



CHEL滕HAM BOROUGH COUNCIL

Notice of a meeting of Planning Committee

Thursday, 16 February 2017

6.00 pm

Council Chamber - Municipal Offices

Membership	
Councillors:	Garth Barnes (Chair), Bernard Fisher (Vice-Chair), Paul Baker, Mike Collins, Colin Hay, Karl Hobley, Adam Lillywhite, Helena McCloskey, Chris Nelson, Tony Oliver, Louis Savage, Diggory Seacome, Klara Sudbury, Pat Thornton and Simon Wheeler

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 7 - 16)
- 6. PLANNING/LISTED BUILDING/CONSERVATION AREA CONSENT/ADVERTISEMENT APPLICATIONS,
APPLICATIONS FOR LAWFUL DEVELOPMENT
CERTIFICATE AND TREE RELATED APPLICATIONS –
SEE MAIN SCHEDULE**
 - a) **16/01755/FUL Land at Manor Farm** (Pages 17 - 44)
 - b) **16/01812/FUL Kohler Mira Ltd, Cromwell Road** (Pages 45 - 62)
 - c) **16/01994/FUL 53 St George's Drive** (Pages 63 - 80)
 - d) **16/02132/FUL Municipal Offices (war memorial)** (Pages 81 - 86)
 - e) **17/00017/FUL & LBC Shoreline Cottage, Back Montpellier Terrace** (Pages 87 - 96)

**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

19th January 2017

Present:

Members (15)

Councillors Barnes, Chair (GB); Fisher, Vice-Chair (BF); Baker (PB); Collins (MC); Hobley (KH); Lillywhite (AL); McCloskey (HM); Nelson (CN); Oliver (TO); Savage (LS); Seacome (DS); Sudbury (KS); Thornton (PT); Wheeler (SW).

Substitutes: Councillor Paul McCloskey (PM)

In attendance: Councillor Mason.

Officers

Tracey Crews, Director of Planning (TC)

Martin Chandler, Team Leader, Development Management (MC)

Emma Pickernell, Senior Planning Officer (EP)

Nick Jonathan, Legal Officer (NJ)

1. Apologies

Councillor Colin Hay.

2. Declarations of interest

None.

3. Declarations of independent site visits

Councillor Paul McCloskey, as a late substitute, did not attend Planning View but has visited both sites independently.

4. Public Questions

None.

5. Minutes of last meeting

Resolved, that the minutes of the meeting held on 15th December 2016 be approved and signed as a correct record with the following correction:

2. Declaration of interest

16/01909/FUL 53 Beeches Road

Councillor McCloskey – ~~is a resident of Beeches Road~~ is a close neighbour of the only objector. Will leave the Chamber.

6. Planning applications

Application Number:	16/01756/CONDIT
Location:	Travis Perkins Brook Road Cheltenham
Proposal:	Variation of Conditions 11 (Servicing Hours) and 13 (Trading Hours) of 16/01446/CONDIT to allow extended opening hours (revised hours proposed - see revised covering letter)
View:	Yes
Officer Recommendation:	Permit
Committee Decision:	Refuse
Letters of Rep:	6
Update Report:	None

EP introduced the application as above, to vary the hours of business as previously permitted, to allow deliveries between 9.00 and 17.00 on Saturdays and Sundays, and open to customers between 7.00 and 17.30 on Saturdays and 10.00 and 18.00 on Sundays. Highways officers have provided additional information and raise no objection. Officers consider the impact on neighbouring properties will be acceptable, and have no objection. The application is at Committee as the request of Councillor Willingham.

Public Speaking

Mr Christopher Rainey, neighbour, in objection

Began by asking what is the benefit this development has given to the community. It removed an eyesore on the site, as the previous factory building had fallen into disrepair and given rise to many problems including squatting and vandalism. Travis Perkins traded for many years at Gloucester Road without extending the hours to Saturday afternoon or Sunday. As it provides building materials to the trade, extending hours when this key client group is not at work seems foolhardy, but if hours had been extended at Gloucester Road – a broad, tree-lined road with houses almost 100 yards away, and site entrances and exits onto the main road – the impact on local residents would have been minimal. This is not the case with the new site, with its main entrance on a small residential side road. Brook Road residents have endured an extremely intrusive building programme – heavy excavating machinery and a ceaseless stream of large delivery vehicles – but believed this disturbance was temporary. This has not been the case. Noise and vibration from large articulated lorries continues, and may increase the possibility of subsidence and structural damage in the future. Residents had expected to endure lorries and vans during the working week, but to contend with this at weekends is intolerable. It's true that this is a highly developed area, with a retail park opposite, but its entrance is not in close proximity to houses, and Sunday hours are strictly observed. If the application is permitted, the increase in traffic and footfall will produce a noticeable incursion into the social and community life of the street – loss of residents' parking spaces, children unable to play in the street, the elderly needing to be constantly vigilant when leaving their homes – together with the risk to health of increased pollution and loss of amenity for all residents. Realises that the Council has to consider commercial interests, but urges Members to take into account the social impact as well.

Mr Adam Cornish, agent, in support

Travis Perkins's priority is to be a good neighbour both to residents and competitors, and there is much recent evidence of them developing, redeveloping and occupying mixed used sites with residential apartments. Regarding highways information, the previous permission had no restrictions on opening and delivery hours, though these were restricted by two conditions. Travis Perkins has since found the need to extend operations at the weekend. Information submitted by highways officers demonstrates that there would be fewer vehicle trips at the weekend than during the week, with just four HGV movements on each of Saturday and Sunday – this is deemed a negligible impact. There have been no recorded collisions at the site or adjacent junction in the past five years, and highways officers have concluded that extended opening hours will not impact on the safe operation of the highway network. Regarding lay-out of the site, several mitigation tactics have been used to ensure impact on neighbours and the highway is kept to a minimum.

The site access has been relocated closer to the Tewkesbury Road junction, so only one or two houses and a small section of Brook Road are affected by vehicles accessing the site. The layout in the site has been designed to take HGVs away from residential properties to loading bays at the far end of the site, over 100m from the nearest houses. All other vehicles travel through an internal roadway housed within the building and hidden from view where loading and general activity takes place. Finally, the extended opening hours are required to allow Travis Perkins to provide better customer service, largely for the average person to visit the showroom element on offer, and most likely to be arriving in a family car.

Councillor Willingham, ward councillor, in objection

There are clear planning reasons to refuse this application, primarily to safeguard the amenity of residents in accordance with Local Policy CP4. If conditions to protect neighbours were needed when the business first relocated to Tewkesbury Road, they are still needed now; this is a cynical manipulation and abuse of the planning process – submit a more restrictive planning application, thus misleading residents; get permission with tight controls; sell the former site and start trading; then apply to extend hours regardless of residents' needs. This is an application which puts excessive corporate profit before people. From the representations, it is clear that the site already causes problems for neighbours - noise, parking, damage to vehicles, light pollution. Extending the hours will exacerbate that harm, and be detrimental to the community. It is therefore reasonable and proportionate to refuse, and prevent any further extension of hours.

This community has been neglected by CBC for decades, which has given rise to distrust and residents seeing no point in complaining and 'the Council won't listen'. Given to socio-economic demographic of the area, and the perception that their views don't count, six objections from local residents is a lot – in another area, there would have been far more.

The question is why vehicles were allowed to exit onto Brook Road in the first place, and two-way HGV traffic 'encouraged' on a residential street. Why wasn't access via Tewkesbury Road? The highways team failed here.

Questioned whether the officer report is legally unsound with regard to its interpretation of the Human Rights Act in relation to this case: there is one representation from the parents of a child with autism, which is recognised as a disability, and a Public Sector Equality Duty should have been complete, but no autism aware assessment by a suitably qualified individual has been produced, and in this, the report has demonstrably failed.

We are often left to wonder at and lament the rise of populist politicians of extreme left and right, but when people feel that moderate politicians are failing them, they will wonder why they vote for them? What message will permission give to this community, when moderate politicians actively ignore their concerns? This application should be refused.

Member debate

HM: has concerns about the amenity of the neighbourhood if the hours are extended by this application. Noted in a submission from the applicant and also in the officer report that the hours requested are already in use at a Travis Perkins site in Maldon, Essex, but having looked at Google can see that this site is not in a residential area but in an industrial estate with no houses nearby. If Members are minded to approve this application, would like to insert two conditions: in the noise assessment report submitted by the applicants themselves, they acknowledge the importance of reducing noise impact – this should be followed up; and secondly, Travis Perkins management must introduce procedures to reduce the noise on site from slammed doors, shouting and other unnecessary noise.

PB: has two questions. The report referred to the neighbour suffering from autism, so can officers respond to Councillor Willingham's comment on this? Secondly, do Members have to consider the proposal as it is or can they propose amendments? Is staggered that within months of opening, a

multi-million pound business feels the need to drastically change its opening hours. Has great sympathy with the local residents; although Travis Perkins is a huge improvement on what was on this site before, a different picture is now emerging. In addition to five days of normal working hours, the company now wants to extend these to seven days. There is no question that the residents will be adversely affected. This site was on the market for years, and Travis Perkins must have investigated it thoroughly before investing, so why did they not request these additional hours at the outset? To say there will only be four additional HGV deliveries at the weekend cannot be true. This is a difficult case, as Travis Perkins is an important employer, but the council must take care of residents of the town. Is uncomfortable with the recommendation, and will move to refuse. The applicant can then come back with hours more in sympathy with the residents living opposite the site 24/7.

PM: like PB, has a lot of experience of the issues at stake here as a result of the Sainsbury's development on Cirencester Road. The application refers to 'opening hours', but what exactly does that mean? If the shop opens at 7.00am, a condition would be needed to make sure that the shutters don't go up at 6.00am. Then there is the issue of light pollution; no-one thought about the lights on all night at Sainsbury's, shining into the bedrooms opposite. And when deliveries are scheduled to start at 7.00am, trucks start to arrive at 6.30am, and stop outside with their engines running. Why is it necessary for deliveries to arrive so early? Why not 9.30am? Is concerned that we are not learning from the experience of previous applications. Doesn't believe this is a new strategic direction, and the residents living in close proximity must be considered. The junction to Tewkesbury Road is busy and dangerous – had a near miss there himself recently – and this is just not the place for this development. The thought of articulated lorries manoeuvring their way around Moors Road is appalling.

MC: also has reservations about this application. May be over-cynical, but considers such a radical change of hours to be something of an issue here. Regarding the positioning of the HGV entrance, has looked on the map and understands why the entrance can't be straight onto Tewkesbury Road. The human rights section of the report covers a subject dear to his heart – Articles 6 and 8 both apply here. Was this taken into account in the recommendation? If so, by whom? The European Convention on Human Rights is there for a reason – autism is recognised as a disability, and people have the right to family life. A big national company needs to be more sympathetic to the impact of such major changes on its neighbours. Is minded to vote against this, unless convinced otherwise during the debate.

KS: has a number of issues with this, mainly surrounding the impact on residents. The report states that this is a mixed area, and the proposed changes will have only a marginal impact. Considers, however, that the opposite is true: people living here have a lot to put up with with KFC, car dealerships, Homebase, Dunelm across the road – and now Travis Perkins right next door to their homes. Travis Perkins is clearly taking a step away from being simply a builders' merchant; builders don't want to go to Travis Perkins at weekends. The company is moving more in the direction of Homebase, and to have a business such as this with access via a small residential street is not acceptable and gives rise to serious concerns. The report is scant in its consideration of the impact. Environmental Health officers consider the proposed new hours are OK - even though they objected to begin with - but the residents say it is already a nightmare. A DIY/Homebase-type store will bring with it a lot of hustle and bustle. Cannot understand why Travis Perkins would want to open all week and then all weekend too, particularly on Sundays. Finds it really difficult to understand the recommendation, and will support any move to refuse the application, particularly regarding Sunday opening. Planners and Members should aim for the right development in the right location – which this is not. Families have the right to their private life, to enjoy their environment, letting children out on their bikes etc – this proposal will infringe those rights. Is also worried about the resident mentioned by Councillor Willingham – have officers considered this? It is important to have undisturbed sleep; sleep deprivation can have serious effect on people's lives. We should not approve this application.

PT: much of what she was going to say has already been said, and is grateful to other Members for that. Desperately wants to turn this down. Is sad about this application; was very wary of the

original proposal but residents seemed pleased that something was being done with this site which had been left derelict for 25 years. We were assured that there would be no access from Moors Avenue, but how can this be stopped? We weren't told that vehicles would be going out and coming in through the same entrance. The houses at the end of the road must be inundated with fumes from diesel vans and lorries. Children must be at increased risk – it is absolutely ridiculous. The site could have been built the other way round; shutters opening and closing, the bleeps from delivery trucks and their engines running, all is heard by local residents and is quite unacceptable and bad enough all week, let alone on Saturdays and Sundays. Cannot understand how Travis Perkins can claim to be user-friendly. It must have known it wanted retail hours from the start, yet this is not a retail site. It is just about acceptable for occasional use, but not for people to do their shopping seven days a week. Anyone doing DIY needs materials, and will need to use their car to pick up the materials. Is ashamed to have voted to approve this site when it first came forward. The Travis Perkins store in Maldon which trades during the hours proposed by this current application is very different from Cheltenham. The report talks about the average number of hourly trips, but can't quantify an average re. noise, fumes etc. Sincerely hopes that this application will be rejected.

