minimum 6 children playing in the front garden is an abuse of the residents existing amenity. Many of the residents are retired and have chosen to live here for many years in a quiet suburban location.

The low fence at 1.2 metres to the front garden is not sufficient to allow privacy for other residents. A nursery play area should be at the back of a premises where it is both safe and has less impact on the street both visually and for noise. Aside from general planning issues I would have a real concern for the safety of children literally being 'lifted' from the street.

There is no question that this will be detrimental to the residential character of the street and adversely affect the amenity of occupiers of dwellings in the close vicinity.

It will be an invasion of our privacy and approval of this application would seriously bring in to question the rights of existing residents within this community.

We vociferously oppose this planning proposal for change of use! It is quite simply not fit for purpose.

Comments: 5th November 2014

As per my attached letter which I have posted online I would like to invite you to our property at 3 Woodlands Road so you can see the impact the above proposal will have on our right to privacy.

I believe you will get a different perspective from our garden where you will understand how intrusive the change of use will be in terms of perpetuating noise, disturbance and loss of privacy.

Feel free to call me or e-mail me to arrange a time that is convenient for you. I work from home so most days are good for me.

I have attached my letter for reference but as mentioned this has already been posted online.

Comments: 7th November 2014

Letter attached.

Comments: 8th December 2014

I was hoping to not have to add to my original comments regarding this application but given the revised plans, continued determination for change of use and the falsification of facts I include my response.

The application states that we have been informed on several occasions that the intention is to build a 1.8m high fence along our boundary. For the record neither my wife or I have ever been informed of this. The applicant did initially inform us of the planning proposal and we made it very clear then that we were not happy with it and would object for all the reasons stated in my last letter.

Other local residents have visited the applicant to discuss the proposal and also voiced their objections yet the application is still going ahead. The application intimates that the proposal is for the benefit of the wider community but strangely seems to ignore the concerns of it's immediate neighbours.

If the proposals were not already problematic enough, the revisions to the application have now made the proposal even more hazardous. We currently have a view in both directions when reversing out of our driveway which is essential at such a busy junction especially in the mornings when parents are walking their children to school. If the fence or the evergreen hedge is extended to a height of 1.8m we will have no vision from our driveway looking down Woodlands Road.

This is difficult enough now but I would consider this addition not only an added danger but unneighbourly and detrimental to the existing character of the area.

It will also have no affect on the acoustic properties of the building. Double glazing is also irrelevant as it has no acoustic properties once they are open and the main windows and rear door both back onto and face our garden and office.

More importantly the revisions to the plans do not address any of the existing issues of parking, safety, noise and general disturbance caused by increased traffic and the noise from the play area to the front of the house. I can not see how any further appeal will address this issues either.

It has been suggested by some of the supporters of the application (who don't live in the immediate vicinity) that if we don't like living in a family environment with young children then perhaps we should move. On the contrary, we would welcome a young family as neighbours even if they had a large family. However, how many families do you know that have 18 children between the ages of 3 and 5 and are all at home at the same time? As I mentioned in my last letter the perpetuating noise level and extra activity resulting from this change of use can in no way be considered similar to residential households that have large families.

The application suggests that the local residents have in some way been influenced by a circulated letter. The letter informed the local residents where they could view the application so they could have a voice. Had this letter not been circulated the residents would not have even known about it. Their objections have been informed by the application proposal, nothing else.

It has also been intimated that maybe the local residents just don't embrace change or understand the requirement for sustainable development. On the contrary we are all informed enough to understand the need for sustainable development and I don't think anyone questions the suitability of the applicant to run a very successful pre-school & nursery. The objections have nothing to do with the applicant, they are purely about the suitability of the site for planning purposes.

I work with planning a lot in my job as a commercial designer and I understand the need to support local businesses and the requirement for change but it has to be measured so that is does not detrimentally affect the existing amenity enjoyed by residents who have chosen to escape to a quiet, neighbourly residential environment.

My biggest fear would be that approval of this type of application could set a dangerous precedent within the Warden Hill and wider Cheltenham area. This is an application of convenience and I hope that the committee will refuse this application so that the planning authority can then support the applicant in finding a suitable location so they can expand their business interests and support the community.

I believe this will be advantageous in the long run for all concerned.

15 Rochester Close
Cheltenham
Gloucestershire
GL51 3DJ

Comments: 3rd November 2014

As a resident of warden hill I believe there are more and more families moving into the area. Warden hill has a good reputation and therefore families need more pre-school premises in the area and benefit the community greatly. I support this application entirely.

49 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RP

Comments: 10th November 2014

I would like to object to the proposal for change of use at 1 St Michaels Road from residential to pre-school and nursery. This property is on a busy junction with limited parking. When exiting St Michaels Road this junction is already dangerous as the road width is narrow and any parked vehicles cause the exiting vehicle to be positioned on the wrong side of the road. This is made more dangerous by the nearby bend in St Michaels Road where parked cars cause vehicles to meet head on around the corner. I have already had several near misses and I would not like this accident risk to be increased.

I also sympathise with the local residents in their concerns about noise and disturbance with no suitable parking outside this property.

Comments: 7th December 2014

In response to the revised plan this in no way alleviates my concerns over congestion and parking outside the proposed development. This is already a dangerous junction with difficulty accessing and exiting the road with cars parked in the vicinity of the junction. There is no allocated parking for customers in the proposed development and this will result in residents of St Michaels Road having to exit the road onto the busy Woodlands Road on the wrong side of the road.

Any attempt to prevent parking outside the property would simply force customers to park on the bend in St Michaels Road where I have already had several near misses as cars turn the bend at speed not expecting drivers to be on the wrong side of the road negotiating parked cars.

The comments made about St Christophers Church Hall are irrelevant regarding the danger presented to the public highway in this location.

I support the comments by 5 St Michaels Road that the proposal is in breach of the charges held in the title deeds, as the proposal will indeed cause nuisance, annoyance and disturbance. These people have purchased their property based on the terms of the title deeds and the council should uphold their rights.

I note that the supporting comments are from people not in the area suggesting that this is unlikely to be a local facility.

2 Friars Close
Cheltenham
Gloucestershire
GL51 3DU

Comments: 11th November 2014

I welcome another play group to the area due to the popularity of St Christopher's there is a long waiting list. Living so close i would walk as would others therefore traffic would not be an issue. I really hope this goes ahead

3 Woodlands Road
Cheltenham
Gloucestershire
GL51 3RT

Comments: 12th November 2014

I wish to strongly object to the proposed application for the following reasons:

Unsuitable location

Most of us living locally are aware that the traffic flow next to the proposed site (i.e. Woodlands Road linking to the A46) can be busy to congested at peak times. The idea of introducing even more traffic via dropping off and picking up children around the same spot is only going to add to the problem. Coupled with the side traffic from St. Michaels road with its restrictive width, I would like to think that parents would naturally take even more care when it comes to transferring their children through also staggering their own drop offs. However from my experience of pre-schools / nurseries many will naturally roadside park wherever it seems convenient (and safe) for them and their child, irrespective of any bylaws and the knock on effect it can have to the wider traffic. Many will also wish to continue to stop and talk to other parents and staff, delaying their visit and risking further congestion / accidents, which will be heightened (in this case) by having both those adjoining roads adjacent to the proposed premises.

Given the local residents to this area already enjoy living in a relatively quiet community, many of which are elderly, some have children of school age or older (i.e. but typically don't have 3-5 year olds) I would also question this location as being the best catchment for those wishing to walk their children from nearby.

Unsuitable premises

The relatively small yet unique plot was designed and built to comfortably house a couple of people with a small garden. Not 18 three to five year olds and 4 members of staff. I appreciate they wont be living there, but the general disturbance and noise caused by that many on the premises (and as a pre-school) will undoubtedly impact on those living close by. I would still question the quality of the environment the children would be in, despite the best intentions. Even if double glazing were to be introduced, due to its small build I would consider that at least some of the windows would have to be left open to enable adequate ventilation for the children and staff. Clearly having the luxury of St. Christopher's Hall has so far enabled more children to be adequately accommodated whilst keeping the disturbance down due to its substantial build, larger ceiling and floor space, greater surrounding area and car park. Hence I would therefore recommend looking elsewhere for a premises already more in keeping with that.

On a personal note our house resides just a few metres away from the proposed site alteration so obviously we are concerned. Over the years we have developed our house to allow ourselves and others to work from home in relative peace and quiet (which is often needed if you run a small business). The intention for us to stay and work from home in the future will be significantly reduced if the proposed build next door were to go ahead.

So in summary normally I would want to support anyone wishing to expand their business, but at the cost of increased disruption and quality of life to those living nearby, risk of accidents from increased traffic and to ultimately provide little significant benefit (i.e. although the proposed move would allow more childcare hours to be run, it wouldn't host more children in that one period) I simply cannot see why the proposal was even drawn up. I for one wouldn't dream of turning my house into something similar, it would be fundamentally unfair to impose that on my neighbours when living that close and on those roads.

Ultimately we can all see the need to sometimes expand in order to meet the increasing demands of the community, for example in child care or in affordable housing. However in this instance I would strongly suggest that they look for a location that would enable QUALITY childcare to be delivered through Justine's team, rather than what appears to be a half baked attempt which will

cause more local disruption than solution. With some modernising this current bungalow would make an ideal home for a professional couple / startup family or as a retirement / disabled residence, and help it maintain in keeping with the local style of property.

149 Salisbury Avenue
Cheltenham
Gloucestershire
GL51 3DG

Comments: 8th November 2014

I wish to oppose this application because I believe that this nursery is too close to a major road with no adequate parking outside.

I think that the bungalow is too small for a nursery and that the garden is not big enough for outside play even for 6 children

3 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RP

Comments: 17th November 2014

This notice is to register our OBJECTION to the above planning proposal.

We have lived next door to the proposed site for almost 12 years and chose to move to the area as it was and currently remains a quiet residential area and a safe place to bring up our young family.

We strongly object to the proposal to turn the bungalow at 1 St Michaels Road into a Nursery / Pre School and our objection is ratified by the comments below.

1. Traffic congestion and Car parking

The site is directly situated on the corner of the busy junction leading onto the Woodlands Road. Woodlands Road is severely impacted by congestion at peak times during the day where it meets the A46 and traffic remains a steady stream for the rest of the day and night. As the junction to St Michael's road is so closely situated to the A46 junction (noted as a road traffic accident blackspot), traffic becomes congested.

The proposed plans state that there will be off road parking for two vehicles, these will be used for staff, therefore parents dropping off or collecting their children will be parking on the road. Even if the attempted 'policed' drops offs of children are carried out then there will be extra vehicles trying to park close to the already congested junction at peak times during the day. This would cause chaos! The road itself is quite narrow and with a blind bend approx. 25 metres away it would be an accident waiting to happen, having witnessed several 'near misses' personally already without the added obstructions. Due to the positioning of driveways on St Michaels Road it is already extremely difficult to find a parking space that does not obstruct the owner's access and that is safe to do so.

It is also proposed that the driveway to number 1 St Michaels Road is extended, this would also shorten the amount of road left to legally park outside of the property as quoted in The Highway Code section 243: You cannot park opposite or within 10 metres (32 feet) of a junction, opposite a traffic island or (if this would cause an obstruction) another parked vehicle, in front of an entrance to a property or on a bend. Section 244 also states: You MUST NOT park partially or

wholly on the pavement unless signs permit it. Parking on the pavement can obstruct and seriously inconvenience pedestrians, people in wheelchairs or with visual impairments and people with prams or pushchairs.

The plans proposed DO NOT provide a safe dropping off / picking up facility for the children within the site.

2. Noise and disturbance

As previously mentioned, the area is in a quiet location. Young children between the ages of 2-5 cannot and should not be expected to be quiet. They should be encouraged to play and express themselves freely. With the proposed number of children expected to attend the facility and knowing the size of the proposed facility, it would be impossible to maintain an acceptable level of noise. Outdoor activities would have a huge impact on the quietness of the area, with several residents closely located to the site working from home on a daily basis.

By changing the use of the bungalow, storing of and removal of commercial waste would need to be regular due to the nature of the waste (soiled nappies etc.). This would cause further disturbance.

3. Appropriateness of location

The location of the proposed site is a wholly inappropriate setting for a nursery / pre-school. In addition to the above mentioned traffic concerns and noise levels this was built as a residential dwelling and is the opening to a quiet residential street. There is a mix of professionals and young families residing here but we cannot forget the elderly residents many that have lived here since the houses were built. The site was designed to be a home. By changing the use of the bungalow on site takes away the chance of a retired couple for example moving in and freeing up their family home for a young family which is in much need. Bungalows themselves are at a premium in the Woodlands area and are highly sought after.

There are far more suitable locations for the proposed nursery / preschool. A few examples of these are the soon to become vacant Co-op, The Brizen Young Peoples Centre not forgetting the countless planning proposals for the fields opposite the site where a purpose built facility would surely be more appropriate. All of these examples would have the facilities required and safe parking provided.

Of all these suggestions it would be most fitting and beneficial to the young children of Warden Hill to have the nursery/ preschool situated within the safety of Warden Hill Primary School where the proposer has already been offered the use of its facilities to do so.

4. Loss of Amenity

Although there is an increasing need for non-residential buildings to house such facilities as a nursery/ preschool they clearly have to be fit for purpose.

It is a fact that should this proposal be allowed it will have a detrimental effect on the local residents and their homes. It would disrupt the quiet residential character of the area not just the road itself. Many residents have chosen to move to the area for the quiet suburban location and have done so for many years. Now it is proposed that this is taken away and increased traffic congestion, noise and overall view of the entrance to the road is to be disrupted.

The road is valued as a private residence and it should remain that way.

5. Safety!

A major concern would be the overall safety of the area and those passing through it on a daily basis.

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By adding congestion to the entrance of a narrow road that already has a dangerous blind bend could prove fatal, should an emergency vehicle be required to attend one of the homes within St Michaels Road access would be restricted causing delays.

With no rear garden the only option for the children to play outside would be the garden to the front which is visible from the road leaving the children vulnerable. This would also face the main road which is close to the main junction with the A46.

The junction of Woodlands Road with the A46 has been recognised as an accident blackspot. This has been quoted within a report concerning the development near to Kidnappers Lane. This is before adding to the congestion and traffic at peak times that allowing this change of use would incur.

Should any of these safety issues arise, the unthinkable could happen to anyone let alone to an innocent child.

We respectfully request that the CBC Planning Committee visit the site to see the issues and potential risks for themselves.