EP, in response:

- There are not many specific questions to be answered here, but Members need to remember what the application is actually for. Whether this site is appropriate for this type of business is not being considered tonight, as permission for this already exists;
- Several Members have commented about additional noise from deliveries etc early in the morning, but the only additional morning opening hours being requested here are on Sunday – Monday to Saturday hours are already approved;
- The point of access and the way vehicles move through the site was also agreed in the original application, which Members approved;
- HM asked about additional condition re , but would suggest that the points she raises would be better dealt with in informatics rather than conditions, following dialogue between residents and Travis Perkins;
- Regarding HM's suggestion of a noise management plan, officers do not feel this to be necessary, as stated in the report, but if Members consider it essential, it could be added as a condition;
- The other overriding issue concerns the human rights of the neighbour, which NJ will consider.

NJ, in response:

- It is appropriate that officers considered the human rights issue when writing the report, but when this was weighed in the planning balance, it was not considered to carry sufficient weight to warrant a refusal;
- Councillor Willingham has suggested than an autism aware assessment should have been carried out; there is no clarity as to whether or not this was a requirement, but if Members are concerned, they could consider deferral as an option, to give officers the opportunity to look at this in more detail.

MC: is glad NJ has spoken but this leads on to another question: who would be culpable if the application is passed and in contravention of the Human Rights Act - Travis Perkins, the borough council, or a combination of both?

KS: returning to the Sainsbury's application on Cirencester Road, remembers being reassured by officers that deliveries would not be too early, but there were no resources for enforcement of the agreed hours. Residents were given a promise, yet a subsequent application was made to revise the hours even further and problems are on-going. Travis Perkins may behave in a different manner, but would imagine any driver delivering on Saturdays or Sundays would go their own way – if a lorry turns up at 7.30am on a Sunday, who will be there to enforce the hours agreed in the planning permission? Would be more comfortable with no deliveries at all on Saturdays and Sundays. Talking about lessons learnt, this is a key one – that delivery drivers and vehicles cannot be controlled.

PB: would like to move to refuse on Policy CP4. Does not consider a deferral appropriate, but if that does happen and the application comes back later, it will need to address the autism issue.

MJC, in response:

- If Members vote to refuse the application, officers are minded to attach an informative to that refusal that if the application is resubmitted, it should be accompanied by a report on the human rights issue, set out in black and white to ensure that everyone is aware.

MC: who would police deliveries to the site? Used to drive lorries, and his ethos was always to get all his deliveries done as early as possible – sometimes as early as 4.30-5.00am - and get home. Who would make sure that this doesn't happen here if the application is permitted?

GB: is not sure that Members need to carry on with the debate if most of them seem to be minded to refuse the application. The agent is present and has heard all of their concerns about the scheme as proposed.

PM: would just add that it's the first noise of the morning that wakes you up; after that it doesn't matter how much other noise is made.

PT: would also point out that Waitrose freezer lorries sit in Gloucester Road with their engines running, while waiting to deliver to the store. No-one wants lorries parked outside houses, at any time of day but especially early in the morning.

Vote on officer recommendation to permit

0 in support
13 in objection
1 abstention
1 ineligible to vote (late arrival at meeting)

NOT CARRIED

Vote on PB's move to refuse on CP4

13 in support
1 abstention
1 ineligible

MOTION CARRIED - REFUSE

Application Number:	16/01790/FUL
Location:	Cheltenham Ladies College Malvern Road Cheltenham
Proposal:	Erection of 6No. retractable lighting columns to provide illumination of the 'old astro pitch' at Cheltenham Ladies' College Playing Field.
View:	Yes
Officer Recommendation:	Permit
Committee Decision:	Permit
Letters of Rep:	11
	Update Report:
	(i) Officer Comments
	(ii) Additional representation

EP introduced the application as above, to add six retractable floodlights to the existing hockey pitch. These would be 15m high when extended, 3.5m when retracted, with controls on usage – until 7.00pm Monday to Friday, and until 6.00pm on Saturdays. A lighting report was submitted with the application; its findings have been verified and are acceptable. Officers accept that the proposal will have some impact on neighbours, but deem this to be temporary. There are no objections from highways officers. On balance, the application is considered to be acceptable.

Public Speaking

Dr Sally James, neighbour, in objection

Although this proposal will cause personal distress to those living close to the site due to light intrusion to their properties, neighbours are more concerned about the harm to the conservation area brought about by 15m-high floodlights, which will dwarf houses and trees and dominate the skyline. This will have an overwhelmingly negative impact and be quite out of keeping with the conservation area. The NPPF sets out that new development should have positive impact, but there is no public benefit from this application, and the school's undoubted economic success is clearly not dependant on the installation of these floodlights. On the contrary, the proposal will cause harm, and in conditions of mist and drizzle, the light level will be as much as 50 lux. Any need for these lights has not been demonstrated – the school desires them rather than needs them, even though pupils prefer indoor sports to outdoor team-based activity. If hockey was timetabled for the morning, the question could be asked as to why a second pitch is needed at all? In addition to this, there are potential road safety concerns when the floodlights are illuminated, causing bright light and dark shadow to fall between buildings on the adjacent road near the junction. This can be lethal, as the eye takes time to react. With additional traffic from visiting schools, all road users will be at risk from accident and injury. If this application is permitted, in an E2 zone in a conservation area, it will set a new precedent for Cheltenham, and floodlights will be allowed anywhere by referencing this decision. For these reasons, the application must be refused.

Miss Jardine Young, applicant, in support

The subject of this application was first introduced as part of integrated plan for all sport, health and fitness facilities, in November 2015. The floodlighting element of the scheme was subsequently withdrawn before Planning Committee, to allow for the College's lighting consultant to respond to questions from the independent lighting consultant appointed by CBC officers – did not want to put the College's name to an application whose technical specifications were complicated, and for which there was not agreement between two professionals. All elements of the floodlighting scheme, including light spillage, lux factors and the light source, have now been re-examined by council's independent consultant – defers to their expertise on those technical aspects. The question as the need for this application is very important. For over 20 years, CLC has sought additional floodlighting, but thus far not been successful. However, with new technology and an enormous amount of work to demonstrate via the justification statement, the case has hopefully been made more clearly and the evidence stands up to scrutiny. As a girls-only school , have never had pitches for cricket or rugby, and space is finite. If there was a cheaper, easier or more straightforward way to achieve improvement to the health and fitness programme in the school, it would have been promoted before the submission of this application.

Councillor Mason, ward councillor, in objection

Just over a year ago, it was a relief that the tricky issue of floodlighting was withdrawn from the Ladies College application for sports hall. The NPPF states that any application in a conservation area should have a public benefit, but there is none here. The college says there is a need for this facility, but after the sports hall is completed, it will have three hockey pitches to use out of daylight hours. This conservation area currently has a lighting zone level classed as E2, and this issue is not fully explored in the report. PPG Paragraph 13 states that when assessing any application for development which may affect the setting of a heritage asset, LPAs may need to consider the impact of cumulative change, threatening its ongoing conservation. A heritage asset is defined as a building, monument, site, place, area or landscape identified with a degree of significance meriting consideration in planning decisions. The Guidance for Conservation Areas allows the Committee to think about future applications. Normally, whether a school wishes to install floodlights that don't meet the relevant sporting body's minimum standards isn't a planning issue; these floodlights just meet planning requirements but not England Hockey's safety standards of 350 Lux. There is a strong likelihood, therefore, that if this application is permitted, a future application will be made as CLC has a duty of care to ensure a safe playing area. The point here is that as soon as the floodlights applied for today are switched on, the area will no longer be

classed as E2, and even brighter floodlights will be permissible, with far-reaching effects of light pollution on a number of roads. Future applications will not be considered by today's standards.

There is a sense of déjà vu with this application: the previous sports hall application and the application for floodlights at Well Place tennis courts, which back onto residential properties. This was rejected at appeal, with the Inspector stating that after dark, the courts would normally be silent, and activity and noise in consequence of introducing floodlights would cause irritation, disturbance, and possibly domestic difficulties with small children at bedtime. He also said a brightly lit space in close proximity with surrounding houses would have a negative effect on the living conditions of those residents and be contrary to Local Plan Policy CP4. These lights were only 8m high. The precedent of this appeal decision gives grounds for refusal.

CBC has dealt with other applications for floodlighting in residential areas. At Dean Close, where a light level of 2 lux – the level this application will bring - would have hit a neighbouring house, CBC requested the removal of the pitch to reduce the level to 1 lux. Residents in Eldorado Crescent were offered some protection from a previous CLC application from the installation of a bund and the sinking of the pitch below ground level. However, the residents of Christ Church Road are being offered nothing at all.

Member debate

CN: are we certain that the 5 lux limit does not apply to gardens? What lux levels actually apply in gardens? The residents of 17 Christ Church Road have had a conversation with English Hockey regarding new regulations and the minimum light intensity required for play. Can officers comment on that?

KS: Dr James raised the issue of light spillage between buildings. The junction opposite is perilous even during the day. Has this been considered by Highways?

PB: is interested in officer comments on the relevance of the application referred to by Councillor Mason.

EP in response:

- Regarding the 5 lux limit, the issue here is that British Standard advice refers to light falling on properties, while other guidance refers to light falling on windows. Officers looked at appeals round the country, all of which referred to windows, not gardens. The Environmental Health team also refers to windows. Officers are happy with their interpretation;
- Regarding the query about the 350 lux the speaker mentioned, it is understood that the objectors have spoken to England Hockey who informed them that they are currently working on new guidance which may change the recommended lux levels. However, this is not available at present, and the applicants have designed the scheme to meet 300 lux in line with present guidelines. In any event it is not the planning authority's role or requirement to comment on what light level the applicant wants to propose;
- Regarding the light at the junction, there is a paragraph in the blue update including a comment about this from Highways. Officers are happy that the light spillage will have no adverse impact. Neither are they concerned about the impact of coaches;
- Regarding the question about the Lux levels in the garden, with reference to number 17 – 25 lux line clips corner of site, and depends on what part of the garden a person is standing in;
- Regarding the Well Place appeal, this was very different: the site is smaller – a pocket of land between residential properties – and the lights were required until 8.00pm. This would have had an additional impact, and there was a specific reference in that appeal that if a 7.00pm limit had been proposed, this would have been materially different.

BF: this is an application where Members have to make a judgement. They must look at what the application is actually for: floodlighting until 7.00pm. This is not as long as normal street-lighting times, and won't be every night. Has sympathy for the people who live nearby, but the college has been there a very long time, and this is what people get when they live near a sports complex; the

lights at Bournside School sports facility stay on until 10.00pm. One of the representations referred to peregrines and bats in the area; has done some research and learnt that peregrines are surviving better in urban locations than rural, as street lighting enables them to hunt for longer and increase the chance of them having a better diet. Other nocturnal creatures also have a better chance of survival in towns for the same reason. Cheltenham Ladies College is an integral part of the town, and in his opinion, this application is not overly intrusive. On balance, will support the officer recommendation; 7.00pm is not that late, and CLC has done all it can to appease the neighbours. Notes that some trees in the area need to be pollarded, and suggests a taller hedge may help, but this is down to CLC management, not CBC.

KH: agrees with BF. As Committee Members will know, likes listed buildings and conservation areas, and always pays particular attention to any application regarding them, but cannot be persuaded that this application will cause unacceptable harm to the conservation area. The lights are retractable, not there all the time, and both can and will be taken down between use. As BF has said, they will not be used after 7.00pm; has lived and worked near floodlit pitches which are in use much later than this. Cannot think that it will cause any harm to young children's bedtimes. The lights will only be needed for a few months of the year, and cannot see that they will have too much of a negative effect on the living conditions of local residents. Wants to support the endeavour of the applicant in what it is trying to do; it can't be denied that this is an elite school, but this should make no difference. The floodlights will support the pupils and promote sport. Is happy to support it.

CN: does not consider this application quite as black and white as the previous one, and consideration is much more finely balanced. CLC has worked hard at addressing the problems which caused them to withdraw the floodlighting element of the previous application. The retracted masts will be 1m shorter, backspill has been addressed, and buffering to reduce the noise. This is a conservation area, but the conservation officer, environmental health and lighting consultant are all content, and the school is a major asset to the town. All this is on one side of the case, but on the other side, it is clear that the light spillage into neighbouring gardens will be high – and although this may not be shining directly through a window, it is still a lot of light in these gardens. On Planning View it was clear that the loss of amenity will have a big impact on these houses. As ever, there is a balance to be considered between the benefits to the school and to the town – though in this case, there are no public benefits – and the undeniable harm to the unfortunate residents living nearby.

PB: cannot believe that CLC would have spent so much effort and money – for which credit must be given – to get to where we are today with this planning application. They must need this facility; they would not be proposing it otherwise. It is a shame that the facility won't be open to the public although that would of course result in even greater problems for the local residents. CLC contributes greatly to the town, and even though there is no public benefit from this proposal, and the impact should be marginal as by definition, the lights will only be on at night. On balance, as CLC has gone so far to placate the local needs, is happy to support the application.

Vote on officer recommendation to permit

11 in support
1 in objection
3 abstentions
PERMIT

The meeting ended at 7.25pm.

APPLICATION NO: 16/01755/CONDIT	OFFICER: Miss Chloe Smart
DATE REGISTERED: 29th September 2016	DATE OF EXPIRY: 24th November 2016
WARD: Swindon Village	PARTY WALL: Swindon
APPLICANT:	Centaur Homes Ltd
AGENT:	SF Planning Limited
LOCATION:	Land At Manor Farm, Manor Road, Swindon Village
PROPOSAL:	Variation of condition 2 (approved drawings) for application no. 14/01823/FUL to include alterations to fenestration and detailing of dwellings and an amendment to the width of the access road.

RECOMMENDATION: Recommendation at Committee



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site comprises of a parcel of land forming part of Manor Farm, which is located within the Swindon Village Conservation Area.
- 1.2 The site itself is generally hidden from public view from the main village street, known as Church Lane, albeit the site is visible from the churchyard and the adjacent footpath alongside the western boundary of the site.
- 1.3 Planning permission has been approved for two houses and six bungalows which are to be accessed using an existing access road which adjoins Church Lane. As part of this approval, the applicant entered into a legal agreement following the request of the Planning Committee to ensure that the land to the south of the Church and north of the application site remained undeveloped.
- 1.4 The current proposal seeks to vary condition two of this approval, to enable alterations to the proposed access road and some amendments to the design of the approved dwellings.
- 1.5 The application is before Planning Committee following an objection from the Parish Council.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

250 Metre Land Fill Boundary
Conservation Area
Flood Zone 2

Relevant Planning History:

14/00569/PREAPP 28th April 2014 CLO

Residential development on unused area of Manor Farm, 2 no. three bedroom bungalows and 5 no. three bedroom detached houses

81/00961/PF 24th April 1981 PER

Continued use of land for the storage of caravans

83/00947/PF 22nd December 1983 PER

Use of land for storage of caravans. (Renewal)

86/01628/PF 28th October 1986 PER

Use of land for storage of touring caravans. (Renewal)

90/01510/PF 11th October 1990 PER

Use of land for the storage of touring caravans

14/01823/FUL 25th August 2015 OBL106

Erection of 2no. bungalows and 6no. houses

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 4 Safe and sustainable living
CP 7 Design

BE 1 Open space in conservation areas
GE 2 Private green space
GE 6 Trees and development
HS 1 Housing development
RC 6 Play space in residential development
UI 3 Sustainable Drainage Systems
TP 1 Development and highway safety
TP 6 Parking provision in development

Supplementary Planning Guidance/Documents

Development on garden land and infill sites in Cheltenham (2009)
Swindon Village Conservation Area Character Appraisal & Management Plan (February 2007)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

GCC Highways Planning Liaison Officer

23rd January 2017

The application is for the variation of condition 2 the Site Access Arrangement & Visibility as shown on approved site plan W1331150/SK/01H. Amended plan received on 15th December 2016, plan number SK02 revision A, demonstrates suitable forward visibility and the transition from footway to shared service via a ramp, pedestrian provision will be continued a further 2m beyond the ramp, 50m forward visibility has been provided from the passing place to the public highway at Church Road, to which, I raise no highway objection subject to the following condition:

CONDITION

Prior to the occupation of the development hereby permitted, the vehicular access shall be laid out and constructed in accordance with the submitted plan [drawing no.SKO2]

Reason: - To reduce potential highway impact by ensuring that a safe and secure access is laid out and constructed that minimises the conflict between traffic and cyclists and pedestrians in accordance with paragraph 35 of the National Planning Policy Framework.

NOTE:

The proposed development will involve works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing those works.

Statement of Due Regard

Consideration has been given as to whether any inequality and community impact will be created by the transport and highway impacts of the proposed development. It is considered that no inequality is caused to those people who had previously utilised those sections of the existing transport network that are likely to be impacted on by the proposed development.

It is considered that the following protected groups will not be affected by the transport impacts of the proposed development: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, other groups (such as long term unemployed), social-economically deprived groups, community cohesion, and human rights.

Heritage And Conservation

8th November 2016

Analysis of Site: The site is situated within the Swindon Village Conservation Area and within the setting of the grade II* listed St Lawrence's Church.

Comments:

1. The main point that was raised with regards to heritage issues during the original application in 2014 related to the setting of the grade II* listed St Lawrence's Church. This issue was addressed by the provision of a 'Proposed Graveyard Extension' and a scheme for the planting of a new band of trees, which in combination were felt to reduce the impact on the setting of the listed building to an acceptable level.
2. Although the site layout and detailed design of the proposed dwellings were considered to be acceptable, to ensure the success of the scheme, a range of conditions related to conservation and heritage matters were suggested.
3. The revised scheme remains similar in some ways to that which was given permission; however the appearance of the proposed dwellings has been altered by the changes to the fenestration, changes to some doors, alterations to details and the reorientation of chimneys.
4. The alterations to the fenestration, both the placement of the windows as well as their design, are a disappointment. With the original scheme there appeared to be a degree of regularity and symmetry in the placement of the windows, which created a pleasing and welcoming visual impression. This was complemented by the style of the windows, which appeared to be of a sash design. What is now proposed is quite different. The windows in many cases are considerably smaller and of a casement design, and, from the impression given by the elevations, there appears to be little clear rationale behind the window placement and design. Instead of an attractive and open visual impression, the elevations now look 'mean' and in many cases irregular and unconsidered. The reduction in the size of some of the glazed doors further exacerbates this. The overall impression of a welcoming new community, one which could make a positive contribution to the character and appearance of the conservation area has been lost, which is not acceptable.
5. As well as the negative impact of the changes to the fenestration, the removal of external details is also of concern. Architectural details, for example the string course across the front and rear elevations of house type B, that was proposed in the original scheme, are details that make an important contribution to the appearance of a development. The loss of features such as these weakens the design, reducing it to mediocre and diminishing the character of the proposed development. A development of unexceptional design and lacking in appropriate architectural features will not preserve and enhance the character of the conservation area and is not acceptable.
6. The proposed changes to the chimneys also needs reconsideration. The removal of the chimney stack on the side elevations of house type B, again diminishes the character of the building, whilst the relocation of the chimney on house type D, does little for the appearance of the dwelling.

Conservation and Heritage summary:

It is unfortunate that the changes proposed in this application are ones that will reduce the quality of the development. The revised drawings are for a scheme which will do little to preserve or enhance the character or appearance of the conservation area and as such are not acceptable. Please ask the applicant to address the concerns raised and re consult.

Tree Officer

28th October 2016

The Tree Section has no objections with the variation of condition 2.

If this application is approved please use conditions 7 Landscaping Scheme, 20 Protective Fencing and 21 Ground Protection Mats from planning permission 14/01823/FUL.

Historic England

17th October 2016

Thank you for your letter of 17 October 2016 notifying Historic England of the scheme for planning permission relating to the above site. Our specialist staff have considered the information received and we do not wish to offer any comments on this occasion.

Recommendation

The application(s) should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

It is not necessary for us to be consulted again on this application. However, if you would like further advice, please contact us to explain your request. We can then let you know if we are able to help further and agree a timetable with you.

County Archaeology

17th October 2016

Thank you for consulting me concerning the above planning application .I wish to make the following observations regarding the archaeological implications of this scheme.

I advise that the application site is archaeologically sensitive since it is located in close proximity to Swindon's medieval church, and it is therefore in an area where medieval settlement associated with the church is likely to have been present. I am therefore concerned that archaeological remains relating to medieval settlement may be present at this location and that any such remains would be adversely affected by construction ground works required for this scheme.

In connection with a previous planning application made on this site some archaeological evaluation was undertaken. Unfortunately, the presence of badger setts meant that the majority of the application site was not available for investigation.

I therefore recommend that, should planning permission be granted for this revised scheme, further archaeological investigation and any necessary mitigation recording should be undertaken.

In order to facilitate this I recommend that a condition based on model condition 55 from Appendix A of Circular 11/95 is attached to any planning permission which may be given for this development, ie:

'No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority'.

Reason: It is important to agree and implement a programme of archaeological work in advance of the commencement of development, so as to make provision for the investigation and recording of any archaeological remains that may be destroyed by ground works required for the scheme. The archaeological programme will advance

understanding of any heritage assets which will be lost, in accordance with paragraph 141 of the National Planning Policy Framework

I have no further observations.

Parish Council
23rd November 2016

We have reviewed the proposals and documents submitted by applicant to request a relaxation of condition 2 of the original consent. We have also read the responses that have been included.

A. The Conclusion of Swindon Parish Council regarding the proposed reduction in the width of the access

- In the text that follows we have outlined our reasons and provided references to extracts from the relevant documents to support our decision.
- We have also inserted questions where confirmation is required that consultations have taken place with relevant bodies.

The following is a simplified list of objections to the proposed reduction of the width of the access:

- i. We object to the proposed reduction of the width of the access that has been requested.
- ii. We object to the proposed reduction in the width of the footpath to 1m as this would be inadequate and would not be in accordance with the documents referenced in the text that follows. The route is over an existing Public Right of Way that forms an important and well used link. The reduction in the footpath width could compromise the safety of people particularly young children with adults and the elderly.

The access was consented originally with a single footpath which is already a reduction in the standards contained in the Manual for Gloucestershire Streets - 4th Edition which suggests that there should be a footpath on both sides.

- iii. We object to the proposed reduction in the width of the carriageway. The reasons for this are partly contained in the main body of the text that follows.

However we also wish to add next two bullet-pointed reasons for objecting:

- Should The Homestead which is the existing property, also known locally as the Old Post Office, require works or maintenance to be carried out to it, particularly to their gable end, the erection of scaffolding would effectively create a barrier to all traffic movements including service and emergency vehicles. There should be sufficient width to accommodate a 2.5m scaffold margin plus a vehicle plus a footpath.

As this would be an infrequent occurrence it is most likely that the use of the footpath could be shared by domestic vehicles. However whilst this could be achieved with a 4.8m wide carriageway plus footpath it will not be achieved with a 3.1m wide carriageway plus 1.0m footpath.

- We do not believe that the proposed reduction in the width of the road takes into account the impact that the increase that internet and on-line shopping has had on the increase in the number of deliveries that are made to homes using vehicles of variable sizes.

Gone are the days when a large lorry only appeared when moving house or occasionally when a new piece of furniture was acquired. Amazon, Argos, John Lewis, Waitrose, M&S, Tesco, Sainsbury, are only a few of the companies who provide home delivery services and own or hire vehicles of varying sizes to suit the number of deliveries to be made on any particular day. Local stores encourage on-line shopping for home deliveries of groceries and commodities. Individual house in any development, no matter how small, could be served by different companies at different times by vehicles across a range of sizes.

If access is restricted or difficult this would force the vehicles to park in Church Road which would create dangers for pedestrians, cyclists and other drivers.

iv. We do not support the statement that the length of the access, which we have measured from the drawings as being 58m from its junction with Church Road, is a short distance.

v. We object on the grounds that Condition 11 of the original consent has not yet been dealt with and will influence the width of the access.

The reason given for condition 11 is - To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the paragraph 35 of the NPPF and CBC LP Policy TP1.

vi. We should be grateful if we could be provided us with copies of the documents and details issued to satisfy conditions 10 and 11 of the original consent.
If these conditions have not yet been dealt with we request that any decision relating to the width and detailing of the access is delayed until information for conditions 10 and 11 have been submitted for consideration as we believe that it would be unsafe to consider the access in parts

vii. We are concerned about the access for fire and ambulance services.

viii. We are concerned that the reduced access width will be too narrow and difficult for the size of refuse vehicles being used by the current contractor.

The added concern is that the driver would decide to leave the vehicle in Church Road and collect the bins from a point within the access. This would considerably increase the time that the vehicle is stationary in Church Road which would impact on the traffic flow and would create a safety hazard due to the proximity of the development access to the bend in Church Road and the cul-de-sac opposite.

ix. The 4.8m is the minimum recommended width for two vehicles being able to pass each other and is referred to in the street design guide.

x. A car entering from Church Road will not be in a position to be able to see a car coming down from the development until they have entered the road. Reversing back into Church Road will not be an option because Church Road has bens in close proximity to the junction which means that visibility is poor and it is hard enough for drivers exiting from the access to be certain that they will not collide with other vehicles, particularly at peak times. It would be dangerous for drivers

who decide that they have to reverse into the Church Road.

Similarly any vehicle exiting the small close of new houses will have committed themselves before they would see the oncoming car and would have the option of reversing but could not be certain that someone else was not about to exit the development and prevent them from going backwards.

xi. The 4.8m was conditioned by the Planning officer in the original consent as the officer felt that the length of the road was short and the 4.8m width would allow two slow moving cars to pass each other. We do not believe that this has changed and for the reasons given above I believe that for the purposes of safety the argument is still valid.

xii. We believe that the width consented with the original application should not be further reduced. The original width was conditioned by the Planning officer in the original consent as it was felt that the length of the road was short and the 4.8m width would allow two slow moving cars to pass each other.