In conclusion, we **STRONGLY OBJECT** to any change of use and would ask that it be kept as a residential dwelling as it was built to be and that a more suitable and safe facility be found for the nursery / preschool.

NUMBER 1 ST MICHAELS ROAD IS A COMPLETELY INAPPROPRIATE LOCATION.

30 Barrington Avenue
The Reddings
Cheltenham
Gloucestershire
GL51 6TY

Comments: 17th November 2014

Having had this Application brought to my attention by posters in local residents windows, I have taken the time to read and digest the Application in full, together with all the Comments, both positive and negative.

I am shocked that someone has written and been permitted to circulate a letter to residents with such incorrect and misleading information contained within it (the letter is evidenced further down this Comments List). It seems that this letter and its' author has made every effort to influence and encourage a negative opinion, which I find very disturbing and quite against the ethic of the Council.

As an ex-employee of the Council, I would like to assure anyone party to, or with an interest in, this Application that I'm sure the Council will take this 'Campaign' into account when assessing the Application and act within the strict 'fair play' guidelines set.

It has also been brought to my attention that people have been stopped in the Street and encouraged to register an Objection to this Application. I don't think that type of persuasive behaviour is acceptable, nor should be encouraged and I have suggested the persons involved make a formal complaint to the Council.

Having read the Application in its' entirety, I am in complete support of this well thought out and considerate Proposal and would hate to think that bullying tactics would prevail in this day and age. I wish the applicant every success.

15 Langdale Road
Cheltenham
Gloucestershire
GL51 3LX

Comments: 17th November 2014

We support this application. As parents of school age children we understand the need for a good quality pre school in this area and know this will be delivered by Justine & her staff. As the area benefits from a good community environment we feel that the proposed development is a perfect example of a local resident trying to bring a much needed, quality service to local residents. The size of the development reflects the small and friendly atmosphere that will benefit the youngsters of this neighbourhood for generations to come.

27 The Avenue
Cheltenham
Gloucestershire
GL53 9BL

Comments: 18th November 2014

My wife and I are regular visitors to this area of Woodlands Road and we have never experienced any problems with parking. Traffic and parking issues have been greatly exaggerated and are not consistent with the GCC Highways submission.

It is disappointing that neighbours have obviously not taken time to read the facts associated with this application. Perhaps some have been misled by a local resident who is more interested in his personal publicity rather than distributing the factual details relating to this application.

With regard alleged noise and disturbance, have any residents visited St Christopher's Church Hall where 30 children attend pre-school. This would allay any fears when a maximum of 18 children would be attending the proposed pre-school. Replacement double glazing will be fitted to the property which will reduce any disturbance to an absolute minimum.

The Planning Committee must take into consideration the needs of parents with children who live in the area and not just those residents within the immediate vicinity of the property.

This will be a professionally run pre-school with qualified, skilled and dedicated staff.

1 Pentathlon Way
Cheltenham
Gloucestershire
GL50 4SE

Comments: 18th November 2014

You can see from my address that I don't live near the proposed site but I do feel that I need to comment after reading all of the negative and misleading information.

My background involves working with pre-school children; this field is completely different to a nursery environment that is typically open 50 weeks a year on an all day basis ,Mrs Chapman has proposed 38 weeks pre-school term time care with significantly less hours per day.

I myself work in Warden Hill and have done so for the last 7 years, I travel along the A46 and turn in to the junction near the proposed site at around 8am and have not experienced any traffic problems in this area.

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There won't be any crying babies or rotting nappies as stated in one comment as pre-school children tend to have passed these stages of development.

The site has more than ample capacity to accommodate the number of children proposed and is well within Government recommended guidelines.

This is a very well thought out proposal, Mrs Chapman is a true professional in this field and is well known and respected within the community.

I totally support the application and await its approval based on the facts not the fiction.

7 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RP

Comments: 5th November 2014
7 St Michaels Road (Objects)

We very strongly object to the proposed change of use from a residential dwelling to a pre-school and nursery at 1 St. Michaels Road. Our objections are purely based on the location of this proposal, and are not at all personal to Mrs Chapman, as we know she does an excellent job at her current playgroup. As local residents, our objections are founded on the following reasons.

Traffic

The current traffic levels on the A46 junction with Woodlands road is already at a very high level. Congestion at this junction has a severe impact on Woodlands Road, St. Michaels Road and Hawkswood Road. We feel that the proposed change of use will greatly increase congestion to a dangerous level causing excessive traffic and obstructions within and around our road and to our property.

Parking

The highway code section 243 states: You cannot park opposite or within 10 metres (32 feet) of a junction, opposite a traffic island or (if this would cause an obstruction) another parked vehicle, in front of an entrance to a property or on a bend. Section 244 also states: You MUST NOT park partially or wholly on the pavement unless signs permit it. Parking on the pavement can obstruct and seriously inconvenience pedestrians, people in wheelchairs or with visual impairments and people with prams or pushchairs. Law GL(GP)A sect 15

With this in mind, it is very clear looking at the site in question that there is absolutely no room to park closely legally and safely. This would cause parents to park further down Woodlands Road and St. Michaels Road, where parked cars already cause traffic problems. Also being as the proposed plans only allow two parking spaces (which will be taken by staff), the amount of children being dropped off/picked up at any one time would cause a significant increase to the traffic, and parking around our property. The obstruction due to parked vehicles would pose a danger when trying to leave our property or crossing the road with the children and when I leave for work in my vehicle.

Noise

We located here, as it's a lovely family home in a quiet road. The greatly increased noise levels and disturbances from traffic, children and outdoor activities would have a huge impact on our quiet road, and we all would very much like for it stay that way.

Loss of amenity

To allow this proposed change of use would be unneighbourly and detrimental to the amenity of the area. The location of the site in question, which is on the corner of a residential area like this, is wholly inappropriate. The likely effect on the visual character of the property would be detrimental to all who live here. This is a private residence, and should remain so!

More suitable locations

There are far more suitable locations situated nearby. The fields opposite to the A46/Woodlands Road junction, have already undergone several planning applications, and a purpose built facility, with adequate safe parking, away from the dangers posed by a busy highway such as the A46, on a site where people would be buying property knowing what they would be moving next to would be far more suitable. Also Winton House Day Nursery and Nursery Rhymes Day Nursery, are both located less than half a mile from this proposal, and both have plenty of spare capacity (They are both currently advertising this!)

In Summary

We strongly urge the council to refuse the proposed change of use planning application at 1 St. Michaels Road, on the grounds of loss of amenity to residents, increased traffic during peak times, lack of safe parking, noise disturbance and detrimental impact on road congestion.

I also respectfully ask that this proposal is referred to the committee of the authority's elected members and that the CBC Planning Committee would visit the site and see the issues for themselves.

43 Woodlands Road
Cheltenham
Gloucestershire
GL51 3RS

Comments: 4th November 2014

I support this venture whole heartedly.

A community that is becoming increasingly made up of younger families should have as many local facilities as possible.

The majority of the families that will use a day nursery like the one proposed will undoubtedly live locally. The traffic I do not believe will be any worse than at the present because most parents will either be walking, or parking to drop older siblings at primary schools first.

This will be an exciting venture by a local for the locals. We have a real community spirit growing in this neighbourhood. We are very lucky that our local parade of shops and businesses is of a quality that we can be proud of. I have no doubt that this will be another of those facilities. I wish the applicant every success.

21 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RP

Comments: 5th November 2014

I would like to register my objection to the proposed change of use at 1 St Michaels Road .

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It is my opinion that the siting of a nursery on or near this road junction would cause severe traffic problems including disruption on the busy A46 junction. There is no facility for safe parking around this site, which along with the high flow of traffic could lead to high risk of injury to both children and parents as they attempt to cross, and if the parents all park directly outside the property it would cause problems for the residents of St Michaels road, a large proportion of which are elderly, and would, I am sure be subjected to more noise, more difficulty driving or walking away from home at the pick up and drop off times as well as the extra noise when the children are at the nursery. At present the traffic is at its worst between 07:30 and 09:30 every weekday. I feel that making things worse than they already are will lead to upset, and most importantly possible injury and heartache for the parents and children attending. I feel this proposal should be refused.

32 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RR

Comments: 5th November 2014

WE STRONGLY OBJECT TO THE ABOVE PROPOSAL.

Every day vehicles are parked on the footpath at the top of St Michaels Road outside this property. This means that people (a large proportion are elderly) are obliged to walk on the road.

Also vehicles are parked at the top of Woodlands Road adjacent to the area marked out as a crossing. This makes it very dangerous for elderly residents to cross the road safely.

This situation already exists and the proposal would certainly make things even more difficult for local residents.

10 St Michaels Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 9DW

Comments: 5th November 2014

I would like object to the planning application for 1 St Michaels Road, Cheltenham. I would have thought it was clearly obvious that such a change of use of the property will result in serious traffic implications around the Woodlands Road, Shurdington Road junction. In addition increased traffic flow and parking in the immediate vicinity at such time as pick up and drop off are also clearly obvious. Being so close to the main A46 road into Cheltenham creates such a potential accident area I dread to think of the response to the first child killed or injured if such an application is approved.

40A Alma Road
Cheltenham
Gloucestershire
GL51 3LU

Comments: 5th November 2014

Shortage of key residential housing: location is by a busy main road and the increase in traffic from parents dropping off and picking up is unwarranted.

Comments: 5th December 2014

The applicant's comments that there is a need for nursery places in this immediate area is not substantiated. There are several already established in the locale who advertise in the "Local Answer" magazine.

There is a greater need for residential accommodation as identified in the council's core strategy plan.

Therefore I would object to this application.

132 Farmfield Road
Cheltenham
Gloucestershire
GL51 3RB

Comments: 6th November 2014

It is so disappointing to see the objections that have been made to this wonderful proposal. It would seem that people are very quick to pass criticism when they feel something is going to affect what is "theirs" and when they think it will have a negative affect on them. This should not be the issue here. The fact of the matter is that Warden Hill needs more pre- school provision as currently there is not enough. Warden Hill is a family area. Yes there are many elderly people, but we have a growing number of young families who also have needs and deserve to feel part of the community.

Let's be clear about this- Mrs Chapman is not proposing a youth club which is open in the evening. Nor is she proposing any kind of dwelling which could cause anti social problems for the neighbourhood. What is being proposed here is a small, well organised pre- school, run by a caring, experienced lady who genuinely wants to help young families in Warden Hill.

The obvious concerns about increased traffic are understandable but it is clear from the proposal that the absolute maximum this would ever be is 6 cars. I would suggest this is more likely to be 3 cars at a time as most parents live nearby and will walk! Anyone who has ever visited a pre-school will know that parents take the utmost care when dropping off and picking up their children- they aren't suddenly going to become irresponsible.

I cannot believe that some small minded people have objected to the sound of six children singing and playing - really?! If people are actually offended by this noise then perhaps the family area of Warden Hill is not for them.

I must also address the comment made about there being places available at Winton House nursery or Nursery Rhymes nursery. Mrs Chapman is proposing a pre- school not a nursery. The two are very different and many parents cannot afford to send their child to nursery as they very often require a minimum of two full days and their hourly rate can be extortionate. A pre- school provision is very much needed

The final decision made on this proposal should be based on what meets the needs of the families in the area and what is best for them, rather than whether someone who works from home will be disturbed or any other petty complaints that have been made. Some people are against change of any kind. However Warden Hill must evolve. This is a fantastic opportunity, thoughtfully put forward, to address the need for more pre-school provision. I fully support this proposal.

10 Westover Court
Churchdown
Gloucestershire
GL3 2AA

Comments: 6th November 2014

There is a BIG difference between a preschool and nursery (I have worked in both). Nurseries are open all year round, longer hours, employ more staff, have more children so yes there would be more traffic, but they are also much more expensive and not so accessible financially for a lot of families. Families don't just use childcare because they are working, there are many families where they don't need childcare but want their child to have a good quality preschool education where the children learn social skills and build the foundations for learning.

If the people who objected actually looked at the facts they would see its only 38 weeks of a year and 5 days a week. The children are only out for 2 hours a day, 1 hour in morning and 1 hour at lunchtime and even then only 6 children at a time. The noise level is hardly going to disrupt your activities in your own home. I doubt very much that you would hear any noise from inside the property either. And as for crying children, these aren't babies we are talking about so other than when a child first starts where they MIGHT be upset crying is not going to be an issue. Besides the applicant and the staff will be well trained and experienced to deal with this.

Potentially there could be more traffic, however the applicant has put in staggered drop off and pick up times but I expect that a lot of parents would be walking especially as there is such a need in the area. Also the concerns of a child being run over I feel are a little unfounded as the parents of preschool children will be holding their hand or carrying them in from car (IF they drive) and will be responsible for their own child / children. The parking at schools is much worse and much more of an issue.

There is a great need for good quality preschool spaces in this area, the property is ideal for this, the plans have been thought through properly with consideration of many aspects and should not be refused just because a few people object to a few extra cars and a LITTLE extra noise. (Most playgroups, nurseries, preschools etc don't play musical instruments on a daily basis!!). The needs of the community need to be a strong factor in this and this community needs more preschool spaces.

Comments: 8th December 2014

I would like to respond again and address the wrong information that has been stated. First of all, I for one and I expect many of the others who have made comments but don't live in the immediate area, know the area well. I am making these comments as I have worked with children for over 20 years in different kind of facilities and I think it needs to be made clear what preschools are about.

In response to the noise concerns - childcare facilities of any kind do NOT have open windows due to health and safety so I doubt very much that the noise from inside the property would be heard much past the front door. There will only be 6 children outside at a time for only an hour in the morning and hour in the afternoon. My son goes to a childminders and they have 6 children at a time, they go outside to no disturbance to the neighbours. The reality is that a childminder could operate from that property and have children playing outside just the same and no-one could object. As the applicant has stated the outdoor area will be used as an extension of their learning and it won't be a case of children running around screaming and shouting. The concern of noise has been greatly exaggerated in my opinion. Students could move into that property and have parties till the early hours and would be a lot more noisy and disruptive.

In regards to the number of children being dropped off/picked up at one time - the applicant has been very clever I think in how they have planned the sessions. I did at first question how they could guarantee only a certain amount of children coming at one time but looking at the plans it has been very well planned. If anyone thinks it wont work and parents will be late and cause an

overlap, the applicant only has to put a hefty fine in place (as standard practice in childcare) and that will certainly discourage a parent from picking up late (or also in this case dropping off early).

Some people have suggested that this isn't needed and there is an excellent playgroup (St Christopher's) down the road. If the plans had been read properly they would understand that this is in addition to St Christopher's due to the strong need for more preschool places. Schools in the area are expanding due to increase in numbers, then surely that in itself indicates that there is a need for more preschool places.