Clearly the original condition was attached to the consent because of concerns regarding safety and we do not believe that there have been any revisions to the proposal that provide a strong enough argument for the width of the access to be further reduced. Particularly as there is a possibility that the number of vehicles using the access could increase.

Number of Properties that will be served by the Access

Simple Overview of the Original Application

The original application 14/01823/FUL was for the construction of 2no. bungalows and 6no. houses on the land outlined in red on the submitted drawings. In addition to this there are two existing properties which are the existing farm house and the garages at the rear of the property known locally as the old post office. Therefore, this road will serve 10 properties.

Land Edged in Blue which must be taken into account

The land outlined in blue on the supplied Site Layout plan has potential, subject to planning, to accommodate more properties which would be served from the same access. The detailed survey of the adjoining land which is clear on the submitted drawings suggests that this is clearly in the mind of the developer. Whilst there have not been any development proposals submitted for that area and whilst we would not be in favour of a development that would result in the destruction of what remains in the conservation area of Manor Farm building, its setting and the historic buildings around it. It must be recognised that there is the potential for it to occur.

The Old Post Office in Church Road does have a parking space off Church Road, this space was originally created by the then owner of the property as a location to keep a skip when the property was being refurbished. To do this they removed part of the railings with the promise that they would reinstate it on the completion of the work. The Parish Council have written to Cheltenham Borough Council on a number of occasions to request enforcement to have the panel reinstated. The reason for mentioning this in our response to this application is to highlight that we firmly believe that the parking provision for the property is at its rear and therefore it will need to retain its access to the rear of the property.

We do not believe that the consented road width will be adequate to serve more than the 10 properties.

B. We wish to object to the proposed revisions to House Type C

House Type C: The section of the original Type C house P21B shows a vertical dimension of 8.5m from finished ground floor level to the ridge. The revised drawing PL21C on the current application shows an increase in this height of 504mm to 9.004m.

We object to this increase in the height.

The external dimensions of the floor plan of the revised building have been reduced from 6.6m x 8.9m in the original application to 6.350m x 8.650m in the proposed application. We can see that the second floor plan now contains a proposal for a full sized double bedroom with en-suite.

The proposed variation to House Type C will strengthen its 3 storey appearance which we strongly object to. This will give the new building greater prominence in the Conservation Area and would emphasise the character of the new development which is at odds with any of the existing and historic buildings in the Conservation Area and which will not enhance or be in harmony with the simpler rural appearance of the existing buildings. We do not agree that placing a storey in a roof space results in the property being 2 or 2.5 storeys high. The massing of the building should remain as originally consented.

We are also concerned that this will be seen as an acceptable format for any additional properties or any extension and improvement works to the original properties of the consented scheme.

C. Conditions 10 and 11 of the original consent

We should be grateful if we could be provided us with copies of the documents and details issued to satisfy conditions 10 and 11 of the original consent.

If these conditions have not yet been dealt with we request that any decision relating to the width and detailing of the access is delayed until information form conditions 10 and 11 have been submitted for consideration.

Below are Conditions 10 and 11 from the original consent.

Condition 10 No works shall commence on site until details of the improvements to the existing access road from Church Road to the development have been submitted in writing to the LPA. The improvements shall be completed in all respects with the approved details, prior to the commencement on the development.

Reason: To reduce potential highway impact by ensuring a safe and suitable access, in accordance with paragraphs 32 and 35 of the NPPF, and CBC LP Policy TP1.

Condition 11 No works shall commence on development until the road layout has been laid out in accordance with the submitted drawings, with first 20m of the proposed layout with the junction with the existing highway has been completed to at least binder course level and the works shall be maintained as such thereafter unless and until adopted as highway maintainable at public expense.

Reason: - To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with the paragraph 35 of the NPPF and CBC LP Policy TP1.

D. References to extracts from the relevant documents to support our decision.

Proposed Access Way

Page 26

We particularly object to the proposed reduction in the width of the access road. We also disagree with the comment from the applicant that the proposed reduction in width of the access way can be considered to be minor. We believe that greater justification is required regarding the reduction of the width of the proposed access way. We also believe that confirmation of the number of dwellings that a reduced access of this type can serve.

The reason for our objection and requests for clarification are laid out in the foregoing and because we believe that the reduced width of the access road does not conform to and guidance contained in the Manual for Gloucestershire Streets - 4th Edition or with the Department for Transport Manual for Streets.

Length of The Access

We have not been provided with hard copies of the proposed amended drawings for consideration and have used the facilities on the Cheltenham Borough Council planning portal to measure the distance between Church Road and the gated access to the proposed development. This dimension scales 58m as the length of the access road and our comments are based on that distance. We disagree that 58m is a short distance.

The Access is more than a road serving a development

The access road is over the route of a much used public footpath that connects Church Road with a Village public space along the side of the River Swilgate, this space is known locally as the Amenity Area and contains a footpath that links with Dog Bark Lane and is likely to be one of the routes that will link the Village with the proposed development.

The same public footpath also links to a bridge and style over the River Swilgate and from here it connects to a public footpath that is routed down the side of Spirax Sarco.

We object to the lack of consideration that has been given to the importance of this pedestrian link and are concerned that the safety of pedestrians using this route has not been fully considered.

E. References contained in the document 'The Department for Transport Manual for Streets'

- Page 18 states under the heading Access in paragraph 2.3.7 Access to buildings and public spaces is another important function of streets. Pedestrian access should be designed for people of all ages and abilities

Comment - We are concerned that the 1m wide kerbed footway will not be sufficient to accommodate pedestrians with buggies and those with limited mobility. This would be true not only for those people wishing to use the public footpath as link but also for those pedestrians wishing to access the development on foot.

- Page 21 the Section 2.7 headed Disability. The document also contains on Discrimination

Comment: Consideration should be given to the complete contents of this section as the access way will also include the existing public footpath.

- Page 68 Illustrations

Comment: The illustrations on this page clearly show that a minimum of 1200mm is required for an adult with a child and that two adults pushing a buggy will require a minimum width of 1500mm. This suggests that the minimum width of a footpath should not be less than 1200mm but ideally should not be less than 1500mm.

Page 27

- Page 68 Paragraph 6.3.22 states that the minimum unobstructed width for pedestrians should generally be 2.0m.
- Page 74 - The illustrations in figure 6.18 at the top of the page show average vehicle widths and include a minimum width for a lorry of 3.0m.

Comment: If the access route is reduced to 3.1m and 1.0m kerbed footway this would leave no safety margin for an adult with a child and would certainly fail to provide sufficient clearance between a cyclist and a lorry that is 3.0m wide.

- Page 74 - Paragraph 6.6.1 contains the statement that However meeting the needs of drivers in residential areas should not be to the detriment of pedestrians, cyclists and public transport users.

Comment: We appreciate that public transport will not need to be accommodated.

- Page 75 - Section 6.7 Emergency Vehicles

Comment: The entirety of this section should be taken into account.

- Paragraph 6.72 states that the Building Regulations require a minimum carriageway width between kerbs of 3.7m

'There should be vehicle access for a pumped appliance within 45m of every dwelling. The proposal shows a road length to the gate of 52m and it will be further to the dwelling.'

- Paragraph 6.73 states that Simply to reach a fire the access route could be reduced to 2.75m over short distances provided the pump appliance can get to within 45m of dwelling entrances. If an authority or developer wishes to reduce the running carriageway width to below 3.7m, they should consult the local Fire Safety Officer.

Question: Please confirm that such a consultation has taken place?

- Page 75 Section 6.8 - Service Vehicles - Paragraph 6.8.1 states that On streets with low traffic flows and speeds, it may be assumed that they will be able to use the full width of a carriageway to manoeuvre.

Comment: A manoeuvre is not the same as using the full width as a single lane to drive through.

- Paragraph 6.8.3 states that For cul-de-sacs longer than 20m, a turning area should be provided to cater for vehicles that will regularly need to enter the street.

Comment: We believe that the turning area has been included within the close of houses. We also believe that it implies that 20m is an acceptable 'short' distance for the proposed access road. The access road is 58m in length and is therefore not short.

- Page 76 - Waste collection vehicles paragraph 6.8.5 makes reference to Planning Policy Statement 10 and paragraph 6.8.7 provides information on the size of refuse vehicles and the minimum street width of 5.0m which can be reduced where, as in this case, there isn't on-street parking. However guidance is not given on the required width in such instances.
- Paragraph 6.8.8 confirms a maximum reversing distances of 12.0m.

Question: We realise that the aforementioned dimensions will need to be confirmed by the authority responsible for managing the waste collection in the area and we should like to

receive confirmation that a consultation has taken place regarding the proposed reduction in width?

F. References contained in the Manual for Gloucestershire Streets - 4th Edition

Having searched through this Manual it is evident that it does not contain clear guidance for this particular development. Design standards overviews are provided, three of them are abbreviated in the following:

1. The Street design detailed in Table 5.5 on page 59 is inappropriate and
2. The Shared Surface Street that is detailed in Table 5.6 on page 60 has been made inappropriate as the Planning Officer has said that Shared Surfaces are not suitable for this location.
3. Page 61 - The Cul-de-Sac detailed in Table 5.7 would appear to be the final remaining category by which to consider this development. The carriageway width required here is 4.8m minimum subject to swept path analysis with 2m wide footpaths on all sides.

Comment

We accept a reduction in the Table 5.7 requirements to one path on one side of the road. The 58m length of the proposed access is too long for a footpath that is only 1.0m wide and for a vehicular route that is only 3.1m wide.

We object to the proposed reduction of the single footpath to a width of 1.0m for reasons of safety and for the need to provide this important link with a pedestrian footpath width that can be used by anyone whether there are vehicles using the access or not and where a parent can push a child in a buggy/pushchair or where they can walk side-by-side.

We object to the proposed reduction in the width of the road. As it is most likely that drivers will use the footpath as part of the road particularly if they encounter a second vehicle.

Page 55 - Table 5.1 Highway Types shows categories other than those identified on pages 56 to 61 of the document. This table states Non-street types - Roads (see Section 4.5 - Road Character Types) but Section 4 on page 46 only contains sections 4.1 and 4.2, page 47 has been deliberately left blank and page 48 is the beginning of Section B. The heading Road Character Types is on page 62 Section 5.45. The category of Road Character Types described in section 5.45 is inappropriate for this development.

Page 70 - Waste and Recycling Collection Activities

Unlike the sections for waste management within the document 'Manual for Streets' produced by The Department for Transport this section lacks detail regarding the widths of streets and sizes of vehicles. Paragraph 6.25 does require that New streets need to be designed to accommodate 26tonne refuse collection vehicle, assuming that resident' parked cars are in situ. We believe that the dimensions of a typical small refuse lorry is 9.95m long x 2.49m wide x 3.75m high. The track width allowed for these vehicles is 2.49m and they require a wall-to wall turning radius of 9.25m. The dimensions of a 26 tonne vehicle could be more.

Prior to making any decision regarding the reduction in width we should like to ensure that the Planning Officer has consulted with the department for responsible for the supply of vehicles for waste collection to obtain confirmation the vehicles can be accommodated safely in the proposed reduced width access road and still maintain a save pedestrian width.

Page 73

Pedestrians.

This sections cross references paragraphs of the MfS1 and MfS2.

Page 29

Paragraph 7.3 states that a 2.0m minimum width footpath is required for footpaths/footways in residential areas. A narrower width may be permitted over a shorter distance to avoid an important existing feature where there is no simple alternative.

Page 75

Public Rights of Way

Paragraph 7.17 states that it is important that the implications that any development may have for the existing PROW network are fully considered. Not only will some PROW need improvements to be properly incorporated into a development, but others may require stopping up or diversion. Developers should take into account the existing function and character of a PROW and should not assume that it will be acceptable to divert it along a new road.

Paragraph 7.21 states that Until such time as an Order has been made and subsequently confirmed, the legal line of the PROW remains unaltered. Even where a development does not directly affect a PROW it may be that ancillary works such as the storage of materials and plant, or vehicle access routes, may do so. Where the route of a PROW may be temporarily affected by your development, it is possible to apply to the Council for a temporary closure. When work is complete the path should be fully reinstated to the appropriate condition so that it is fit for public use.

Pages 87 -90

These pages provide information relating to the widths of access

- Figure 8.1 illustrates a Standard private access for one dwelling. Which from a width of 10.4m at the junction with the carriageway tapers to 3.5m at the rear of the footpath and further tapers to 2.4m at a 5.0m distance back from the carriageway edge.
- Figure 8.2 illustrates an alternative private access for one dwelling. Which from a width of 10.4m at the junction with the carriageway tapers to 3.5m at the rear of the footpath.
- Figure 8.3 illustrates a Standard private access for more than one dwelling in an urban area.

Which from a width of 12.1m at the junction with the carriageway tapers to 5.2m at the rear of the footpath and further tapers to 4.1m. There is an overall width of 6.9m between any obstruction at this point.

Figure 8.4 illustrates a Standard private access for one dwelling in non-urban areas. Which from a width of 13.0m at the junction with the carriageway reduces via 6.0m radii to a width of 5.0m.

Comment

Based on the above details from the Manual for Gloucestershire Streets - 4th Edition we are completely against the proposed reduction in the width of the access which would result in providing an inadequate access road width of 3.1m which is less than the width of 3.5m that is required by Gloucestershire County Council for a single dwelling.

G. This Section Contains Some of the Relevant Information Copied from Cheltenham Borough Council's Planning Portal.

Below is the request made in respect of Condition 2 of the original consent:

Condition 2 - Variation

As noted above, various revised plans have been prepared to replace the approved plans submitted as part of application 14/01823/FUL, along with some additional plans to add further detail.

The main amendments to the scheme are as follows:

- Alterations to location of door and fenestration on elevations, including amended design
- Other amendments to external elevational detailing
- Reorientation of chimneys to some plots

Amendment to the width of the access road from a minimum of 4.8m to a minimum of 4.1m (3.1m wide road, plus 1m wide kerbed footway). The key alteration with this scheme is the amendment to the access road arrangement. The applicant has already sought the opinion of Gloucestershire County Council, as the Highway Authority, through pre-application discussion. Their response dated 28th July 2016 (Ref - B/2016/036628) is included within this submission. Ultimately they have confirmed that, in principle, the amendment to a 4.1m wide access (3.1m wide road, plus 1m wide kerbed footway) would be acceptable.

The amendments proposed to the design of the dwellings are minor in appearance and would not have any significant impact on the overall visual perception of the scheme, when considered against the approved scheme. Importantly, the built form, location and scale will be the same as approved.

As before, it is therefore considered that these amendments would accord with relevant local and national policy in this regard. Therefore, we would respectfully request that Condition 2 is varied to take account of these amended plans.

Summary

It is considered that these amendments are minor in overall impact and we respectfully request that Condition 2 is varied as necessary and permission granted.

b. Pre-application enquiry

Pre-application enquiry, decision notice and drawing refs. W131150/SK/01H and SK_01A.

Proposal

- To serve the development site via a 4.1m shared surface access road.
- Access road
- The County Council would not support a shared surface access road of this width in this location as it fails to minimise conflict between traffic, cyclists or pedestrians contrary to Section 4, Paragraph 35 of the National Planning Policy Framework (NPPF).
- However, more favourable consideration may be given if the applicant were to design the access road to a standard of 3.1m wide single working with a 1m wide kerbed footway parallel.

Recommendation

In principle, the development is considered acceptable. This would be subject to the above details being achieved and provided

c. Below are extracts from the Planning Officers report for the original application which lays out the reasoning behind the originally requested width for the access road.

Proposed Access from Church Road

It is proposed to widen the existing road to 4.8m from Church road to the access with the internal layout. Whereupon the internal site layout is serviced by a shared surface street 6.8m in width with localised narrowing's of 5.1m at the turning area out to 7m width. The proposed widening of the existing road will allow for a medium sized car and refuse vehicle to pass in opposite direction. I have considered the shared surface street is a short distance and how it currently operates today as a lightly trafficked street with low vehicle speeds and a mix of vehicle & pedestrian use. Furthermore with the volume of traffic proposed from the site and visibility available, I consider the proposed carriageway width of 4.8m to be acceptable in relation to the proposed development.

Internal Shared Space Street

The internal layout shared surface street as shown on drawing no W131150/SK/01 H, is 6.8m in width with localised narrowing's of 5.1m at the turning area widening out to 7m. I consider the proposed carriageway width(s) to be acceptable in relation to the proposed development

Refuse Collection & Swept Path Analysis

The access swept path analysis submitted on drawings no W131150/AT/B06 B, W131150/AT/B08 B and W131150/AT/B10 B demonstrates that a medium sized car and large refuse vehicle (11.510m) can pass in opposite directions along the existing access road and internal layout shared surface street.

Condition 10 - No works shall commence on site until details of the improvements to the existing access road from Church Road to the development have been submitted in writing to the LPA. The improvements shall be completed in all respects with the approved details, prior to the commencement on the development.

Reason: To reduce potential highway impact by ensuring a safe and suitable access, in accordance with paragraphs 32 and 35 of the NPPF, and CBC LP Policy

Contaminated Land Officer

29th November 2016

No objection to the variations proposed in this application, thank-you.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	27
Total comments received	5
Number of objections	4
Number of supporting	0
General comment	1

- 5.1** Twenty seven letters have been sent to neighbouring properties and five responses have been received, four of which raise an objection and one in support. A site notice has also been displayed at the site and an advertisement placed within the local newspaper.
- 5.2** Summary of matters raised;
- Highway safety – both vehicular and pedestrian
 - Refuse and Recycling access
 - The submitted drawings

6. OFFICER COMMENTS

- 6.1** Officer comments to follow by way of an update, along with an additional consultation response from Heritage and Conservation.

APPLICATION NO: 16/01755/CONDIT	OFFICER: Miss Chloe Smart
DATE REGISTERED: 29th September 2016	DATE OF EXPIRY : 24th November 2016
WARD: Swindon Village	PARISH: SWIND
APPLICANT:	Centaur Homes Ltd
LOCATION:	Land At Manor Farm, Manor Road, Swindon Village
PROPOSAL:	Variation of condition 2 (approved drawings) for application no. 14/01823/FUL to include alterations to fenestration and detailing of dwellings and an amendment to the width of the access road.

REPRESENTATIONS

Number of contributors	5
Number of objections	4
Number of representations	1
Number of supporting	0

69 Church Road
Swindon Village
Cheltenham
Gloucestershire
GL51 9RE

Comments: 16th December 2016

I have seen the changes made to the amend the width of the access road and it is still dangerous due to the blind bend. The changes will make no difference to the dangers cars will encounter when turning in to dwellings access. We have had 2 collisions in the last year where drivers have come around the corner in Church Road - one admitted to driving at 40 miles an hour - and hit a parked car outside the thatched cottage next to the church. The car was pushed onto the pavement and someone could have been seriously injured. Both cars were written off.

The traffic driving through the village has increased greatly over the last year, as people are trying to avoid congestion on the surrounding roads. The village simply is not designed to take the volumes of traffic. These dwellings will add to the dangers of driving through the village as cars will need to slow down or come to complete stop to navigate this access and if someone is coming out, will have to reverse onto Church Road.

It is simply not acceptable to expect this to be safe for residents surrounding this development either walking or driving.

Green Lodge
Church Road
Swindon Village
Cheltenham
Gloucestershire
GL51 9QX

Comments: 29th October 2016

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Regarding access to the proposed development from Church Road, I would like to point out that 4.8 meters is the minimum recommended width for two vehicles being able to pass each other. This is referred to in the street design guide.

Therefore having an access road of less than 4.8 meters is not a safe option for the following reasons:

- A car entering the proposed site access road from Church Road will not be in a position to see a vehicle coming down from the development until they have entered the access road.
- Reversing back into Church Road is not a safe option, in fact it is a contravention of the Highway Code to reverse out onto a main carriageway.
- Church Road also has bends in close proximity to this junction which restrict the visibility of the motorists approaching the junction from along Church Road.
- Similarly any vehicle leaving the proposed site access has restricted vision of vehicles in both directions travelling on Church Road especially to the right where Church Road bends sharply to the left.
- Any vehicle exiting the proposed site access road will have committed to entering Church Road before seeing any oncoming vehicle. They would have the option of reversing back into the access road but could not be certain that there was not another vehicle intent on exiting onto Church Road straight behind them.

I also believe that no consideration for adequate emergency vehicle access has been taken into account and I find that most local fire department pumping appliances require a minimum 3.7 meter wide access road for their vehicles to be able to attend a fire. Reducing the road width to 3.1 meters will not satisfy this requirement.

The 4.8 meter width was conditioned by the Planning officer in the original consent as the officer felt that the road was short and a 4.8 meter width would allow two slow moving cars to pass each other.

I do not believe that this has changed and for the reasons we have given above we believe that for the purposes of safety this argument is still valid.

Would you also please note that there were concerns raised in the original planning consent that this junction with Church Road was inadequate and that the developer needed to provide more details to prove that the junction would work before proceeding with the development.

This was conditioned on the original planning consent in paragraph 10 and I am not aware this condition has yet been satisfied.

25 Manor Court
Swindon Village
Cheltenham
Gloucestershire
GL51 9SD

Comments: 19th October 2016

The revised application is not displaying the revised D7 and D8 plan. The plan was altered to move the roof windows to the front of the property. Please refer to the revised plan . Please can you confirm when this has been done

Comments: 19th October 2016

There is not a copy of :-

Proposed first floor plan house type d1 - Plot 8

There are copies of Plot 7 first and second floor.

Would like a copy of this, as it overlooks our garden.

Comments: 20th December 2016

The revised plans of Type D7 and D8 have now been amended to place roof windows back to the rear of the property, on the objection of 27th November 2014 the windows were relocated to the front of the property due to a privacy issue of our adjacent property. I strongly object to the revised roof windows plans of D7 and D8.

Homestead
53 Church Road
Swindon Village
Cheltenham
Gloucestershire
GL51 9RA

Comments: 6th November 2016

It seems abundantly clear that making access for this development to/from Church Road is neither safe nor practical. The lane is simply too narrow, whether defined as two way or one way this lane is clearly not a correct access route for this development.

Fortunately however, this development already has a (pre designated and obvious) safe and appropriate TWO WAY access road through Manor Court. Access through Manor Court avoids and eliminates all of the safety and practical issues that blight the current application. Indeed Manor Court was originally intended many years ago to be the access route at the end of the cul-de-sac and manor Court is already laid out to accommodate the entrance to this proposed development. Surely the correct action would be to revisit the Manor Court access as this would offer ample TWO WAY access that is both safe and clear for vehicles, cycles and pedestrians. Accessing via Manor Court provides ample width for Two Way Vehicular Traffic along with safe and predesignated space for Pedestrians. This seems such a simple solution it is really quite strange that the access onto Church Road via such an inappropriate narrow lane is even being considered.

Furthermore:

- 1.) Regarding access to the proposed development from Church Road, we would like to point out that 4.8 meters is the minimum recommended width for two vehicles being able to pass each other. This is referred to in the street design guide. Therefore having an access road of less than 4.8 meters is not a safe option.
- 2.) A car entering the proposed site access road from Church Road will not be in a position to see a vehicle or vehicles coming down from the development until they have already entered the access road. At that point reversing back into Church Road is not a safe option, in fact it is a contravention of the Highway Code to reverse out onto a main carriageway.
- 3.) Church Road also has bends in close proximity to this junction which restrict the visibility of the motorists approaching the junction from along Church Road. Similarly any vehicle leaving the proposed site access has restricted vision of vehicles in both directions travelling on Church Road especially to the right where Church Road bends sharply to the left.

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- 4.) The entrance onto Church Road sits directly after a blind hairpin bend.0 Even though at present the lane only serves one house there are already regular traffic accidents and incidents at this spot. For example, in the last few months there have been 4 separate traffic accidents at the entrance to the lane onto Church Road, two of which were serious - Incident number 39 5/4/2016 Incident number 208 23/9/2016).
- 5.) Any vehicle exiting the proposed site access road will have committed to entering Church Road before seeing any oncoming vehicle. They would have the option of reversing back into the access road but could not be certain that there was not another vehicle intent on exiting onto Church Road straight behind them.
- 6.) As far as we can see no consideration for adequate emergency vehicle access has been taken into account and I find that most local fire department pumping appliances require a minimum 3.7 meter wide access road for their vehicles to be able to attend a fire. Reducing the road width to 3.1 meters will not satisfy this requirement.

The 4.8 meter width was conditioned by the Planning officer in the original consent as the officer felt that the road was short and a 4.8 meter width would allow two slow moving cars to pass each other. We do not believe that this has changed and for the reasons we have given above we believe that for the safety reasons this argument is still valid.

Would you also please note that there were concerns raised in the original planning consent that this junction with Church Road was inadequate and that the developer needed to provide more details to prove that the junction would work before proceeding with the development. This was conditioned on the original planning consent in paragraph 10 and this condition has not yet been satisfied.

Therefore we propose that the application for the development should be rejected and that a re-application should be made which provides **SAFE TWO WAY VEHICULAR & PEDESTRIAN ACCESS** to the development through Manor Court.

APPLICATION NO: 16/01755/CONDIT	OFFICER: Miss Chloe Smart
DATE REGISTERED: 29th September 2016	DATE OF EXPIRY: 24th November 2016
WARD: Swindon Village	PARISH: Swindon
APPLICANT:	Centaur Homes Ltd
AGENT:	Mr Rob Ellis, SFPlanning
LOCATION:	Land At Manor Farm, Manor Road, Swindon Village
PROPOSAL:	Variation of condition 2 (approved drawings) for application no. 14/01823/FUL to include alterations to fenestration and detailing of dwellings and an amendment to the width of the access road.

Recommendation: Permit subject to Legal Agreement

Update to Officer Report

1. OFFICER COMMENTS

- 1.1. This update follows the officer introduction and consultation responses to the previous application. As set out in the initial report, revised Conservation Officer comments and officer comments on the scheme were scheduled to follow.
- 1.2. Below is a copy of the revised Conservation Officer comments, based on amendments which have been made to the scheme:

Revised drawings have been submitted addressing some of the concerns outlined above; windows have been enlarged and the string course re-introduced. As such whilst not all the points raised in the earlier comments have been addressed, what is now proposed is a considerable improvement on the earlier designs.