Some have suggested a purpose built building in the proposed development nearby. I only know of one purpose built childcare facility (in Churchdown) and anyway the spaces are needed now, that development has not been approved I thought. Some have said that other nurseries have spaces, that may be so but nurseries are a different set up and are not so financially accessible to families. This proposal is for a preschool, like a playgroup set up except not run in a church hall or community centre but in a bungalow as there is no other option in the area (and its this area that needs the spaces!). This is for the children's preschool education, to set their foundations for learning (which has proved to be beneficial for children). This is not set up with the intention of providing childcare facilities for families who need childcare due to working (that is what nurseries are for). This will only be open term time just like schools.

Lastly there was a letter that went round, as evident in one of the responses in the documents. It is also obvious it has influenced others due to the same wording used in their responses. Using the word "ridiculous" is offensive, you may not like the proposal and have objections but this proposal has been thought through thoroughly and it deserves to be looked at by the planning department who I am sure will look at all aspects and will come to a decision they think is appropriate.

In my opinion this should be approved as it is beneficial to the community as preschool places are needed and it is a well thought out plan.

7 Leckhampton View
Shurdington
Cheltenham
Gloucestershire
GL51 4GW

Comments: 5th November 2014

We would like to support this proposal for a much needed high quality pre-school provision in this area.

After looking through the access statements and appendix 1 and 2 we can see that serious consideration by the applicant has been made in terms of traffic congestion, through the proposal of staggered session times, meaning that those arriving and leaving will be limited to a small number, and therefore in reality there would be only a small number of cars at any one time.

In light of the need for pre school placements in the actual residential area, it is also likely that those living close to the establishment may well walk also.

Although many of the objections have focused on the safety of children crossing the road, we do feel that this somewhat insults parents ability to safeguard their own children. The majority of Parents of small children are very aware of the dangers of crossing roads and ensure their children are under their close supervision when crossing roads, and therefore it is extremely unlikely that any parent would allow an under 4 year old to cross a road without any supervision. In fact parents would be vigilant due to the age and inability for small children to comprehend road safety.

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Another concern highlighted is noise. Again the applicants appear to have considered the impact of this on the surrounding area and have proposed only allowing 6 children in the garden at any one time. Considering the population of this area, where there are many families with children, we do feel that hearing a few children in the garden would not differ from any other house where children are living.

In terms of noise from inside the house, double glazing has come a long way and cuts out considerable noise and therefore is unlikely to cause any noise pollution to neighbours.

It appears clear that this area is lacking in pre school provision and the needs of local children could be met by this application.

154 Farmfield Road
Cheltenham
Gloucestershire
GL51 3RB

Comments: 6th November 2014

We now live in a world/country/town/local community where everything is growing fast and that includes the population. As everyone is aware, housing is in short supply but at the same time there is a demand for local public community services. I am sure that in the long term the housing situation can be fixed in the right hands. In the meantime, there are young families which are crying out for this type of service i.e. PRE-SCHOOL.

Some of the objections are referring to the proposal as a Nursery. Although the planning application does word this, this is not the case and I believe that the form was incorrectly entered.

Pre-schools & playgroups - provide care from age two to five years, open term time only (38 weeks of the year).

Nurseries - provide care for children from birth to five years , open all year round and much longer hours.

The comments referring to the Highway Code (section 243) are correct; however it would seem that not everyone understands this rule as I am often finding myself carefully driving past cars parked in Hawkswood Road near the junction of Woodlands Road. There are local young families who live in this area and use the existing playgroup and do not take their cars and instead walk to the venue. Would this not been seen as good exercise for both parent and child in the current environment where we are told to leave the car behind to reduce exhaust emissions?

It is strange to read one objection claiming that the Co-operative store has been re-located into a public house when there is a sign on the building that clearly states that the freehold is for Sale! Does this person who wrote this have inside information? Further on, there would be lorries making deliveries to the store but they would mostly be made out of hours i.e. not during the day. I should know as I have seen them at the early hours of the morning and late at night.

To continue, there are objections to noise that could be from the premises. The residents that actually live either next door or near-by have seen to have forgotten a major point. They live near, opposite or nearby the A46 (Shurdington Road). This is a noisy road at most times of the day and if that was their choice to live there then I would of thought that fitting good quality windows that can block noise as well as insulating the home would be a sensible idea. I am sure that this would be the case for the Pre-School if the development was to go ahead.

The point of the matter is that Mrs Chapman has recognised the lack of the Pre-Schools in this area and being a local resident has invested a lot of her own time and not forgetting finances, in finding a solution to this problem. I for one totally embrace this development as it saddens me to

read the objections that cannot accept new changes that go on around the world/country/town and our local community.

38 Woodlands Road
Cheltenham
Gloucestershire
GL51 3RU

Comments: 6th November 2014

132 Farmfield Road wrote this, I would suggest this is more likely to be 3 cars at a time as most parents live nearby and will walk! Anyone who has ever visited a pre- school will know that parents take the upmost care when dropping off and picking up their children - they aren't suddenly going to become irresponsible. Around here in Warden Hill parents park in a very unsafe manner dropping their children off at Schools of all types.

As for parents living locally they still drive as they are mostly dropping their Children off on the way to work and yes the parking is a danger as many have already said. This is a residential area where people young and old wish to enjoy their homes and myself and many others in this area would like it to remain residential and not commercial. Those who feel it is a good idea are clearly not looking at the road safety where your Children will be at risk just the convenience of a local Pre-School/ Nursery in an area most of you do not live in.

Comments: 7th November 2014

I am against the proposal for 1 St Michaels Road for the following reasons.

The parking in the area at school drop off and pick up time is dangerous due to parents dumping their vehicles on corners pathments double parking with no thought for anybody else other than themselves and their mission dumping the child.

Woodlands road is used as a rabbit run from Shurdington Road to Town avoiding the main Bath Road. The extra traffic from the playgroup and unruly parking will certainly add to the present parking and traffic congestion in the area.

We currently have three main schools in the area and 4 playgroups adding another one in a residential area will cause extra hazard to pedestrians currently making their way to school as a council you have a duty to protect these pedestrians.

Like many I moved into this area for the quietness and school location for my children along with the greenbelt in the area. We have lost a lot of greenbelt with more to loose on top of this many homes are getting planning permission to build unsightly unfinished dwellings. It now seems you are considering to allow commercial use this will only devalue our existing properties.

Finally we have a right to protect our property and the area we live in we have worked hard to pay for our homes and homes they should stay.

The old COOP will soon be available with ample parking at the rear close to the current business at St Christopher's Church and Warden Hill School keeping the children, parking, noise, in one area with expert people to hand if needed.

Comments: 3rd December 2014

Most people are objecting mostly due to the inconsiderate parent parking, the speed driven, and close proximity to a busy main road.

These comments should be taken on board by parents and maybe if their thoughtless parking improved the thought of more prep/nursery/ schools would be welcomed. The parents and the schools who run these projects should police these improvements.

St Christopher's playgroup, along with Lakeside School, Warden hill School create a huge traffic problem when collecting and dropping off their Children, yes lorries delivering and working in the area do not help the situation so this should make parents more diligent when dropping off and collecting their Children.

Councillors please come and see for yourselves.

I do not want more traffic in my area I do not want parents from all over dropping their Children off and yes I do feel for Numbers 3,5, & 9 St Michaels Road like myself they have worked hard for their property and should be aloud to enjoy it the Council are to fond agreeing to extension planning without taking everyone's feelings into consideration.

THIS PROPOSAL WILL NOT EFFECT THE OWNERS ONLY THEIR POCKET AS THEY WILL NOT BE LIVING IN THE AREA AND IF THE COUNCIL FEEL WE NEED MORE FACILITIES LIKE THESE IN THE AREA MAYBE THEY COULD FIND A SAFER AREA WITHOUT TAKING THE WELL EARNED PIECE AWAY FROM HARDWORKING HOME OWNERS.

15 Hawkswood Road
Cheltenham
Gloucestershire
GL51 3DT

Comments: 7th November 2014

I live very near to the junction this planning concerns.

At the best of times it is not good to exit into Shurdington Road, St. Michaels Road or Hawkswood Road (Where I Live).

My mother lives in St. Michaels Road. In the past few months due to more Road parking there it is difficult to go down this Road.

I am against giving Planning Permission. I live in Hawkswood Road.

My Mother who lives IN ST.MICHAELS ROAD would be against it also.

65 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RP

Comments: 7th November 2014

This property is on the corner of a narrow road. Additional traffic would cause problems for neighbouring properties and roads. The dropping off would cause issues as highly likely drives would be blocked in as not enough parking. Inappropriately close to several junctions including access to busy A46. Neighbours gardens would be affected by noise and existing bungalows garden too small.

Comments: 2nd December 2014

I have read the amendments and applicants lengthy letter.

I STILL STRONGLY OBJECT. I Live far enough away that noise will not affect me (neighbours have my sympathies)

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The location in my opinion is not suitable, the dropping and dropping off will cause problems on this narrow road either in St Michaels or at front of property near to the busy A46. As the applicant has pointed out recent building work to a nearby property made it very tight and difficult near 1 St Michaels. Can you imagine rushed mothers in the morning blocking in drives? I can! I wish the applicant well but still feel this is an inappropriate site.

30 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RR

Comments: 6th November 2014

I would like to raise my objections to the proposal for change of use at 1 St Michaels Road from residential to pre-school and nursery. This property is on a corner with a busy junction onto a narrow road. When coming out of St Michaels Road to turn left onto the Shurdington Road there is already a problem because there always seems to be a vehicle parked opposite the junction. The extra traffic will cause added congestion and risk of accidents. I do not live very close to this property but can understand that there will be noise disturbance to residents nearby.

15 Hawkswood Road
Cheltenham
Gloucestershire
GL51 3DT

Comments: 6th November 2014

I believe the granting of planning permission for a pre-school nursery to be a VERY BAD IDEA.

The TRAFFIC on this area is very bad mornings and afternoons, and only barely acceptable at other times.

I am personally aware how bad it is around the bottom end of our road due to children being dropped to school. A pre-school will cause the same problems but WORSE AS NEAR A JUNCTION WITH THE A46 Shurdington Road.

PLEASE DO NOT GRANT PERMISSION.

27 Woodlands Road
Cheltenham
Gloucestershire
GL51 3RS

Comments: 6th November 2014

The proposed application for 1 St Michaels Road, Warden Hill, Cheltenham, I would like to express my disagreement and opposition to this proposal.

1 I think it is in the wrong position for said proposal.

2 The proposed building is less than 30metres from the main A46 where there has been several previous bad accidents on that junction and on the main road.

3 Side roads can barely cope with the traffic now with a lot of properties have one or more cars.

4 Woodlands Road/ Salisbury Avenue is used as a rat run and the traffic is very heavy at times and a lot of excess speed, more than the 30 mph.

5 This is a residential area and would not benefit from the said proposal as this area is mainly elderly people.

THIS COULD BE AN ACCIDENT WAITING TO HAPPEN

80 Shurdington Road
Cheltenham
Gloucestershire
GL53 0JH

Comments: 23rd October 2014

A fantastic proposal for more high quality child care provision in an area where it is urgently needed.

The plans are well thought out and will have little or no effect of the current traffic levels due to the staggered drop off and collection times.

I support this application entirely.

22 Hawkswood Road
Cheltenham
Gloucestershire
GL51 3DS

Comments: 25th October 2014

This is a domestic house which should not be lost to commercial use. The needs of childcare should be incorporated in the new proposed development across the road in Kidnappers lane. This application will increase traffic at an already difficult junction.

1 Abbots Close
Hatherley
Cheltenham
Gloucestershire
GL51 3DX

Comments: 8th November 2014

We are apposed to this application for the following reasons:

- 1) This is a residential area
- 2) It will cause increased traffic congestion on an already very busy road close to a major trunk road (A40)
- 3) As several other road junctions are close to this property this will create further access problems
- 4) It will create parking issues which will not enhance public relations
- 5) It will create many safety issues for pedestrians
- 6) This property is unsuitable for the proposed business as it will not provide any outside recreation area for the children to play. I feel Ofsted would agree with this opinion

Comments: 7th December 2014

Further to my previous objection to the proposal having seen the revised plans it has not changed anything. I am therefore of the opinion that this application should not be approved

127 Salisbury Avenue
Cheltenham
Gloucestershire
GL51 3BZ

Comments: 8th November 2014

Great idea, brilliant to bring to a bit of life into the area! We are in desperate need of more pre-school places in this area due to a greater number of young family's moving in.

11 Caernarvon Road
Cheltenham
Gloucestershire
GL51 3JD

Comments: 9th November 2014

I strongly support this proposal, Mrs Chapman is a very professional, considerate and effective manager at her current pre-school facility. I have had the benefit of experiencing this ability first hand through both my daughters attending St Christopher's and having been on the committee for this setting. Simply, Mrs Chapman knows what she is doing and would never have proposed these plans without having thought through all of the issues raised. This facility would not only offer a pre-school that meets her high and exacting standards but one that has been carefully designed to fully meet the developing needs of this community. I wish her every success with this project.

8 Woodlands Road
Cheltenham
Gloucestershire
GL51 3RU

Comments: 9th November 2014

We wish to register our objection to the pre-school at 1 St Michael's Road for the following reasons:-

-Traffic is already congested at the junctions of A46, Woodlands Road, St Michael's Road and Hawkswood Road. This is due to the estate being used as a cut-through for morning rush hour, school drop-offs and collections, and the infrastructure of The Woodlands and Warden Hill having been built for the needs of the cars in the 1950's, not today's ever growing car sizes and quantities. By running a pre-school/nursery in this location its parking will spill onto these roads and it will only increase congestion and potential accidents on this already busy junction and for pedestrians this will become a very dangerous corner. Parents parking in the Warden Hill and St James' School vicinity show how bad congestion and unsafe parking has become, so a narrow road like St Michael's Road is not a good location for a new pre-school.

-As parents we understand the need for pre-school, however, this is at the cost of the safety of local residents and potentially children of the proposed nursery - we regularly walk from our home to visit family in St Michael's Road, and on many occasions due to recent building work have been forced to repeatedly push our pushchair out onto the road to get around parked cars on both sides of the road. This is already a dangerous blind bend, so adding more traffic per drop off/collection time slot will only add to this.

-Whilst proposals state that there would be only 6 children at a time in the garden area, the garden is located at the front of the property, which would mean the sounds of the pre-school carrying to neighbouring properties in all directions, not just those directly adjacent to the property.

-There is a shortage of residential houses in the area, which proposed local developments clearly demonstrate, turning another property over to business will only further this problem.

-The Woodlands is a residential area - not a business area, unlike the current pre-school location at St Christopher Hall in Warden Hill.

Whilst we fully understand the need for more pre-school places in Cheltenham, our objection is due to the positioning of the proposed pre-school and the change of use from a much needed residential property to a property for business use.

9 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RP

Comments: 11th November 2014

We totally object to the planning application submitted for change of use of the above residential property to a pre school nursery,

The existing narrow roads were not designed to cope with the amount of traffic we are now seeing, The woodlands road has itself has become a rat run for people avoiding the queues that build up on the Shurdington Road during rush hours, We have also seen an increase in parked cars on these roads with people dropping off and catching buses in to town from this point.

The idea of adding more cars dropping off and picking up children on the roadside is a accident waiting to happen on this already busy junction,

A more suitable property maybe on the proposed new development across the Shurdington Road would probably make more sense.

13 Hawkswood Road
Cheltenham
Gloucestershire
GL51 3DT

Comments: 10th November 2014

Letter attached.

45 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RP

Comments: 10th November 2014

Letter attached.

Comments: 8th December 2014

I have been trying to view the comments related to this application and TWICE the web page has expired very quickly.

I wish to confirm my original OBJECTIONS to this proposal.

39 Woodlands Road
Cheltenham
Gloucestershire
GL51 3RS

Comments: 4th November 2014

The positioning of the bungalow is not suitable for this type of usage, with its situation right on the corner of the Woodlands Road/St. Michaels Road junction. St Michaels Road is essentially one way and anyone turning in would have to wait for any oncoming traffic causing queuing back towards the main Shurdington Road junction. This traffic will include large lorries delivering to the Co-op, school coaches etc. It is a very busy junction and this additional traffic would increase the likelihood of a serious accident.

20 Wells Close
Hatherley
Cheltenham
Gloucestershire
GL51 3BX

Comments: 14th November 2014

I support the need for another preschool in the area. The need is great as there is quite a long waiting list at the current St Christopher's would be walking, so traffic/ parking would not be affected. The situation would be far worse if it was bought to let and filled with noisy students with no consideration for anyone.

65 Canterbury Walk
Cheltenham
Gloucestershire
GL51 3HN

Comments: 30th October 2014

This is a great opportunity for a high quality child care provision in an area where it is obviously needed, with regards the waiting lists for places like the playgroup at St Christopher's.

The plans are well thought out and will have little effect on the current traffic levels due to the staggered drop off and collection times, and the likelihood that many parents would be local and would therefore walk are reasonable assumptions.

Having previously been a committee member for the playgroup Mrs Chapman currently runs, I am in full support of this proposal, and believe that if it goes ahead it would be run to the same very high standards. Both of my children had a great start to their Early Years education thanks to her and her team providing such a quality service.

41 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RP

Comments: 10th November 2014
Letter attached.

11 Woodlands Road
Cheltenham
Gloucestershire
GL51 3RS

Comments: 10th November 2014
Letter attached.

26 Woodlands Road
Cheltenham
Gloucestershire
GL51 3RU

Comments: 10th November 2014
Letter attached.

31 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RP

Comments: 10th November 2014
Letter attached.

25 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RP

Comments: 7th November 2014
I am in total agreement with these views.

We very strongly object to the proposed change of use from a residential dwelling to a pre-school and nursery at 1 St. Michaels Road. Our objections are purely based on the location of this proposal, and are not at all personal to Mrs Chapman, as we know she does an excellent job at her current playgroup. As local residents, our objections are founded on the following reasons.

Traffic

The current traffic levels on the A46 junction with Woodlands road is already at a very high level. Congestion at this junction has a severe impact on Woodlands Road, St. Michaels Road and Hawkswood Road. We feel that the proposed change of use will greatly increase congestion to a dangerous level causing excessive traffic and obstructions within and around our road and to our property.

Parking

The highway code section 243 states: You cannot park opposite or within 10 metres (32 feet) of a junction, opposite a traffic island or (if this would cause an obstruction) another parked vehicle, in front of an entrance to a property or on a bend. Section 244 also states: You MUST NOT park partially or wholly on the pavement unless signs permit it. Parking on the pavement can obstruct and seriously inconvenience pedestrians, people in wheelchairs or with visual impairments and people with prams or pushchairs. Law GL(GP)A sect 15

With this in mind, it is very clear looking at the site in question that there is absolutely no room to park closely legally and safely. This would cause parents to park further down Woodlands Road and St. Michaels Road, where parked cars already cause traffic problems. Also being as the proposed plans only allow two parking spaces (which will be taken by staff), the amount of children being dropped off/picked up at any one time would cause a significant increase to the traffic, and parking around our property. The obstruction due to parked vehicles would pose a danger when trying to leave our property or crossing the road, and when I leave for work in my vehicle.

Noise

We located here, as it's a lovely family home in a quiet road. The greatly increased noise levels and disturbances from traffic, children and outdoor activities would have a huge impact on our quiet road, and we all would very much like for it stay that way. As a shift worker, my choice to live here was based on the fact it is quiet during the daytime when I need to sleep

Loss of amenity

To allow this proposed change of use would be unneighbourly and detrimental to the amenity of the area. The location of the site in question, which is on the corner of a residential area like this, is wholly inappropriate. The likely effect on the visual character of the property would be detrimental to all who live here. This is a private residence, and should remain so!

More suitable locations

There are far more suitable locations situated nearby. The fields opposite to the A46/Woodlands Road junction, have already undergone several planning applications, and a purpose built facility, with adequate safe parking, away from the dangers posed by a busy highway such as the A46, on a site where people would be buying property knowing what they would be moving next to would be far more suitable. Also Winton House Day Nursery and Nursery Rhymes Day Nursery, are both located less than half a mile from this proposal, and both have plenty of spare capacity (They are both currently advertising this!).

In Summary

We strongly urge the council to refuse the proposed change of use planning application at 1 St. Michaels Road, on the grounds of loss of amenity to residents, increased traffic during peak times, lack of safe parking, noise disturbance and detrimental impact on road congestion.

80 Shurdington Road
Cheltenham
Gloucestershire
GL53 0JH

Comments: 9th November 2014

I would like to support the proposal. Mrs Chapman has gone above and beyond what is required of her by offering staggered drop off times at the pre-school in order to be thoughtful and considerate to the local residents.

My two daughters have attended St Christopher's Playgroup. I have always been amazed at how calm and happy the children are. This is 100% due to Mrs Chapman's high standards, professionalism and her love of the job she does.

By allowing Mrs Chapman to open a new pre-school it will create new jobs, new pre-school places that are desperately needed in the area and improve the appearance of a very tired bungalow.

I hope that Mrs Chapman is successful and that local residents enjoy watching the young children attend a caring and nurturing new pre-school.

Comments: 7th December 2014

I fully support the proposal. The ever increasing need for pre-school's and playgroups is clear as Mrs Chapman has stated, with local schools increasing their reception intakes for the past few years.

Having a pre-school in a residential area is beneficial to local residents, as crime rates lower, as more people are around as people arrive and leave the premises.

The time slots allocated for the small number of children arriving and leaving really do mean that traffic increase is minimal.

I am a parent and a teacher. I have been fortunate enough to be able to help out at St Christopher's Playgroup each term for the past 3 years. I have always been impressed at how happily the children play both inside and outside and loud volumes of noise have never occurred. This will reinforce what Mrs Chapman has stated about never having a complaint from the immediate neighbours of St Christopher's!

Mrs Chapman is a thoughtful and professional pre-school practitioner. She has gone to great lengths to recognise the viewpoints and feelings of the local community.

I look forward to hearing a successful outcome for the pre-school, as it really will benefit so many of the local residents.

36 Woodlands Road
Cheltenham
Gloucestershire
GL51 3RU

Comments: 10th November 2014

with reference to the proposed application for a nursery at 1 St Michaels Rd, I feel I have to state my sincere concern on the current lack of respect for the 30mph speed limit. Living at 36 Woodlands Rd we have a front room view of the traffic and are astounded at the speed of some of the passing vehicles. I would hate to think of any consequences involving children jumping out of parked cars etc.

25 Woodlands Road
Cheltenham
Gloucestershire
GL51 3RS

Comments: 10th November 2014

I am writing to register my strong objection to convert the residential property into a Nursery/Playgroup.

This will have a huge impact on congestion at a very busy junction.

There is already a successful playgroup in the area so another playgroup is not required.

Woodlands Road can already become a 'rat run' when there are traffic hold ups on the Shurdington Road.

18 Amaranth Way
Up Hatherley
Cheltenham
Gloucestershire
GL51 3YU

Comments: 2nd November 2014

A much needed facility in the local area and these plans have been adjusted with excellent thought and consideration. The staggered drop offs will mean that any noise or traffic disruption would be very minimal - I agree that as the clientele will be local it is highly likely the majority will walk anyhow. My child went to St Christopher's Playschool (which as we know is very over subscribed) and what was always clear from Mrs Chapman's leadership and organisational skills is how calm, structured and well behaved the children in her care always were.

15 Bronte Close
Hatherley
Cheltenham
Gloucestershire
GL51 3NG

Comments: 10th November 2014

I strongly object to the proposed pre-school and nursery in St Michael's Road.

As a regular visitor to the area for my own childcare needs and family visiting I already find it extremely difficult to drive and park in this already crowded residential area. Located almost directly on the junction to the Shurdington Road I find that people shoot off the A46 and into Woodlands Road often with little care to the narrow turnings into Hawkswood Road and St. Michael's and still doing the 40 mph speed limit.

My concerns over added traffic of parking in the area and parents trying to cross the roads is a major concern for me not only as a parent using the area with my child but for my safety as a driver, there are already enough accidents along this road without adding to the problem.

I strongly believe this area does not need the added setting as there are child care places available and advertised at other local nurseries and pre-schools with perfect onsite parking, would it not be better for the applicant to wait for the new housing estate proposed across the way and get a purpose built unit with adequate parking and safety precautions than use the current option?

I personally do not know the Applicant and my objection is purely based on the fact that this location is simply not an acceptable place for a nursery.

2 Norwich Drive
Cheltenham
Gloucestershire
GL51 3HE

Comments: 24th October 2014

I am a working parent in this community who recognises that there is a great need for high quality provisions. I would love the flexibility of longer sessions to be available for me to fit in around working hours, something that you currently can not find in other local pre-school settings.

The location is perfect as I would still be able to walk my child to the proposed location and be able to walk to collect my other child from the local school.

Justine demonstrates her high standards for quality in her current work, so I know that this would be an excellent asset to the community. Justine has regular contact with her local children centre and attends meetings with them to keep in-touch with up to date childcare practices as well community affairs.

11 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RP

Comments: 5th November 2014

Whilst this is nothing personal to Mrs Chapman and I agree with some of the lovely comments about her professionalism in managing St Christopher's playgroup, I am objecting to this facility on my doorstep.

As with previous comments, I am highly concerned about the parking with drop offs in the area. Again as previously stated in someone else's comments, individuals have tended to park on the path ways preventing pushchair access and forcing pedestrians to squeeze by or cross roads. I am a working mum and have children at preschool/nursery and Warden Hill School. There are plenty of facilities for nursery care that already exist in the area currently which accommodate my needs perfectly. When walking my children back to St Michael's Road from Warden Hill school, the top end of Salisbury Avenue by the A46 I already find this road is particularly dangerous for crossing. Therefore adding more traffic and parking in this area would cause me concern as a pedestrian myself as well as a resident and mum of small children. The main junction, a crossing and parking on the property would all need to be addressed to ensure the safety of children and other individuals. Sorry but whilst I appreciate it may be a great business venture in a growing population, it is just the wrong site due to the potential risks of accidents which mainly concern me as well as additional parked cars causing difficult visibility for crossing with children and cars coming round the corner of St Michaels Road and Salisbury Avenue from A46. Dangerous.

5 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RP

Comments: 19th November 2014

In relation to the proposed planning change of use for 1 St Michaels Road I wish to express my formal objection to this application.

The main objections are the detrimental effect this proposal would have upon the residential amenity, surrounding area, neighbours, environment, road users/highways safety and pedestrians in relation to noise of operations, disruption and disturbance to neighbours lives, intrusion and loss of privacy, and creation of a security/crime risk.

The quiet, private and safe character of the neighbourhood would be detrimentally affected and be opened to a new intrusion in amongst a wholly residential setting.

The objections, factors and supporting arguments against the proposal are outlined below.

1. Objections based upon PLANNING POLICY

- a. Local, strategic, regional and national planning policies are not supported by the application
 - i. Housing stock in a residential area is being removed for an inappropriate service in an unsuitable facility. The houses in this area are sought after and in short supply with this proposal running against the local area housing needs policy.
 - ii. The proposal would give rise to an potential increase or increase in fear of crime, which is contrary to Cheltenham Bourough Council Local Planning policy to grant approval if it creates these problems. See Appendix A below.

2. Objections based upon PLANNING HISTORY

- a. Woodlands area was developed from a green field Woodlands site specifically for housing generation and the local facility buildings were sited in Salisbury avenue which is the centre of the residential area for shops and other services. This is where the current operations are undertaken and are next to secure play areas and school facilities, which are used by the play Group.
- b. The proposal would detrimentally affect the current environment of neighbourhood by creating a new focal point for traffic, transit operations, services, security and safety issues that the proposed location was not designed for, and in fact does not provide adequate infrastructure or buildings.