Conservation and Heritage summary:

Although, in my opinion, there is room for further enhancement to these proposals, the revised drawings will produce a scheme that is better than the one in the earlier submission. As such approval is recommended.

- 1.3. **Determining Issues**

- 1.4. As highlighted within the introduction, this application seeks amendments to two aspects of a previously approved application for two houses and six bungalows (planning ref: 14/01823/FUL). The amendments comprise alterations to the access road to the site, which would result in a reduction in width and also to the design of the previous approval.
- 1.5. The key issues in determining the existing approval on the site were as follows, (i) the principle of development, (ii) the design and layout, impact on setting of adjacent listed structures and conservation area, (iii) impact on neighbouring properties, (iv) access and highways issues, (v) trees, (vi) biodiversity and (vii) flooding.
- 1.6. Due to the nature of the application, this report will focus purely on the matters which are being amended and consider their acceptability. Matters such as the principle of

development will not be re-visited and the officer reports for the existing approval remain relevant.

1.7. Design and layout

- 1.8. Local Plan Policy CP7 requires development to be of a high standard of architectural design and to complement and respect neighbouring development. Proposals within the conservation area are also required to preserve or enhance the character and appearance of the area.
- 1.9. The alterations to the scheme relate primarily to the fenestration and detailing of the approved dwellings. In order to set out the alterations each house type will be discussed in turn. Starting firstly with House Type B, the changes amount to an increase in height of the terrace of buildings by just under one metre. In addition, the windows have been amended from sash windows to casement windows and some alterations made to the porches of the dwellings and the chimneys.
- 1.10. With regards to House Type C, the height of the buildings has been increased by approximately 300mm from the approved ridge height. The rear elevation fenestration has been amended and an additional first floor window introduced; the bay window to the front of the dwelling amended to a flush window and alterations to a casement window.
- 1.11. Finally, changes have been made to House Types D and E, now referred to as D1 and D2 in this application. The mass and scale of the buildings remains consistent with the existing approval, but the window design has been amended from a sash appearance to a casement and an additional window introduced to both front elevations. The chimneys have also been altered.
- 1.12. Both the Council's Conservation Officer and Historic England have been consulted on the amended application. Historic England confirms that they are happy for the Council to determine the application in line with national guidance and with the advice of the Council's Conservation Officer.
- 1.13. Within the initial consultation response the Conservation Officer confirmed that the design remains similar in some ways to that previously approved but it was considered that it had been altered by the changes to the fenestration, changes to some doors, alterations to details and the reorientation of chimneys. Of particular concern were the window placement and design and loss of the string course detailing.
- 1.14. Following the comments received from the Conservation Officer, the applicant was asked to address the window design and placement and re-introduce some of the previous detailing. The applicant has re-introduced the string course detailing and also amended the window design. The initially submitted proposal incorporated casement windows which were made to look like sash. Officers considered a more appropriate approach would be to just propose a casement window and in doing this, the proportions of the windows have improved together with their placement on the buildings.
- 1.15. In the case of House Type C, the introduction of a first floor window is a significant improvement to that rear elevation as this improves the solid to void ratio of the windows to masonry and is architecturally more pleasing.

- 1.16. The Parish Council has provided a detailed consultation response and within this concerns are raised regarding amendments to the design, in particular, the increase in height of two of the house types. House Type C is referred to as having a three storey appearance. The increase in height of these properties is minimal at 300mm. The property remains two storey in scale and it is not considered the increase in height will give the dwellings the appearance of a three storey dwelling. Whilst these comments are noted, this is not something officers consider to be unacceptable.
- 1.17. The Conservation Officer has been re-consulted on the amendments which have been made to the design. It has been confirmed that whilst not all the points initially raised have been addressed, what is now proposed is an improvement on earlier designs and whilst there is room for further enhancement, the revised drawings will produce a better scheme than the earlier submission and as such, approval is recommended.
- 1.18. Whilst officers acknowledge that additional alterations could be made to the scheme, it is not considered that these are necessary in order to support the scheme. When considering what are now relatively minor differences between the existing approval and the proposed scheme and the fact that some of the design has been lifted by alterations, the proposal is considered acceptable. The mass and scale of the dwellings remains broadly consistent with the approved scheme, albeit there are some slight increases in height. In addition, the overall style of properties remains consistent, as does the layout and the varied palette of materials. It was noted as part of the previous approval that the use of these materials within the development was appropriate and the range of materials considered to respond to the distinctive varied character.
- 1.19. In summary, whilst aspects of the design have been amended, the overall scheme remains one that would complement and respect what is a relatively mixed character within the area. The proposal was previously considered to have a neutral impact on the conservation area and was not considered particularly visually prominent and this remains the case.
- 1.20. In terms of the setting of the adjacent grade II* listed church, this will remain consistent with that of the previous approval which was considered acceptable. Members will recollect a legal agreement formed part of the previous approval to ensure the land to the south of the church remained undeveloped. This has been updated in draft form to accompany this application and any decision would be subject to the completion of this agreement.
- 1.21. Overall, the scheme is considered in accordance with Local Plan Policy CP7, would preserve the character of the conservation area and also preserve the setting of the nearby listed church.

1.22. Highway Considerations

- 1.23. The proposal involves a reduction in the width of the approved access road to the scheme. The alterations to the access road stem from the previous approval not having any segregated provision for pedestrians. On reflection, the applicant considered it beneficial to provide a footway along the access road for a safe refuge area and ensure there is no conflict between vehicles and pedestrians.

- 1.24. The road has been narrowed to a width of 4.1 metres in parts (3.1 metres for road and one metre for pedestrian area) which allows for one vehicle. The reason for this is to ensure it is clear that only one vehicle can travel along this part of the access road at any time. A passing place has been provided at the end of the access road, which is 50 metres from Church Lane.
- 1.25. The applicant engaged in discussions with the County Council prior to submitting this application. Gloucestershire County Council Highways have been formally consulted on the amendments to the access road. Initially additional information was requested which the applicant subsequently provided. The updated plan demonstrates suitable forward visibility from the passing place which has been provided to Church Road. Based on the amendments to the scheme, the Highway Authority raise no objection and have suggested a single condition is attached in relation to laying the vehicular access out in accordance with the submitted drawing, which has been attached to this recommendation.
- 1.26. Refuse and Recycling**
- 1.27. As part of the previous approval, the applicant had demonstrated that a large refuse vehicle can manoeuvre within the development itself which remains unchanged by the proposed alterations to the scheme.
- 1.28. The width of the access road has been reduced to 3.1 metres at its narrowest part, with a one metre pedestrian area in addition to this. The document 'Requirements for Refuse and Recycling Provision in new developments' confirms that the widest point of a refuse vehicle is 2.6 metres (including wing mirrors). A refuse vehicle and a car, would not be able to pass each other on the access road, but due to the visibility, the provision of a passing place and the fact that Highways raise no objection, this is not considered unacceptable in terms of highway safety.
- 1.29. Impact on neighbouring amenity**
- 1.30. Local Plan Policy CP4 requires development to protect the amenity of neighbouring land users and the locality.
- 1.31. The proposed layout of the scheme remains unaltered. As set out, the majority of the alterations to the dwellings relate to design detailing and some height increases to the dwellings.
- 1.32. The proposed height increases are considered marginal and will not result in any unacceptable overbearing impact or loss of light to neighbouring dwellings. The fenestration alterations are also not considered to result in any unacceptable loss of privacy.
- 1.33. A concern has been raised regarding plots 7 and 8 and a floor plan requested to show proposed windows. A floor plan for both D1 and D2 accompanies the application. This shows that first floor windows are located to the side elevations of these properties and only rooflights are proposed within the rear elevation of the first floor, which will not cause an unacceptable loss of privacy.

1.34. The proposal remains compliant with Local Plan Policy CP4 in terms of protecting the amenity of neighbouring land users.

1.35. Other comments

- 1.36. Within the Parish Council's comments conditions attached to the previous permission are referred to and copies requested of the information required to satisfy this. Information in relation to these conditions has not been submitted to the Local Planning Authority at this stage as it is not yet required. The wording of the conditions attached to the existing approval is such that certain information should be required either 'prior to commencement' or 'prior to occupation', neither of which has taken place.
- 1.37. Members should note that this application would issue a fresh permission and a fresh set of conditions which would need to be complied with. Officers have reviewed the previous conditions and since the original approval, the government has encouraged local planning authorities to re-consider trigger points for conditions, essentially to ensure detailed information relating to later parts of construction is not required for submission prior to any works commencing on site. In light of this, the conditions attached to the previous approval have been reviewed and where necessary re-worded.
- 1.38. In relation to matters such as Ecology, Trees and Archaeology, any necessary conditions which needed to be incorporated from the previous approval have been attached to this recommendation.

2. CONCLUSION AND RECOMMENDATION

- 2.1. In conclusion, whilst aspects of the design have been amended, the overall scheme remains one that would complement and respect what is a relatively mixed character within the area. The proposal was previously considered to have a neutral impact on the conservation area and was not considered particularly visually prominent and this remains the case.
- 2.2. In terms of the setting of the adjacent grade II* listed church, this will remain consistent with that of the previous approval which was considered acceptable and as set out, a legal agreement is being updated to ensure this land remains undeveloped, even with the issuing of a fresh planning permission.
- 2.3. Overall, the scheme is considered in accordance with Local Plan Policy CP7, would preserve the character of the conservation area and also preserve the setting of the nearby listed church. In addition, the proposal remains compliant with Local Plan Policy CP4 in terms of respecting neighbouring amenity.
- 2.4. Whilst a number of objections have been received and the Parish Council have provided a lengthy objection letter, Gloucestershire County Council raises no objection to the amended width of the access road.
- 2.5. In light of all of the above, the recommendation is to approve this application, subject to completion of a Deed of Variation, to tie the existing legal agreement to this planning permission and the a series of suggested conditions which are to be circulated by way of an update.

APPLICATION NO: 16/01755/CONDIT	OFFICER: Miss Chloe Smart
DATE REGISTERED: 29th September 2016	DATE OF EXPIRY : 24th November 2016
WARD: Swindon Village	PARISH: SWIND
APPLICANT:	Centaur Homes Ltd
LOCATION:	Land At Manor Farm, Manor Road, Swindon Village
PROPOSAL:	Variation of condition 2 (approved drawings) for application no. 14/01823/FUL to include alterations to fenestration and detailing of dwellings and an amendment to the width of the access road.

ADDITIONAL REPRESENTATION

25 Manor Court
 Swindon Village
 Cheltenham
 Gloucestershire
 GL51 9SD

Comments: 13th February 2017

I have just noted the amendments to Plot 7 and 8 do not include moving the roof windows back to the front of the property, therefore will there be a restriction on the property to prevent owners turning these windows into dormer windows?

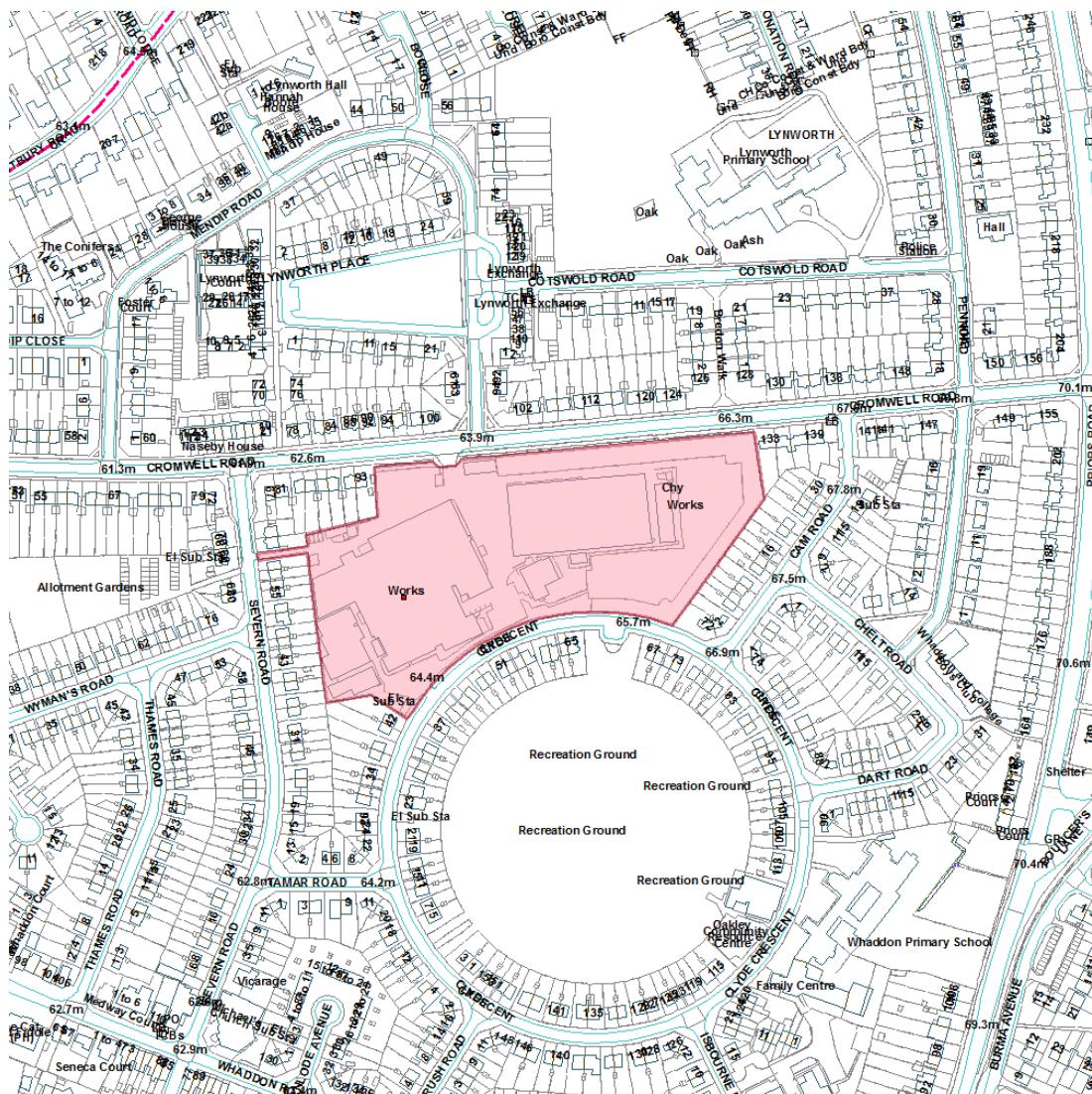
Please can this request be considered?