3. Objections based upon SITE CONSIDERATION & NEIGHBOURS

- a. In considering the actual site there are a number of objections
 - i. Insufficient land, incorrect building - the site is not purpose built for the propose services and has insufficient secure areas for the children to play (which to provide to required standards would mean obtrusive and visually impacting erection of fencing or barriers)
 - ii. The site does not support easy access or egress for the staff, for which there are inadequate parking facilities (3 parking on site but there are more staff and the proposal to use the owners off site parking is not part of the planning proposal so should not be relied upon, and by its self would change residential parking into commercial parking, requiring its own change of use (and whilst not a planning issue would attract appropriate tax implications for the owner and staff)
- b. Loss of privacy
 - i. The road is small and quiet, and the introduction of the nursery would mean people can enter the site/property and see across the gardens, these can be staff, customers or unwanted suspicious intrusions as the property will have open access to the side.

c. Adequacy of parking/turning

- i. The proposal does not provide adequate parking, turning or access and egress.
- ii. The proposal allows for 3 on site cars which will have difficulty parking so they can turn around and not reverse onto the small road creating hazardous access and egress.
- iii. As can be seen in the current location of the business there is a dedicated car park, but this is totally overwhelmed at drop and pick up times. As this is a residential property there is no such car park, and the only parking facility is for part of the staff. Therefore the narrow street of St Michaels road or the very busy thoroughfare of Woodlands avenue would be the only place for parking. This would create further dangers and hazards for pedestrians and other road users when turning or manouvering.

d. Road access/Highway safety

- i. Due to the insufficient parking the small road of St Michaels avenue will change from a quiet road into a busy car park, where there is not enough curbside for the number of cars to park, or to park safely without blocking the road or causing visibility hazards for other road users or pedestrians.
- ii. Congestion and blockages would prevent emergency services access to the road
- iii. Highway safety would be also be compromised by the lack of parking causing obstructions and reduced visibility at junctions, additional traffic on a small road which has two sharp reduced visibility bends increases the risk of accident for road users and pedestrians alike.

e. Traffic generation

- i. Additional traffic would be generated in St Michaels road and across the already very busy thoroughfare of Woodlands Avenue, which could back up the traffic leaving the main artery into Cheltenham along the Shurdington road.
- ii. This would create traffic disruption to other road users and the local residents
- iii. St Michaels road is both small and has sharp bends and is not suitable for the additional traffic.

f. Noise and disturbance resulting from use

- i. I work from home and my office is at the front of the property and the noise generated by the proposed operations would be a disturbance throughout the whole day and is unwanted.
- ii. The noise generated by staff arriving at unsociable hours, cars doors, cars and engine starting stopping outside the house is also an unwanted intrusion and disturbance for all of the neighbourhood. This would negatively disrupt both my personal life and business life.
- iii. Disturbance would be created to the local area and neighbours from additional traffic, Children noise, operational noise
- iv. There would be an increase in potential for crime due to an empty commercial building when out of hours (see crime prevention officers report appendix A, which infers there will be an increase in this risk by their own report.) This is completely unwelcome to all residents and gives the increase in fear of risk of crime, which is contrary to Planning Policy, see Appendix A for Cheltenhams local plan.

g. Hazardous materials

- i. The proposal would mean the creation of commercial waste being generated on the site, requiring commercial removal with additional issues for collection, access and egress of commercial collection vehicles in a residential setting.
- ii. The commercial waste would also have to be managed with commercial bins and these provide nuisance by potential for fly tipping and unsitely views for neighbouring residential properties
- iii. There is also therefore the potential for disturbance from smells created from the commercial waste generated by the operations, which would not be welcome to the residential setting.

h. Unsociable operating hours

i. The planned opening times would mean staff arriving early and creating disturbance, noise issues for the local house occupants, which would change the quiet housing environment currently enjoyed

i. Potential for weekend use

i. The building would have the potential to be rented out for functions when not in use as a pre school, which would cause constant ongoing disturbance from noise, parking issues, traffic congestion

j. Change of operations

i. There is a potential to increase the number of children and staff, extend opening hours which would also increase the noise, disturbance, hazards for the local residents and further detrimentally impact the character of the neighbourhood.

4. Objections based upon SUROUNDING AREAS

a. The proposal conflicts with the current area use, namely that of housing and changes the environment to a focal point for traffic congestion, road hazards Conflict with the character of the area

b. Better alternate sites available and it correct locations

i. Current pre schools in the area have places available so the area requirement could be taken up by these

ii. It is also noted the current location would be closed thereby reducing the capacity provided by the applicant. If the current facility is retained this negates the need the new proposal

iii. The site is not suitable from many perspectives and more suitable ones are available, at current schools used by the applicant, or in buildings that are designed for this type of use.

iv. It is noted that in the new development over the road from the proposed site will have specifically designed buildings for this type of commercial business and would provide a better facility than an existing bungalow site. This new development would also have specific community areas i.e. shops, doctors, etc. whereas the proposal seeks to create a new one in a residential area that the residents do not want or require

c. I would not choose this location to live in this location if it had a nursery when I purchased the house. I chose the location and house because it is quite residential area, with limited traffic on small road. This would be completely removed by this proposal and change the character of the residential area detrimentally.

d. The proposed local demand for spaces is based upon the submissions Appendix 1 but this has no reference so cannot be relied upon as supporting evidence

e. There are other similar facilities within the area that have vacant places which could support the demand and also negates the main reason for the application.

f. The application notes consultation with the neighbours, however what is not noted is not one is in support of this application.

g. Appendix 2 of the application does not reflect the mix of times that can be taken by the Customers, and therefore is not representative of the true nature of the pick up and drop off times, so is a poor attempt to try and disguise the traffic, noise and disturbance issues that would be created by this proposal is it were operational. There is chaos in the current operational location even with parking for many more cars on hand.

i. During the middle and end of the day there could be up to 18 plus cars trying to park

ii. Operationally there is no way for the Owners to police or enforce the proposed pickup and drop off regime proposed, so this in no way provides a solution to the issues that would be created.

5. Overall this is a very poor attempt to consider the suitability of the location, impact on the local environment, effect on the neighbourhood and its residence and creates further planning and more risk/issue that it purports to manage.

a. The detrimental impact this proposal creates for the local area, residence and change of character without any regard for the property being fit for purpose provides evidence the proposal and application is unsuitable

6. With all of these points taken in consideration the application should be rejected.

APPENDIX A -

Annex A - Planning Policy

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

Development will be permitted only where it would:

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

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

Comments: 21st November 2014

Please refer to the letter emailed to Chloe Smart on 20th November 2014 (attached).

RE: Planning application for change of use at 1 St Michaels Road Cheltenham: Objection Grounds

In respect of the above application the objection is based upon the title deed for the property and associated charges contained therein.

The charges state there should be no use of the land or property that will cause disturbance or nuisance to neighbours or lessen the value of the property of neighbours (refer to a copy of the extract of charge for the land and property in the letter issued as above).

Therefore the proposal is in breach of the charges held in the title deeds, as the proposal will indeed cause nuisance, annoyance and disturbance to the neighbours and myself.

Please therefore reject the planning proposal based upon this planning legal requirement.

5 Hawkswood Road
Cheltenham
Gloucestershire
GL51 3DT

Comments: 6th November 2014

We have lived in the area since 1990 having moved here because of the quiet, unspoilt by noisy schools, location. Although the noise will have a minimal impact on us, it will definitely impact on the more immediate properties and the wider area as a whole, and that is not acceptable. This is a residential area and as such should continue without the disturbance this pre-school nursery will cause. We are short enough of residential property, we should not lose this bungalow to this sort of development.

The property is on the junction of St Michaels Road and Woodlands Road, very close to junctions with Hawkswood Road and the A46 Shurdington Road. This area is already congested during busy times, 07:30 to 09:30 and 15.00 to 18:00 causing queuing traffic past this property. Parking close to junctions or on paths is contrary to the Highway Code, parking on a local resident's driveway is not an option, where are the cars going to stop to drop off and pick up the children? These children are going to be in danger from other road users.

The junction of the Shurdington Road and Woodlands Road has been modified many times by the council/highway agency since we have lived here, due to both minor and near fatal accidents, how is the safety of both residents and nursery users going to be addressed? Parking in this area is already oversubscribed by the local residents, even staggering the picking up and dropping off will raise the risk of accidents for all. This junction is also a pick up and drop off point for the bus collecting children attending Chosen Hill School living at the top of the estate, another road hazard to consider.

Do we really need this nursery? We ask this as in the November 2014 addition of 'The Local Answer' two well established local nurseries are advertising vacancies. They have easy access, safe pick up and drop off areas and parking for parents, very similar to the St Christopher's Hall site the applicant is already using. However if the applicant wishes to expand her business would not a more appropriate option be to secure a building on the proposed 'white land' development site the other side of the A46, which would provide a purpose built nursery and safer environment for all concerned?

Please consider the objections and concerns of local residents when reviewing this application.

We strongly object to this proposal as it is both unsuitable and unsafe.

46 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RR

Comments: 4th November 2014

This change of use will result in excessive congestion and increased numbers of parked vehicles leading to an elevated level of risk of injury and loss of access to properties for owners and service vehicles. The level of traffic and static vehicles in St. Michaels Road is already very high (as it is for the surrounding area), the additional traffic from this change of use will place an unacceptable extra burden on the road system.

44 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RR

Comments: 5th November 2014

I would like to put forward a request to oppose the proposed change of use for 1, St Michaels Road for the following reasons.

1. The location is not suitable for a pre-school and nursery type dwelling.
2. The traffic congestion will cause the area and adjoining junctions to the A46 will become dangerous to other traffic users.
3. The area and junction is not suitable for the extra parking that will occur and will be required.
4. The noise disturbance will increase, so not acceptable.

65 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RP

Comments: 7th December 2014

I write to object against this inappropriate application to change the use of this premises. The objections already raised by other neighbours, have clearly identified sound and compelling reasons not to allow the application.

The premise is a small corner plot, immediately adjacent to established residential properties. The noise generated by placing a nursery there, would hugely diminish the value of the existing properties and deny them any quiet.

Therefore it would deny them reasonable enjoyment of their own properties and a significant loss of privacy. The building is not separated by anything substantial ie trees or large garden that would reduce the noise that they would have to suffer. It has been suggested that the children will be let out in limited numbers. This is a consideration but a) How will this be monitored and maintained for compliance and b) The opening of a window in the (small) premises will allow the sound out anyway.

The location is also inappropriate for the proposed use, due to the insufficient parking that exists already there. It is on the corner of a junction, where care is necessary based on the current regular residential use. To add to the burden in this location would create a hazard for road and pedestrian traffic. The applicant appears to indicate that there will be only two members of staff there. This appears to be surprisingly few, based on the numbers proposed to use the site. If we apply a realistic expectation that there will be additional staff on a part time basis, the number rises markedly, before we even consider the number of customers coming and going.

The applicant has indicated that there will be staggered drop offs to reduce the impact on the parking in the area. This is a positive suggestion but wholly unworkable. Allowing for traffic delays, herding children in the morning and other reasons why we all sometimes leave late for work, there will always be an excuse used to explain why they arrive out of their allotted time. In addition there appears to be no explanation as to how this will be monitored to ensure compliance or any legal basis upon which to ensure allocated times are maintained. Therefore it is unworkable and unenforceable.

Added to the limited parking available already, I have every expectation that parents will make poor parking decisions to make the drop offs when running late or due to congestion. This will compromise the safety of other road users and pedestrians in the vicinity. This is clear now, so to allow this application and let the situation actually occur would be irresponsible.

Finally, I cannot help but notice that a significant majority of those supporting this application do not live in the immediate area, in some cases they are several miles away (with no suggestion they have either been to the location already or would even use it) .

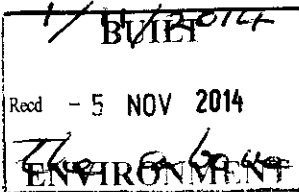
They refer to the need for child care in the area or the reputation of the applicant. Neither of these issues are relevant to this application. The issue is whether this small plot is suitable for use as a nursery, where the noise for neighbours will be significant and the impact of the surrounding traffic will be detrimental.

I do not know what their connection is with the applicant or the business, but they should examine their consciences to see whether they would be so quick to support this application should they live in the immediate vicinity themselves.

In conclusion, the premises is too small and close to other established residential addresses. The noise generated by this particular application would significantly impact upon existing properties and their occupiers. The additional burden on parking would present a hazard to all the road users due to its location.

REF N^o 14/01901/COU

2, St. Michaels Rd.
Warden Hill
Cheltenham. GL51 3RR



Dear Mrs Tracy Crew,

With the regard to ~~The above~~ proposed
to change 1st Michaels Rd from Residential
to Nursery - Pre-school.

My reason for concern as I have
said to the neighbour concerned are
as follow:-

1) Property too small as the grounds
are not big enough for children to
Run/Play/use equipment to develop
skills needed for development as they
grow.

2) Traffic Already parking is an
issue as cars are parked part on the
pavement as left while the drivers
go into town etc: as close to The
Shurdington Road and regular Bus Service

3) Noise Children need to shout and
Play its natural.

4) Busy Roads Very close to Threa

Cont:

2.

busy roads, so safety could
be an issue.

The lady proposing to use the
bungalow for change has said extra
cars will not cause a problem
but having had a family myself
and a Retired Nursery Nurse/Teacher
Assistant dropping off child/children
to Nursery takes longer than 5 mins.
'Upset Child' 'Needing to talk to staff'
etc etc Nurseries with large car
parks have everyday problems
this property doesn't have a
large car Park or even a small
One!!

Yours sincerely

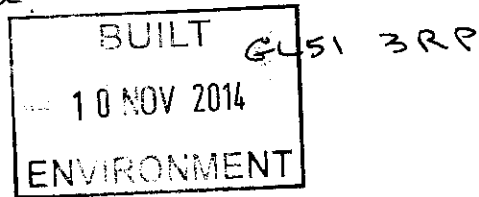
my Telephone N^o

6.11.2014

35 St. Michaels Rd.

Yr Ref 14/01901/cou.

Cheltenham.

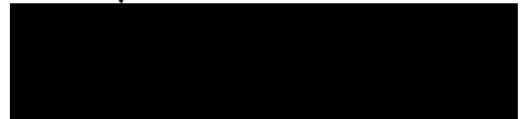


Dear Madam

With reference to the planning Proposal for change of use at 1 St. Michaels Rd to a day nursery / Playgroup I object to this for the following reason
Traffic will increase. St. Michaels Rd is narrow with two dangerous bends either end. Drivers have to be careful as there usually parked cars. Many people drive along this road at speed and as many residents are elderly I feel a nasty accident could occur. Dropping 20 children off will cause chaos

Yours faithfully.

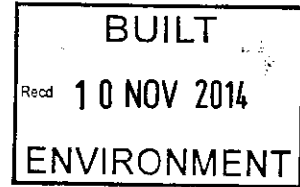
Tracey Crews.
Head of Planning



See attached images from our garden for your reference. I am hoping these will be seen publicly but probably not. I don't know how anybody could suggest that this proposal would not be detrimental to our privacy both visually and acoustically. The requirement for sustainable development within a community does not outweigh the loss of private amenity for others.