Agenda Item 6b

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APPLICATION NO: 16/01812/FUL	OFFICER: Miss Michelle Payne
DATE REGISTERED: 7th October 2016	DATE OF EXPIRY: 6th January 2017
WARD: Oakley Ward	PARTY: N/A
APPLICANT: Kohler Mira	
AGENT: Roberts Limbrick Ltd	
LOCATION: Kohler Mira Ltd, Cromwell Road, Cheltenham	
PROPOSAL:	Provision of secondary vehicular access onto Cromwell Road, extension to existing cycle shed to provide 40no. additional cycle spaces, alterations to car parking layout, and new pedestrian path, security fencing and landscaping

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is located on the southern side of Cromwell Road, and extends through to Clyde Crescent to the south. The site is irregular in shape, some 2.88 hectares, and has been in a long established manufacturing use since 1937. The site is bounded by a number of residential properties in Cromwell Road, Clyde Crescent, Severn Road to the west, and Cam Road to the east.
- 1.2 The site is occupied by Kohler Mira Ltd, a key local employer currently employing approximately 700 staff, many of which are understood to live locally.
- 1.3 The application has been submitted following pre-application discussions and is seeking planning permission for the provision of a secondary vehicular access from Cromwell Road, an extension to the existing cycle shed to provide 40no. additional cycle spaces, alterations to the car parking layout, and a new pedestrian path, security fencing and landscaping.
- 1.4 The application is before the planning committee at the request of Cllr Rowena Hay due to the level of concern raised by local residents.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

None

Relevant Planning History:

There is an extensive planning history on the site but none that is of any particular relevance to this application

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development
CP 3 Sustainable environment
CP 4 Safe and sustainable living
CP 7 Design
GE 5 Protection and replacement of trees
GE 6 Trees and development
UI 2 Development and flooding
TP 1 Development and highway safety

National Guidance

National Planning Policy Framework

4. CONSULTATION RESPONSES

Gloucester County Council Trees

27th October 2016

As Trees Officer for Amey (Gloucestershire Highways) I am not in favour of the current plan to remove a healthy Sorbus and replace with a single Alnus. In plan SP01 it says relocate or replace existing tree. Relocation is not practical so with removal and replacement being the only option I would like to see a minimum of 3 Sorbus or Acer type trees planted in the grass verge along Cromwell Road to replace the mature one to be lost. This is rather than

the Alnus proposed in the planting Scheme which I do not believe to be a suitable species for this site.

Environmental Health

18th November 2016

Having briefly considered the proposals, I can't see anything there that we would want to object to or recommend conditions for.

GCC Highways Planning Liaison Officer

17th January 2017

I refer to the above planning application received on 11th October 2016, submitted with application form, design and access statement, site location plan ref; 7599, PL20, site details, existing vehicle entrance plan ref; 7599, PL24A, existing site plan ref; 7599, PL24A, existing site layout ref; 7599, PL02, proposed car park access-swept path analysis of fire appliances & a 16.5m articulated vehicles ref; 7599, PL23C, SK01, proposed car park access & cycle/pedestrian access arrangement.

Location

Kohler Mira is an existing manufacturing company located to the south of Class 4 Cromwell Road towards the north east of Cheltenham. The site is relatively accessible to public transport with services available on Whaddon Road to the south. Cromwell Road is a residential street with footways, street lighting and a mix of on and off street parking. The carriageway fronting the development site is subject to parking restrictions by way of double yellow lines.

Personal injury Collisions

An initial examination of the local personal Injury Collision (PIC) data suggests that there have been 2 PIC's within the last 3 years in the approximate location of the new access. There have been previous applications with regards this application, however no refusals on a highway basis.

Access

The development is proposed to be accessed from Cromwell Road. The proposed access drawing number SP01/SK01 demonstrates vehicular movements (swept path analysis) are achievable to enter and leave the site without any highway conflict, the access is suitability adequate in width to accommodate the use of fire appliances and the use of articulated vehicles and a large saloon car. Secure Vehicular access is currently provided from an existing access off the Cromwell Road, to on site car parking areas. A new vehicular access is proposed in order to separate public access from the private access. The parking has been provided to include a number of Disabled spaces located close to the building entrances designed in accordance with Building regulations. The car park areas will be hard surfaced, with minimal gradients. Footpaths are provided from the boundary of the site, and are routed to provide suitable access for pedestrians from car parking to the principal entrances of the building. Footpaths will be hard surfaced with minimal gradients, provided with drop kerbs and tactile paving. Existing External lighting will be sufficient to facilitate safe access/ egress and way finding, into, and around the car park, and the building. Emergency vehicles can access the site off the new access road, vehicular access is currently from Cromwell Road and remains unchanged to the centre of the site except for a proposed cycle entrance. A new proposed vehicular entrance from Cromwell Road is proposed to the east of the site. A new paved vehicular access accommodates linking into the back of the site from the proposed entrance adjacent to Building 19. Pedestrian access into the site currently exists off Cromwell Road at the main entrance.

A new proposed pedestrian access is located adjacent to the proposed vehicular entrance. New areas painted with lines protect pedestrians throughout the car park existing security

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gates for vehicles and pedestrians are incorporated to divide public from private areas. New automatic barriers and lockable gates are proposed for the new vehicular and pedestrian entrances. I consider that this is a safe and suitable access.

A stage 1 Road Safety Audit was carried out on 9th December 2016, to assess the proposed new car park access off Cromwell Road. An existing pedestrian crossing point / build-out is to be re-located as part of the scheme. Whilst it is acknowledged that this will be necessary to accommodate the new car park access, it appears to be on an existing pedestrian desire line. Once this crossing is removed and full height kerbs provided, pedestrians may still wish to cross at this point, which could lead to pedestrians tripping on full height kerbs.

Auditors Recommendation

The existing crossing point should be retained with drop kerbs and tactile paving, albeit that the build-out will be removed.

Designers Response

As part of the proposed works, the build-out will be relocated further east with dropped kerbs. The existing build-out will be removed and new tactile paving will be provided on the southern footway. A revised arrangement is shown on TPA drawing no. 1608-22-SK01-B.

Visibility

Cromwell Road which is subject to a 30mph speed limit, the minimum required emerging visibility, in the absence of a speed survey, would be 2.4m set back from the carriageway edge along the centre line of the access to a point on the nearside carriageway edge 54m distant in either direction, I can confirm this can be achieved.

Parking & Turning

Car parking numbers have remained the same. Currently overflow parking is accommodated by a leasing agreement with the Cheltenham Town FC nearby, where there is an oversupply of spaces. New cycle spaces are proposed (40 additional proposed) in order to accommodate the high demand for the facility. The new car parking layout will allow for appropriate spacing of car parking with adequate aisle widths and the proposed cycle parking Spaces. I can confirm that there is sufficient space within the site to accommodate the requirements of the parking and turning of cars.

Recommendation

I refer to the above planning application received on 11th October 2016, submitted with application form design and access statement, site location plan ref; 7599, PL20, site details, existing vehicle entrance plan ref; 7599, PL24A, existing site plan ref; 7599, PL24A, existing site layout ref; 7599, PL02, proposed car park access-swept path analysis of fire appliances & a 16.5m articulated vehicles ref; 7599, PL23C, SK01, proposed car park access & cycle/pedestrian access arrangement.

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

The development hereby permitted shall be served by an access road laid out and constructed in accordance with TPA drawing no. 1608-22-SK01-B.

As part of the proposed works, the build-out will be relocated further east with dropped kerbs. The existing build-out will be removed and new tactile paving will be provided on the southern footway.

REASON: To minimize hazards and inconvenience for users of the development by ensuring that there is a satisfactory means of access

NOTE:

The proposed development will involve works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing those works.

Statement of Due Regard

Consideration has been given as to whether any inequality and community impact will be created by the transport and highway impacts of the proposed development. It is considered that no inequality is caused to those people who had previously utilised those sections of the existing transport network that are likely to be impacted on by the proposed development.

It is considered that the following protected groups will not be affected by the transport impacts of the proposed development: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, other groups (such as long term unemployed), social-economically deprived groups, community cohesion, and human rights.

Tree Officer

26th October 2016

In principle the Tree Section has no objections with this application. However, there are a few modifications needed prior to determination of this application.

The proposed new access will result in the removal of a street tree, a mature Whitebeam (*Sorbus aria*), which is disappointing. However this route does result in the retention of the better TPO'd trees on site. On the Planting Plan the street tree is to be replaced with one Italian Alder (*Alnus cordata*). The Italian Alder is not within keeping of the street scene. The replacement tree should be a Whitebeam, Norway Maple (*Acer platanoides*), Field Maple (*Acer campestre*) or an English Oak (*Quercus robur*). The Tree Section would like to see 2-3 street trees planted to mitigate for the loss of the mature Whitebeam. It is recommended that the Trees Officer for Gloucestershire Highways is consulted on the proposed tree species selection for the street trees.

The Tree Section would like there to be a no-dig construction method submitted for where new parking spaces are to be made within the root protection zone of the retained trees. This information can be conditioned if application is granted.

Wales and West Utilities

19th October 2016

Letter and plan available to view on line.

5. PUBLICITY AND REPRESENTATIONS

5.1 Letters of notification were sent out to 49 neighbouring properties, and a site notice was posted adjacent to the site. In response to the publicity, 12 representations have been received in objection to the proposals. All of the comments received have been circulated to Members in full but the main concerns relate to:

- Traffic and highway safety
- Proximity to Junior School
- Loss of mature trees
- Noise and disturbance
- Employees smoking outside of the site

6. OFFICER COMMENTS

6.1 Determining Issues

6.1.1 The main considerations when determining this application relate to design and layout, impact on neighbouring amenity, trees and landscaping, and access and highway safety matters.

6.2 The site and its context

6.2.1 As previously stated, the application site is located on the southern side of Cromwell Road, extends through to Clyde Crescent to the south, and is bounded by residential properties.

6.2.2 The primary access to the site is located on Cromwell Road, with loading access located straight ahead of the entrance, between two distinct masses of buildings. Small pockets of car parking are located throughout the site; however, the main car park is located to the east of the site. A large cycle shelter is also located just inside the main entrance.

6.2.3 The site currently provides for 249 car parking spaces, 12 motorcycle spaces, and 131 cycle parking spaces.

6.2.4 The eastern half of the site is well screened by mature trees and planting which acts as an important buffer between the site, and neighbouring residential properties. Some of the trees are covered by a Tree Protection Order (TPO).

6.3 Design and layout

6.3.1 The new access proposed would be located to the eastern edge of the site, again from Cromwell Road. The Design and Access Statement sets out that the new vehicular and pedestrian access would provide for a revised circulation system within the site, which along with security fence provisions, would help to separate visitors and guests from staff and loading; "The intention is to enhance the site by making it more user friendly with a view to making further improvements to the buildings and facilities in the future".

6.3.2 The new entrance would be security controlled by way of a rolling locking gate and new automatic barriers. All new colour coated steel fencing and gates will match existing.

6.3.2 The number of car parking spaces provided within the site will not increase; however, the new layout will "allow for appropriate spacing of car parking with adequate aisle widths and improved landscaping". A small section of new paved access road will be created to the rear of the site.

6.3.3 A new cycle entrance is also proposed alongside the existing entrance to improve access to the cycle parking facilities. The existing facility is to be extended to provide an additional 40 cycle parking spaces; planning permission for a similar extension was granted in 2008 but not implemented.

6.4 Impact on neighbouring property

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

6.4.2 Given the nature of the proposed development, it is not considered that the proposals would result in any unacceptable harm to neighbouring residential properties. As previously stated, the number of car parking spaces within the site is not being increased; the parking layout is simply being reconfigured.