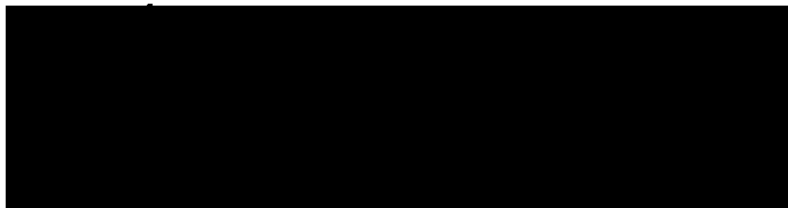


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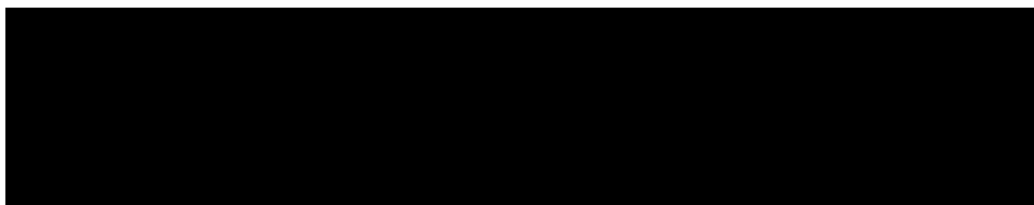
1. St Michael's RoadProposed nursery

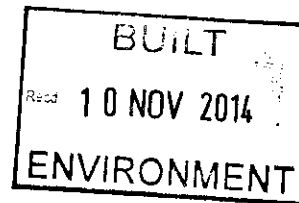
I am for nurseries in general. However this is a dangerous traffic area, and there is a parking issue for parents who may use the nursery. If parking can be controlled and be made safe for traffic and pedestrians using/crossing the road junctions, then I am for the nursery. If parking is a source of danger, I am

Page 103
against the use of this building
for a nursery. ✓



013 Hawkswood Road,
Cheltenham, GL51 3DT





45 St Michaels Road
Woodlands
Cheltenham
GL51 3RP

7 November 2014

PLANNING APPLICATION 14/1901/COU
No 1 St Michaels Rd, Woodlands, Cheltenham
Proposed Nursery School

I WISH TO OBJECT TO THIS PROPOSAL.

1. I object to a change of use from residential to business use.

Mrs. Chapman says in her press release that there won't be major internal alterations, but the site plans show quite a few walls removed to make the play space area.

If the bungalow is sold *'It would probably have to be put back as it was'* If the 'change of use' is granted I would suggest that it could be sold on as business premises either as another nursery facility or 'an other'.

2. I certainly feel it would increase traffic congestion. The side roads, immediate ones, Hawkswood Rd and St Michaels Rd, are narrower than Woodlands Rd. and were not built for current numbers of cars and tradesmen's vehicles. Most, if not all residences, on The Woodlands development **didn't** have garages at initial build stage. They have all been added since.

Staggered Drop off in the mornings is suggested between 8.00 and 9.00, just when locals themselves are trying to get out onto Woodlands Rd thence to the A46 which is generally queued back a considerable distance as are the three roads afore mentioned.

There are also a number of cars parked at the bottom of St Michaels Rd at this time of the day while parents take children through to St James School. They generally face up the road so again will be exiting onto Woodlands Rd adding to residents and business vehicles.

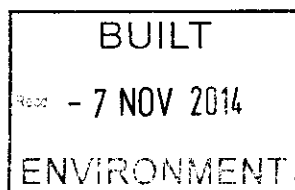
3. I fully support the Play Group at St Christopher's, I was co-founder with a former infant school teacher in the 1960's, but I am **sceptical** that most users would **walk** to St Michaels Rd. The Church car park is generally full; Lincoln Ave, Lichfield Drive and Salisbury Ave are parked, very often on both sides, with cars taking children to Warden Hill School and Play Gp parents then stay parked waiting for admission to the halls. I am sure there would be cars going on from school 'drop off' to No. 1 St Michaels Rd adding to those going earlier with adults going on to work. Which is almost certainly the reason for the 8.00 a.m. start.

4. I am not near enough to be disturbed by noise from the children playing outside, but am sure it would affect closer properties. We can certainly hear play times from all local schools. This is for a limited break time. The Nursery outdoor play would be continuous relays during morning and afternoon sessions.

5. It could almost for sure cause negative impact on the prices of properties in all nearby roads.

Yours faithfully,

A large black rectangular box redacting the signature of the objector.



41 St. Michael's Road,
Cheltenham,
GL51 3RP.

7th November, 2014

Mr Mike Redman,
Cheltenham Borough Council.

Dear Mr Redman,

Proposed change of use from residential
dwelling to pre-school and nursery at
1 St. Michael's Road, Cheltenham.

I'm astonished to learn of the above
proposal. The location is quite unsuitable
being situated on what amounts to a four
way road junction where St. Michael's Road,
Woodlands Road & Hawkwood Road join
Shurdington Road.

Traffic is already very high at peak
times and congestion results from a large

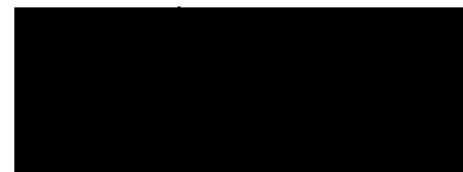
amount of local traffic compounded by
the heavy traffic flow on the A46.

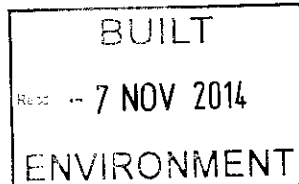
The presence of additional traffic
resulting from children being dropped and
picked up from the proposed nursery would
increase congestion four times each day
at times when traffic flow is close to
its normal peak.

There is also the problem that is
bound to result from excessive car parking
on the local roads that are too
narrow to cope.

This proposal would harm the
locality and should be rejected.

Yours sincerely,





11, WOODLANDS ROAD.
WARDEN HILL
CHZTENHAM.

GR 51 3RS

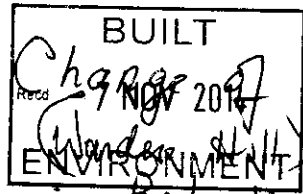
Dear SIR OR MADAM .

SUBJECT - PLANNING PROPOSAL FOR
CHANGE OF USE AT 1, ST MICHAELS RD
WARDEN HILL to a DAY NURSERY/PLAYGROUP.

OBJECTION -

My wife and I strongly
oppose any change of use of this
property. Changing it to a DAY NURSERY
would cause many problems ie traffic
Chaos at peak times of the early
morning and late afternoon. Also cars
parked on to pavements would cause
safety issues. Surely this would not
be a good idea to give permission for
this ridiculous proposal to go ahead.

Yours faithfully



use of 1. St. Michaels Rd
Chatterham

Ref. 14/0101/COU.

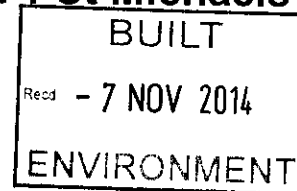
This is not suitable for a Pre/Nursery school. Traffic is very bad at this junction at many times during the day.

Twenty small children at a time can be very noisy in a residential area & we do not think there is enough space outside for a play area. I'm sure they can find a more suitable building/grounds. Think very carefully.

26. WOODLANDS, RD

GL51 3RU.

Planning proposal for change of use at 1 St Michaels Road to a Day Nursery/Playgroup



Dear Resident,

You may or may not be aware that at 1 St Michaels Road, the current property has a planning application in process to convert the residential property into a Nursery/Playgroup for 20 children per session morning and afternoon.

This will have a huge impact to the already high levels of traffic and road congestion in St Michaels Road, Woodlands Road, Hawkswood Road and A46 road junction in the mornings and early evening. These roads are already congested from the local school, playgroup, shops and work traffic at these times of day. Even with the proposed unenforceable staggered drop off/pick up times, and in particular at the peak traffic times, the greatly increased parking within the vicinity, will increase the current noise, traffic, parking congestion already in this area to an unacceptable level.

The Facts:

This proposal **WILL** increase traffic congestion

This proposal **WILL** cause excessive parking in the vicinity

This proposal **WILL** increase noise disturbances

This proposal is likely to have a **NEGATIVE** effect on the value of your property

We have until the 10th November 2014 to view and submit any comments and objections on the Cheltenham Borough Council website. You can also send an email or letter to CBC Planning at their address on the attached letter.

We don't have long, so act now! The more people who object, the greater chance we have of putting a stop to this ridiculous proposal!

5-11-2014

31. St Michaels Rd.
Woodlands
Cheltenham

Glouc. GL51 3RP.

This is a totally ridiculous proposal and I suggest the council view the site which is on a very busy corner close to Sharncliffe road St Michael Rd and Salisbury Avenue which at School times and day times is used as a cut through. There is no room for the cars which will be collecting and dropping off children at the morning. As a resident of 50 yrs who has seen the build up of traffic which can only get worse with all the new builds the proposers should rethink and the council consider the considerable dangers.

Yours faithfully

5 St Michaels Road
Cheltenham
GL51 3RP

20th November 2014

Ms C Smart
Cheltenham Borough Planning Department
Cheltenham

Dear Ms Smart

RE: Planning application for change of use at 1 St Michaels Road Cheltenham – Objection Grounds

In respect of the above application would like to express my further objection to this proposal receiving planning permission.

The grounds for this objection are based in the Title deeds for the property which refer to the Charges Register on the land based upon (extract of title deed)

Title number GR354703

C: Charges register

This register contains any charges and other matters that affect the land.

- 1 (19.05.2011) A Conveyance of the land in this title and other land dated 20 July 1955 made between (1) Hurst & Beamish Limited and (2) Robert Cartwright contains restrictive covenants.

NOTE: Copy filed under GR288909.

- 2 (19.05.2011) REGISTERED CHARGE dated 28 April 2011.
- 3 (19.05.2011) Proprietor: BANK OF SCOTLAND PLC (Scot. Co. Regn. No. SC327000) of Halifax Division, 1 Lovell Park Road, Leeds LS1 1NS.

Which states there should be no use of the land or property that will cause disturbance or nuisance to neighbours or lessen the value of the property of neighbours

(extract of charge for the land and property)

9. The Purchasers to the intent that the covenants hereinafter contained should bind the said land into whosoever hands the same might come and for the benefit and protection of the adjoining and neighbouring lands of the Vendor or any part or parts thereof thereby for themselves and their successors in title covenanted with the Vendor and his successors and also by way of separate covenant with the Commissioners as follows :-

(a) That neither the property thereby conveyed or any part thereof nor any existing or future building thereon or on any part thereof should at any time thereafter be used as or for a place of amusement hotel tavern inn or public house nor should any spirituous or fermented liquors at any time be sold in or upon the same property or any part thereof and that no act deed matter or thing should at any time be done suffered or permitted in or upon the property thereby conveyed or any part thereof which might be or become a nuisance annoyance or disturbance to the Vendor or his successors or which might tend to depreciate or lessen the value of the adjoining and neighbouring property belonging to the Vendor

Therefore they are in breach of the charges held in the title deeds, as the proposal will indeed cause nuisance, annoyance and disturbance to the neighbours and myself.

Please therefore reject the planning proposal based upon this planning legal requirement.

Yours faithfully

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APPLICATION NO: 14/01901/COU		OFFICER: Miss Chloe Smart	
DATE REGISTERED: 17th October 2014		DATE OF EXPIRY : 12th December 2014	
WARD: Warden Hill		PARISH: LECKH	
APPLICANT:	Mrs Justine Chapman		
LOCATION:	1 St Michaels Road, Cheltenham		
PROPOSAL:	Proposed change of use from residential dwelling (C3) to pre-school and nursery (D1)		

ADDITIONAL REPRESENTATIONS

3 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RP

Comments: 8th December 2014

Our original grounds for OBJECTION to the above planning proposal still stand (submitted 17th November 2014).

Despite all previous objections being substantiated and evidenced, we find it hard to have to further back up our objections to a proposal that is not only deemed as an unsuitable location but also potentially unsafe. It has been stated in objectors' comments that we all have a section within our deeds showing that the dwelling should not be changed from residential use. Surely that in itself shows what the vision for the area was and should be upheld.

In response to the applicant's latest revised plans and submission letter we would like to make the following comments:

Prior to the plans being submitted we were invited to go and view the proposal. During the meeting several promises were made regarding conditions to submitting the plans, none of these conditions were referred to in any of the documents submitted to the Council. These included term time only childcare provision with no wish to extend to full nursery style opening hours. The supporting information document attached to the latest applicant's submission clearly states that increasingly playgroups and pre-schools now offer extended childcare and holiday cover. This clearly shows what the potential opening hours could be with no conditions preventing this in the future. We were also told that there would be a condition regarding resale and that the property would not be sold on as a business and that should the applicant wish to sell the property this would need to be returned to a residential dwelling prior to sale. This is not noted anywhere in the original or revised plans. The applicant has quoted that our only concern was that of the effect on the value of our property, we won't deny this has been a worry as after 2 independent valuations we have been told this would have a negative impact. However, we discussed several concerns and issues throughout the process with the applicant as they are aware.

Privacy: By replacing the fence to number 3 Woodlands road and extending it to the length of the garden would increase their privacy but as a result also increase the danger of pulling out on to a busy junction with no clear view of the road and approaching traffic. Building work has already begun at the property by demolishing the garage which has left our property completely exposed.

Regarding the playgroup that is currently run at St Christopher's and that the residents who are directly next to the Church not complaining is a completely different situation. A church and its halls are for the community, built for use for many reasons for the community, not a residential

bungalow. The neighbours surrounding St Christopher's chose to move there and were fully aware of the church and its ongoing facilities for the community when making that decision.

It also states that the nation is encouraging a healthier lifestyle and the facilities need to be provided for those walking to the Pre-school. Having put 2 children through childcare, this is usually on route to work; therefore the majority would still drive. Of those that will walk, it states that the Pre-School is not just for the children of Warden Hill but also those hoping to go to St James' or Leckhampton Primary School; of these surely the number walking to the facility would be very low. This also indicates that the catchment area is greater than the immediate vicinity of Warden Hill that was previously quoted.

The concern regarding the commercial waste has merely been moved from adjoining 3 Woodlands Road to the front of the building in full view of our property; again the issue has not been addressed but relocated.

On review of the revised plans as far as we can see the safety element and loss of amenity that local residents are concerned about have not been addressed.

In summary, the applicant has stated that the objections and comments submitted from those living close by to proposed business has been misleading and inaccurate. This is to the contrary; the objections and comments have been submitted by people whose daily lives and properties will be affected and not the words of agents or advisors. It has been insinuated that residents have been purposely mislead, this is not the case. People care about where they live and have shown this by providing their comments and stating facts.

For all the reasons previously provided in our original objection letter and our additional comments above, this remains an inappropriate location for this business.

We continue to OBJECT to this proposal.

7 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RP

Comments: 8th December 2014

Having reviewed the revised proposal and the applicant's response along with the supporting comments, we still feel strongly apposed to the application. In our opinion the Environmental Health's comments echo all of the LOCAL residents concerns.

In the applicant's latest supporting letter, she has made reference to the pre-school at No 1A Everest Road, and states that she feels the environmental health officer has been contradictory in his comments. When you actually look at the plans for 1A Everest Road, it is a very different site in many aspects. The boundaries to neighbouring properties are greater in distance, much larger frontage to allow pickup and drop-offs away from the public highway, a much quieter traffic area, already next to commercial premises, less children and shorter opening times. All the other comments in the applicant's latest letter were to paint a sympathetic picture, but are irrelevant to planning. The proposed site at 1 St. Michaels Road is a much more compact site, in a busier traffic area, much closer to neighbouring properties and would have a far greater impact to local residents than the site at Everest Road !

We feel that the supporters that are not local are merely making character references for the applicant and are not reading on how strongly the neighbours and residents will be affected to this change of use to a playgroup. Would they buy a property right by a playgroup or would they be happy if this were to happen next door to them, I seriously doubt it!! It's very easy to criticize the objectors, when it will have no impact on them. When we were looking to move to the area we

looked at properties that had good local amenities i.e. schools and public transport within a quiet residential area suitable for a family. But we did not want to live next door or on the doorstep to a school. So therefore, we find this application for change of use to a playgroup very upsetting as we have invested a lot of money into developing our property into a lovely family home and the change of use will have a huge impact to not only the value of our home, but also to a quiet residential area

If the residents are stating in their objections/distributed letter false or misleading information, then why is it the Environmental Health are backing up the residents concerns in regards to loss of amenity, traffic, noise, privacy and recommend that this application be refused!

It has been stated 'This is not an application of convenience, this is an application to provide a service to OUR community'. Surely us LOCAL residents are part of that community. The applicants know they do not have the LOCAL residents' support but continue to pursue this application regardless and wrongly inform the public that a campaign to object has been made towards this application. The residents have merely acted as a community and have supported each other in their objections to something they don't agree with. We think it's a great shame that the applicant hasn't taken this into account and looked at a more suitable site that will not affect local residents and therefore will be a welcomed playgroup by all.

A number of supporters of the application, along with the applicant have mentioned their disapproval of the leaflet that was distributed. In our opinion this was a good thing, as only the neighbours who live 2 doors either side of the site received letters from the council notifying them of this application. For most of the residents, this was the first they would have heard about this proposal, and without the leaflet would not have known anything about it, until it was too late to do anything about it. To imply that the residents then objected based on this information is not only misleading but insulting to think that we residents cannot make an informed choice ourselves, without looking into the application details first and not on first hand information put through the door! The residents are within their rights to object. IT IS OUR LEGAL RIGHT TO OBJECT IF WE WISH TOO. We too have consulted estate agents, and we were told it probably would reduce the value of our home, so as far as we can see, the leaflet was fair and accurate.

We stand by our objection to this proposal, and strongly urge the council to refuse this application.

30 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RR

Comments: 8th December 2014

I have looked at the revised plans for the building. However this does not address the problem of parking for dropping off and picking up. The bungalow is on an already busy road junction. There are vehicles parked in St Michaels and Woodlands Road. This will only be compounded by more vehicles especially during the morning. I think a pre school facility is a good thing but this particular venture is in the wrong place.

5 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RP

Comments: 8th December 2014

In relation to the amended proposed planning change of use for 1 St Michaels Road I wish to express my continued formal objection to this application.

The main points of objection have not been addressed by this re-submission and merely created new issue or moved the same issues to different location without addressing the route cause.

Therefore I would confirm the items raised in my previous objection are still to be maintained as part of this objection to the revision plus the following comments:-

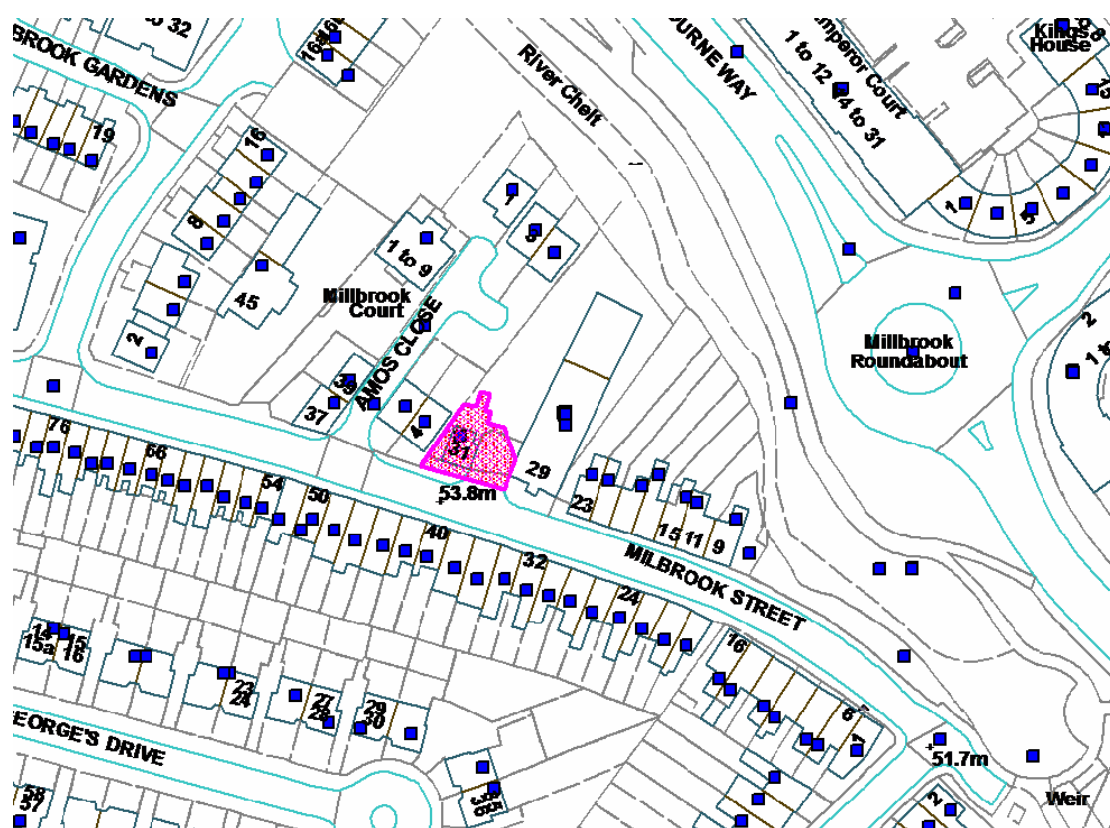
1. The requirement for the facility is matched by the current services located and offered in the area, which are regularly advertising spaces available, which negates the alleged demand. This may not be a direct point of planning but the grounds are false.
2. There are and have been more suitable location and infrastructures made available but the proposer has chosen not to consider them, a location in nearby primary school should not be dismissed.
3. There is no reference to the breach of title deeds or why the Applicant can ignore this, when it is binding on all of us in this area.
4. The proposed alleyway and gates creates more security risks and allows unwanted intrusions that can be harder to detect and the higher fence creates a better shield for concealment. By Cheltenham's own planning policy
 - a. Cheltenham Borough Council's Local Plan which contains Policy CP4: 'Development will be permitted only where it would: not, by nature of its size, location, layout or design to give rise to crime or the significant fear of crime. '
 - b. The border to No3 St Michaels road is not addressed and leaves an open aspect where unwanted intrusions can easily be made across the back of the adjoining houses, and creates easy access and egress or crime.
5. The addition of the 1.8m high hedge removes the open aspect to the area and will make the property stand out detrimentally in the current area compared to all of the other similar properties. This further demonstrates this residential location is not suitable for this type of operations.
6. The bins have been moved but this does not address the environmental and tipping risks, it merely moves the problem across No 3 Woodlands and No 3 St Michaels Road, and puts the commercial bins in open view.
7. Nothing has been done to consider the noise from operations and of the significant drop off and pick up, nuisance and noise that would be created at unsociable hours.
8. The parking issues have not been addressed further for on or off site. It is noted that the Applicants have made reference to building works creating more congestion, however this is not the case as several households use the road to park personal vehicles as they are quite entitled to do.

Therefore again based upon planning grounds alone, the main objections are the detrimental effect this proposal would have upon the residential amenity, surrounding area, neighbours, environment, road users/highways safety and pedestrians in relation to noise of operations, disruption and disturbance to neighbours lives, intrusion and loss of privacy, and creation of a security/crime risk.

The quiet, private and safe character of the neighbourhood would be detrimentally affected and be opened to a new intrusion in amongst a wholly residential setting.
Therefore the proposal should be refused.

APPLICATION NO: 14/01956/FUL	OFFICER: Miss Chloe Smart
DATE REGISTERED: 29th October 2014	DATE OF EXPIRY: 24th December 2014
WARD: St Peters	PARISH:
APPLICANT:	Millbrook Street Builders
AGENT:	Stanley Partnership Architects
LOCATION:	29 - 31 Millbrook Street, Cheltenham
PROPOSAL:	Conversion of 2no. B1 commercial offices to 2.no flats

RECOMMENDATION: Recommendation at Committee



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a three storey building which was approved as part of a 2011 planning application (ref: 11/00945/FUL) for a revised scheme for the front block to provide 2.no one bedroom and 2.no two bedroom flats and commercial unit at ground floor.
- 1.2 The current application seeks permission to allow the change of use of the two ground floor units from commercial units to 2.no residential flats. The building is in situ, although the commercial use has not been implemented by the applicant.
- 1.3 The application is before planning committee following a request from Councillor Rawson, who has raised concerns regarding the adverse impact of the proposal on parking.
- 1.4 Officers have raised concern over the level of detail submitted in relation to the marketing of the site given the requirements of local plan policy EM2. The applicant intends to submit additional information in respect of this and therefore the full officer report and recommendation will follow once this information has been received.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Honeybourne Line
Landfill Sites boundary
Residents Associations
Smoke Control Order

Relevant Planning History:

07/00616/FUL 20th August 2007 REF

Construction of 8 x one-bed flats, 6 x two-bed flats, 183 sq.m of commercial space including 14 parking spaces

07/01370/FUL 17th December 2007 PER

Construction of 8 x one-bed flats, 6 x two-bed flats, 183 sq.m of commercial space including 14 parking spaces

10/01496/TIME 26th November 2010 PER

Application to extend the time limit for implementation of 07/01370/FUL. Construction of 8 x one-bed flats, 6 x two-bed flats, 183 sq.m of commercial space including 14 parking spaces

11/00945/FUL 15th September 2011 PER

Revised scheme for front block to provide 2x one bedroom and 2x two bedroom flats and commercial unit at ground floor - (revision to approved scheme 10/01496/TIME)

11/01030/CONDIT 15th September 2011 PER

Removal of condition 11 imposed on planning permission reference 10/01496/TIME requiring the dwellings to be constructed in a manner to achieve Code Level 3 in accordance with the Code for Sustainable Homes

12/01552/AMEND 20th November 2012 PAMEND

Amendment to applications 10/01496/TIME and 07/01370/FUL - minor changes to elevation of Block B

12/01554/FUL 19th December 2012 PER

Revised scheme for Block A (frontage building, 4 x 2 bed flats and 183 sqm commercial space) incorporating contrasting brick upper storey (change in shade not in colour); Herringbone brickwork between selected windows on street elevation to echo similar details in gables on nearby properties and changes to rear elevation (Revisions to scheme approved under applications 10/01496/TIME and 11/00945/FUL)

13/00423/DISCON 1st August 2013 DISCHA

Discharge of conditions on Planning Permission 12/01554/FUL revision scheme for block A, and amendment to block B planning permission 12/01552/AMEND

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 4 Safe and sustainable living
CP 7 Design
EM 1 Employment uses
EM 2 Safeguarding of employment land
TP 1 Development and highway safety

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

GCC Highways Planning Liaison Officer

8th December 2014 - The above location is within a predominately residential area, approximately 1 km from Cheltenham Town centre from where access to local leisure and commercial facilities can be found with public transport links to local and national destinations. A previous application resulted in the creation of 4 x 1 bedroom, 8 x 2 bedroom flats and 143 m² of Commercial B 1 floor space with 14 off-road parking spaces. This proposal will result in the change of use of the commercial floor space at ground floor level, to provide an additional 2 x 2 bedroom flats of market housing. This will bring the total number of dwellings on the site to 16 with an off-road parking requirement of 24.

Millbrook Street suffers from a high level of on street parking at the present time, however this is to be expected given that very few dwellings in the street have any on plot parking spaces.

Therefore, there is already a certain level of 'harm' being caused by existing residents and visitors already parking on the carriageway and footway, it must therefore be determined as part of this application whether or not there will be any additional 'harm' created as part of this proposed development, if there is additional harm it must be considered if this 'harm' is severe, in the context of paragraph 32 of the National Planning Policy Frameworks.

The fallback position of site is a B1 office unit, therefore in planning terms trips to and from the office units are already occurring and therefore the offices are already generating a parking demand, it is irrelevant in planning terms that the offices are currently vacant as the fallback position relating to the existing planning permission for the commercial units means that they could be occupied by a business immediately without the need for planning permission.

Therefore, the overall impact of the development must be considered as the impact of the proposed development, the flats, against the extant use of the site, offices. This fallback position requires the provision of at least 5 parking spaces, whilst the proposed change of use will result in a parking demand of less than 4 spaces, albeit at a different time of day. Overall, the highway authority consider that the residential cumulative impact of the development is NOT severe, given the fall back position of the site, as the existing use in planning terms is already generating a certain level of parking demand and vehicle trip generation.

I refer to the above planning application received on 21 St November 2014 with Plan Nos: 1270(SK)001, 1270(EX)001, application form and supporting documentation. I recommend that no objection be raised on highway grounds.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	21
Total comments received	7
Number of objections	7
Number of supporting	0
General comment	0

5.1 Twenty one letters have been sent to neighbouring properties and seven responses have been received raising an objection to the proposal. A petition has also been submitted with 52 signatures.

5.2 Summary of comments received;

- Highway and pedestrian safety
- Parking issues within the area
- Original development included commercial due to the previous commercial use
- Level of marketing of commercial units

6. OFFICER COMMENTS

Officer comments and recommendation will follow as an update.

APPLICATION NO: 14/01956/FUL		OFFICER: Miss Chloe Smart
DATE REGISTERED: 29th October 2014		DATE OF EXPIRY : 24th December 2014
WARD: St Peters		PARISH:
APPLICANT:	Millbrook Street Builders	
LOCATION:	29 - 31 Millbrook Street, Cheltenham	
PROPOSAL:	Conversion of 2no. B1 commercial offices to 2.no flats	

REPRESENTATIONS

Number of contributors	7
Number of objections	7
Number of representations	0
Number of supporting	0

46 Millbrook Street
Cheltenham
Gloucestershire
GL50 3RP

Comments: 18th November 2014

1. As long term residents in Millbrook Street we have always had major concerns and issues about the parking in Millbrook Street. With this proposal of two two bedroomed flats we could be faced with the likelihood of another increase in parking. We were assured originally that there would be sufficient parking within the site for all the flats and the commercial units would use the street during the day so parking at night would not be affected. However a resident was told by a resident of Riverside Court that they knew of more than one flat using Millbrook Street for additional parking. We have definitely been misled.

2. In our opinion the bottom units were never intended for use as commercial units by the builder as they were fitted out as residential flats upon completion (just look through the windows!). And yet on the proposal to the Council for the change of usage the builder states that the work has not already started (when it clearly had, again, by looking through the windows).

3. We are sure that the majority of residents would have been happy with the plan of continuing with a row of terraced houses on the site and a new small Close like Amos Close, but commercial units were a stipulation. To build this "out of character" block in such a small street is appalling re privacy, size, parking, etc, and in every way. We have noted that objections to the height of houses proposed on the St Benedict's site by residents have been listened to and the plans have been changed.

4. What business was ever going to think it could succeed in a residential street like Millbrook Street even if it did not require passing trade.

5. It is always Millbrook Street that over the years that has come off badly with planning, traffic control, and general upkeep. The surrounding streets seem to be generally well maintained with new road and pavement surfaces, residents parking and traffic management etc. But Millbrook Street is left to deteriorate, become a rat run, and have monstrosities plonked in the middle of it against residents wishes. We appreciate that the horse has already bolted in this case but parking is a continual very serious issue. We put our trust in councillors and planning officers and

Councillor Rawson has been helpful in the past with street cleaning which we all appreciate (it needs doing again).

6. Why should we the residents continually struggle with this issue of parking and safety which never improves but only gets worse in Millbrook Street? The council have a duty of care to their residents to provide a safe environment to live in and Millbrook Street is becoming more and more dangerous for residents, pedestrians (who mostly walk in the middle of the road) and motorists which has only been greatly exacerbated by this development.

7. One final point: "Why were the units built with the doors opening out onto the path?"

30 Millbrook Street
Cheltenham
Gloucestershire
GL50 3RP

Comments: 18th November 2014

Having previously objected to the original planning proposals the fact that I have not been notified by the Borough Planning Dept of this proposal has only confirmed to me the slightly suspect manner in which the whole project has been handled. And whilst this comment may be offensive to some the complete lack of consideration to the existing residents of Millbrook Street has made me view the planning permission(s) in a rather cynical manner. But that said, I know you will only consider the facts:

1. It was always stated that parking would become considerably more difficult and this has now been proved. The allocated 14 spaces for the flats already built does not provide for the ones that are occupied and where these residents have 2 cars, they now park on Millbrook Street in what is an already overloaded area in regards to parking. I find it difficult on a regular basis to park near my home and sometimes not even in the Street.

2. Pedestrian traffic usually walk in the road itself, especially if they have pushchairs or prams because of the amount of cars parked on the pavement. I am aware that some residents which young children have indeed been unable to leave their own houses with pushchairs/prams due to being blocked in by cars parked next to their front door.

3. Cars regularly park half on the road and half on the pavement and when/if the proposals that Martin Horwood is proposing with his Private Members' Bill which will be returning to the House of Commons in January 2015 come into force where will these legitimate residents park their cars? Bringing in permit parking will not alleviate the situation as there are not enough spaces for the residents let alone any new ones generated by the Riverside Apartment.

4. I regularly witness the difficulty amenity and delivery lorries drivers experience accessing the street and it is almost impossible for delivery lorries to access the Riverside Apartments due to the current parking creating limited and restricted manoeuvrability.

5. In the case of any potential emergency in the street or with individual residents requiring the emergency services it would be extremely difficult for them to gain access and there is absolutely no way they could park to fulfil their duties.

6. It states on item 3 of the planning proposal 'Has the building, work or change of use already started?' - no it hasn't already started - it is finished. Kitchen, bathroom, bedroom fitments are already in place, as the Planning Committee or a representative would have seen if they had been to view the premises subject to their viewing the proposal. I note the application has the 'No' box crossed which has only confirmed my cynicism in the opening remark.

7. The building is set exactly to the boundary line which means the doors, which are not set back, and the windows open onto the street, creating what could be a potential hazard for anyone passing. This would not be the case if the building had been set back even 2 feet from the boundary line.

8. Grounds for objection include visual impact and whilst the quality of the build is not an issue, indeed the flats at the back near the river are very attractive even if not in keeping with the surrounding houses. The building which this proposal adheres to sticks out like a sore thumb, is not in keeping with the surrounding area which are terraced and semi-detached houses, rather as if a child has build a tower of lego bricks and randomly placed it somewhere!

9. To state that there has been no interest in the 'low key' marketing of these premises for commercial use only confirms to me what I know was the original concept of keeping the build to 14 flats so as not have to pass any over to housing association organisations. I have not seen any advertisements offering them as commercial premises and have never seen a board on the premises to indicate this either.

17 Millbrook Street
Cheltenham
Gloucestershire
GL50 3RR

Comments: 17th November 2014

I object to the proposed change of use on the following grounds:

1) Parking on Millbrook Street is already woefully inadequate, necessitating vehicles being parked on the pavement on the Northern side, and even with this measure there is a severe shortage particularly in the evenings when residents are at home. The addition of a further 2 households will worsen an already unacceptable situation.

2) Planning permission for the original development was explicitly conditional on the commercial usage aspect because the previous site usage was commercial.

3) The planning form submitted contains material inaccuracies - specifically in section 3 it states that the work has not already started. However it is clearly visible by looking in through the windows on the street that the development already matches that shown in the "PROPOSED" drawing.

4) The covering letter states the reason for the application being that the applicants have had no success marketing the commercial units. However the evidence they themselves have provided in support of this states that the agents were requested to employ "low key" marketing. This is borne out by the lack of any advertising of the units on the street. Indeed it is hard to see how any interest could have been generated in these properties as commercial units given that they have been built from the outset in the format of residential units.

In view of the parking problems and the lack of good faith evidenced by the applicants in this application I would urge you to reject the application.

32 Millbrook Street
Cheltenham
Gloucestershire
GL50 3RP

Comments: 17th November 2014

There has been a huge increase in the volume of vehicles parked on Millbrook Street, following the building of the new flats. Any addition to this will only make things worse.

We strongly object to this application, and believe that it was always the builders plan to develop the commercial units into residential homes.

40 Millbrook Street
Cheltenham
Gloucestershire
GL50 3RP

Comments: 14th November 2014

I have been living in number 40 since May 2014, before the initial residents moved into the new flats. I have noticed a massive increase in the number of cars now parking on Millbrook Street, so much so that there have been times when it has been almost impossible to find a space on the street at all!

Adding two additional flats to this already busy street will only make matters worse.

I have since heard from people who worked on the development that there was never any intention of making these into commercial properties. I have been led to believe it was merely a way of getting around the need to supply social housing due to the number of properties they were building.

I strongly object to additional properties on the street due to the current parking situation unless something is done to help ease the current congestion.

38 Millbrook Street
Cheltenham
Gloucestershire
GL50 3RP

Comments: 11th November 2014

We would like to raise our concerns regarding the development on the site of 29-31 Millbrook Street Cheltenham, having recently received a correspondence from Cheltenham Borough Council regarding the proposed conversion of 2no. B1 commercial offices to 2.no flat at 29-31 Millbrook Street Cheltenham Gloucestershire" dated 29th October 2014, reference 14/01956/FUL.

As we understand it, any objections made to the planning department can only relate to:

- Noise or disturbance from the use (not from the construction work itself)
- Traffic
- Visual impact
- Privacy
- Amenity

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However we have major concerns with Elmstone Builders Ltd's underhand tactics and complete disregard for correct planning procedures. For example, the "2no. B1 commercial offices" were never built. They have been flats from day one, with kitchens, bathrooms, built-in wardrobes, carpets etc. installed from the start. We feel this makes a complete mockery of the whole system.

As we are sure you are fully aware, being our local councillors, there is already a huge parking problem in Millbrook Street which has become considerably worse since the completion of the flats. This problem is exacerbated in the evenings when people return home from work. If approval is granted for 2 additional two-bed flats, this problem is only going to get a lot worse. We have ourselves witnessed elderly people and people in wheelchairs having to walk/wheel down the middle of the road due to vehicles being parked on the pavement in front of the flats. There has also been increased damage to vehicles, for example wing mirrors being knocked off as vehicles struggle to squeeze through the narrow gap.

This also causes problems for delivery lorries, dustmen etc. and could seriously hinder emergency services.

I recently spoke to a resident of the River Court apartments who openly admitted to parking on the pavement of Millbrook Street due to there not being enough parking spaces on the site. She also informed me that there are 8 cars between 4 flats that she is aware of. Please bear in mind that not all flats are yet occupied and this problem will get much worse once they are; this is without taking into account the proposed "conversion" to 2 x two-bed flats.

The "commercial units" were not allocated any on-site parking and would have had to park on the street; this would not have been such a problem in the daytime as most residents are out at work. Amongst the Planning Application Documents, we noticed that Elmstone Builders Ltd have included letters from Charterhouse claiming that there has been little or no interest in the commercial units. However, as these have never been commercial units, nor advertised as such, this is not surprising. Not only does this show how far they are prepared to stoop and deceive to achieve their aim, but also shows complete contempt for the Planning Department.

We hope you will give our concerns the attention they deserve.

We look forward to receiving your response.

Comments: 19th November 2014

Petition attached.

36 Millbrook Street
Cheltenham
Gloucestershire
GL50 3RP

Comments: 19th November 2014

I have not received a letter from the Council regarding the above proposal but was provided with a copy from my neighbour on 13th November.

I wish to raise my concerns regarding the above proposal.

I live directly opposite the flats and note that the number of cars parked in the street has increased considerably, with many residents from the flats parking here too. It has always been difficult to park and made busier by people (non residents) who park their cars here before heading to work or into town. With cars parked on the pavement outside the flats, many pedestrians walk in the road.

In the summer I observed that an emergency vehicle could not get through as there was a large van parked on the pavement opposite, along with the vehicles parked on this side of the street. It had to turn back. Large delivery vehicles are just about getting through. I have had to check my vehicle a few times fearing that vehicles may have damaged my car.

I have also observed that the dustcart struggles to get through this part of the street.

There needs to be a solution for the residents of Millbrook Street to actually be able to park our cars and without fear of damage.

I note that the following conditions have not been observed by the builders:

11/00945/FUL - Planning Conditions.

22. Commercial Space

Area designated for B1 use is to be prepared as approved (Used only for B1 use).

Area designated for B1 use is to be completed, before the first residence is occupied.

The two units in question have not been built as commercial units so I am not surprised that there has been no interest in them as commercial units. I am able to look through the windows and they have clearly been built as residential flats with kitchens, bathrooms, built-in wardrobes, carpets.

I hope you will consider my objection as I fear that this part of the street is becoming very dangerous for both drivers and pedestrians.

PETITION - Planning Application Objection

Page 125

Conversion of 2 B1 commercial offices to 2 flats
at 29-31 Millbrook Street, Cheltenham

We, the undersigned, object to planning application number **14/01956/FUL** on the following grounds:

Should the conversion be approved, it would cause further significant parking issues, particularly in the evening.

The additional vehicles parked on the road/pavement will seriously impede the safe flow of traffic, cause increased access issues for refuse/delivery lorries and could obstruct emergency vehicles.

Name	Address	Signature
	38 Millbrook Street, Cheltenham, GL50 3RP	
	38 Millbrook Street, Cheltenham, GL50 3RP	
	APARTMENT 14, RIVERCOURT APARTMENTS. ^{GL50 3QA}	
	APARTMENT 14, RIVERCOURT APARTMENTS. ^{GL50 3QA}	
	FLAT 11, RIVERCOURT APARTMENTS, ^{GL50 3QA}	
	FLAT 13, RIVERCOURT ^{GL50 3QA}	
	44, MILLBROOK ST.	
	46, Millbrook St.	
	46 Millbrook St	
	50 MILLBROOK STREET	
	60 Millbrook street	
	68 MILLBROOK STREET	
	76 MILLBROOK STREET	
	78 MILLBROOK STREET	
	88 Millbrook Street	
	94 Millbrook Street	
	36 Millbrook Street	
	20 Millbrook Street	
	20 Millbrook St	
	18 Millbrook St	
	14 Millbrook St	
	12 Millbrook St.	
	10 millbrook street	

Petition Organiser

38 Millbrook Street, Cheltenham, GL50 3RP

PETITION - Planning Application Objection

Page 126 Conversion of 2 B1 commercial offices to 2 flats at 29-31 Millbrook Street, Cheltenham

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Name	Address	Signature
	58. MILLBROOK STREET, CHELTENHAM	
	1 ST. LOSTAN TGS CHELTENHAM	
	11 MILLBROOK STREET, CHELTENHAM	
	19 MILLBROOK ST, CHELTENHAM	
	19 MILLBROOK ST CHELT	
	4 AMOS CLOSE MILLBROOK STREET CHELT	
	4 AMOS CLOSE MILLBROOK STREET CHELT	
	4 AMOS CLOSE MILLBROOK STREET	
	30 MILLBROOK ST	
	28. MILLBROOK STREET	
	28 MILLBROOK STREET	
	5 AMOS CLOSE	
	5 AMOS CLOSE	
	5 AMOS CLOSE	
	3 AMOS CLOSE	
	3 AMOS CLOSE	
	40 MILLBROOK STREET,	
	" "	
	32 MILLBROOK STREET	
	32 MILLBROOK STREET	
	44 MILLBROOK STREET	
	44 MILLBROOK ST,	
	15 Millbrook St	

14/01956/FUL on the following grounds:

ing.

Additional vehicles parked on the road/pavement will seriously impede the safe flow of traffic, cause increased access or refuse/delivery lorries and could obstruct emergency vehicles.

[illegible]

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