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6.4.3 Additionally, the limited extent of existing landscaping that is to be removed from the Cromwell Road frontage will not result in the two large silos becoming significantly more prominent in the street scene.

6.4.4 The Environmental Health team have briefly considered the proposals but have not raised any objection or recommended conditions.

6.5 Trees and landscaping

6.5.1 Local plan policy GE6 advises that development which would cause permanent damage to a tree of high value will not be permitted. Note 1 to the policy sets out that 'high value' means "a sound and healthy tree with at least 5 years of life remaining which makes a significant contribution to the character or appearance of a site or locality".

6.5.2 The proposed new access would result in the loss of some existing planting within the site, and the removal of a healthy, mature Whitebeam street tree. The Trees Officer, whilst acknowledging that the loss of this healthy tree is disappointing, does accept that the location of the access would allow for the retention of some better TPO'd trees within the site, and therefore raises no objection in principle subject to an enhanced replanting scheme to mitigate the loss of the tree.

6.5.3 Additionally, the Highways Trees Officer whilst not in favour of the plan to remove the tree raises no objection, in principle, subject to a minimum of 3 Sorbus or Acer type trees being planted in the grass verge along Cromwell Road to replace the mature one to be lost. The species originally proposed was not considered suitable.

6.5.4 In response to the Trees Officers' comments, revised landscaping proposals have been submitted to show 3 new Whitebeams to be planted within the grass verge. In addition, details of the proposed no dig construction method have been submitted. A response from the Trees Officers' is still awaited; however, it is anticipated that the revised planting proposals will be acceptable. Members will be updated on receipt of the comments.

6.6 Access and highway issues

6.6.1 Local plan policy TP1 states that development will not be permitted where it would endanger highway safety.

6.6.2 The proposed new vehicular access would require the relocation of an existing pedestrian crossing point/ build-out which forms part of a traffic calming scheme; the build-out prioritises westbound traffic.

6.6.3 During the course of this application additional information was requested by the Highways Officer; namely a stage 1 Road Safety Audit (RSA), and justification for the relocation of the build-out.

6.6.4 The RSA, which was carried out in December 2016, identified that whilst the build-out will need to be relocated to accommodate the new access, it appears to be on an existing pedestrian desire line. The Auditor's recommendation was therefore to retain drop kerbs and tactile paving at the existing crossing point after the relocation of the build-out, and a revised plan has subsequently been submitted to address this recommendation.

6.6.5 The Highways Officer in considering the proposal has also confirmed that adequate visibility can be achieved, and that there is sufficient space within the site to accommodate the requirements of the parking and turning of cars.

6.6.6 Therefore, whilst the concerns of the local residents have been duly noted, the proposal is acceptable in highway terms.

6.7 Other matters

6.7.1 Many local residents have raised concerns over the number of employees leaving the site to smoke on the footpath outside of residential properties. Whilst this is not a consideration when determining this application, the agent has raised this concern with their client, who, in response, have confirmed that they are looking into improving the 'management' of an existing smoking shelter on site to encourage its use rather than employees leaving the site; "They appreciate that it is in their interests to improve this from both an employment and public image point of view".

6.8 Recommendation

6.8.1 With all of the above in mind, the recommendation is to grant planning permission subject to the following conditions:

7. CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three 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 the approved plans listed in Schedule 1 of this decision notice.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The development hereby permitted shall be served by an access road laid out and constructed in accordance with TPA drawing no. 1608-22-SKO1-B. As part of the proposed works, the build-out will be relocated further to the east with dropped kerbs. The existing build-out will be removed and new tactile paving will be provided on the southern footway.

Reason: To minimize hazards and inconvenience for users of the development by ensuring that there is a satisfactory means of access, having regard to Policy TP1 of the Cheltenham Borough Local Plan (adopted 2006).

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

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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 proposed development will involve works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing those works.

APPLICATION NO: 16/01812/FUL	OFFICER: Miss Michelle Payne
DATE REGISTERED: 7th October 2016	DATE OF EXPIRY : 6th January 2017
WARD: Oakley Ward	PARISH:
APPLICANT: Kohler Mira	
LOCATION: Kohler Mira Ltd, Cromwell Road, Cheltenham	
PROPOSAL:	Provision of secondary vehicular access onto Cromwell Road, extension to existing cycle shed to provide 40no. additional cycle spaces, alterations to car parking layout, and new pedestrian path, security fencing and landscaping

REPRESENTATIONS

Number of contributors	12
Number of objections	11
Number of representations	1
Number of supporting	0

130 Cromwell Road
Cheltenham
Gloucestershire
GL52 5EU

Comments: 31st October 2016

Letter attached.

135 Cromwell Road
Cheltenham
Gloucestershire
GL52 5ES

Comments: 30th October 2016

We don't need more traffic down Cromwell Road, it's busy enough already.

124 Cromwell Road
Cheltenham
Gloucestershire
GL52 5EW

Comments: 23rd October 2016

Cromwell road is already a very busy road that has traffic calming features installed due to its proximity to a junior school. Parking is already restricted as Bredon walk residents have no other parking besides cromwell road. Bredon walk which is directly in front of the proposed entrance is a major thoroughfare for children coming to and from the junior school in Cotswold road, this would surely be a safety issue. Parents taking and picking up children from the school often park in Cromwell road due to restrictions in Cotswold road. The limited parking is already a problem for residents and if the proposed access is allowed disabled parking will be affected/

At present my property is overlooking a wooded area and the factory is hidden. The proposed changes would totally alter this view and the factory will be right in front of my house. One major entrance on Cromwell road creates congestion Two would be a nightmare. If Kohler requires the

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extra parking then it should do so with in its own grounds and not cause great inconvenience and disruption to its neighbours. The initial building works, the extra traffic being funnelled in to the proposed access along with the noise, extra lighting, operation of security gates and access at all hours by shift workers will have a huge impact on those of us living opposite. There is also an issue of destroying healthy mature trees that are populated with wildlife (squirrels, birds etc.) I strongly object to this proposal and will fight it by all means necessary.

122 Cromwell Road
Cheltenham
Gloucestershire
GL52 5EW

Comments: 23rd October 2016

I write in connection with the planning application 16/01812/FUL. I have examined the plans and would like to request more information about the new fencing and landscaping of the area. My concern is about how visible the site will be, particularly the two silos which would directly visible to us if exposed. More information would be much appreciated.

Comments: 22nd December 2016

We would like to object to the proposal. We are concerned about the effect of increased traffic on the road and the increased number of Mira workers smoking directly outside of our property. We initially requested more information about landscaping but no attempt has been made to answer these questions.

118 Cromwell Road
Cheltenham
Gloucestershire
GL52 5EW

Comments: 27th October 2016

I wish to object to the proposal of secondary vehicular access onto Cromwell Road.

This is a prime residential area which already puts up with significant disruption and noise from Kohler Mira Ltd. I have been a resident/home owner of Cromwell Road all my life and the volume of traffic including the extremely large commercial lorries that make my house shake when passing, continues to increase and causes disturbance from extremely early in the morning and then continues throughout the day/evening. Creating another entrance nearer to my property is only going to exaggerate these existing issues and probably send more traffic past my property.

I also have major concerns/objections regarding the employees who block the pavements at the current entrance when taking cigarettes and lunch breaks. Surely Kohler have sufficient grounds so that the employees can remain on the premises without having to smoke and eat outside of the current gate, they regularly sit on the kerbs, stand together blocking the pavements forcing the public to walk through a smoke screen. If there is another entrance then this problem is just going to move up the road and cause yet more obstructions and privacy issues for the residents near the proposed new gates.

At the moment the mature trees and high hedging hides a great deal of the building and parking area, any removal of trees will impact and reduce the privacy of local residents and removal will also increase noise levels, further noise will no doubt also be created from security gates, alarms, lighting etc.

112 Cromwell Road
Cheltenham
Gloucestershire
GL52 5EW

Comments: 31st October 2016

FYI - I have been resident in Cromwell Road for over over 50 years.

Safety Issues:

3 entrances are not necessary in my view - the pedestrian and cyclists would be crossing either Car entrance or lorry entrance to gain access to site.

School children from Oakwood and Pittville also use this public highway to and from school, there is no information on where the existing crossing is to be moved to.!

Under this proposals cars approaching from the Prestbury Road would be turning across oncoming Lorries, cars and Cyclists travelling from Priors Road causing more danger and queuing traffic.

Parking has always been a problem - staff should be encouraged to use the facilities offered to them at Cheltenham Football Club, to facilitate the entry to site could the Severn Road entrance not be used for Pedestrians, also cyclists ?

Residents have suffered long term from staff smoking outside the gates and corners of Mendip and Cromwell Road, the proposal for a new Pedestrian and Cycle entrance would only move this problem.

Environmental issues should also be of great concern, as well as the proposed loss of trees and habitat for birds the loss of privacy would impact the residence, noise and visual impact would be impacted.

My family and I object.

135 Cromwell Road
Cheltenham
Gloucestershire
GL52 5ES

Comments: 30th October 2016

I object to this proposal because I have lived at this address since 1995 & know how busy & dangerous this road can be at Adding a secondary access next to a pedestrian access will only add to this & moving the build up to outside 133 & 135 Cromwell road will not help.

The build up already causes confusion & near misses & an entrance near the build up will only make things worse. Drivers will naturally be looking for other vehicles on the road when they pull out on to Cromwell road & might not see any pedestrians/ small children crossing.

Removing the natural barrier between the factory & the road is environmentally wrong & it gives some protection from the noise & exhaust fumes we already suffer isn't there an existing entrance on Severn road which can be considered instead of adding another entrance on a busy & at times fast moving traffic Cromwell road.

Can Mira not use the parklands community centre car park as its only 5 minutes away from Mira & closer than Cheltenham town football club car park they already use.

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Having workers who smoke & leave cigarette stubs on the floor like they do by the existing entrance even with bins provided is unacceptable.

I think Mira should consider the impact this entrance will have on its neighbours & not about how easier will be for their workers.

Mira is an expanding factory in a residential area & should look at & consider better alternatives than this secondary entrance

133 Cromwell Road
Cheltenham
Gloucestershire
GL52 5ES

Comments: 31st October 2016

As a neighbour immediately affected by this proposal I feel I must raise several points.

The proposed access calls for the removal and relocation of the existing school safety crossing further up the road towards Cam Road. This will reduce the number of on-road parking spaces available in an already overcrowded parking area.

If the proposal is allowed, parking will have to be restricted opposite the proposed entrance, otherwise the access will be restricted for articulated vehicles and fire appliances as detailed in the plans, this will further restrict parking in the area. An unintended consequence of this may be an increase in speeds on an already fast road as drivers see a clear straight road, not knowing there is a school crossing just ahead.

At present the site is well secured, the main access being via a 24 hour manned gatehouse, After the installation of automatic barriers, I wonder if the site will be as secure when the sliding gate is open.

The proposed access will necessitate the removal of several trees, I was under the impression that every tree on site was the subject of a tree preservation order, this was certainly the case when we asked for a dangerously overhanging tree to be trimmed. A case of double standards perhaps.

Also with reference to the proposal tree plan there are several errors on the route of the proposed access, trees are miss numbered and marked as not present when that is not the case.

Vehicular access to the site already causes a disturbance to its neighbours, we can virtually set our clocks by the shift patterns of cars coming and going in the evenings....9.30pm seems some nights like the start of a grand prix as staff hurry home. This will be made worse by the relocation of the entrance.

Pedestrian access to the site also presents problems, not due to noise but due to Mira having a no smoking on site policy, every shift change and lunchtime you cannot pass the existing entrance without running the gauntlet of smokers, this will undoubtedly move next to our property. Highly undesirable.

In summary Mira will put public safety at risk, reduce public parking, damaging the natural environment and further disturb the neighbourhood if this proposal is allowed.

135 Cromwell Road
Cheltenham
Gloucestershire
GL52 5ES

Comments: 30th October 2016

i object to these proposed plans. I have only lived in the neighbourhood for three years i have noticed a steady increase in traffic in Cromwell Rd. From 0700 to 0915, there is the steady flow of Mira traffic, then the secondary school children, followed by the Oakwood Primary School parents parking in Cromwell to walk across to the school or walking through plus the buses every 15mins. From 1500 to 1730 the process is reversed.

this is not a quiet road, has a traffic survey been completed? Does Mira not have a green transport plan to support staff to use buses/walk/cycle/car share? Already Mira staff park on the hardstanding just off Cromwell Rd, attempting to drive past Mira at 0725 is a game of chance with workers racing up the road as they are running late.

The traffic calming in existence is ineffective - traffic races up and down the road, our vehicles have been clipped and damaged by unknown speeding traffic.

The creating of a new entrance will directly impact upon this address - removal of trees & shrubbery will increase noise. Isn't there a preservation order on the tress on the Mira site?

Whilst, the moving of the traffic island will be directly outside this property meaning no on-the-road parking, increase danger to pedestrians going to / from Oakwood and other local schools & amenities.

Also, the congregating of Mira staff outside of a proposed new entrance, sitting on curbing to smoke and chat will cause additional lunchtime noise & disruption. It is awful trying to walk past the existing entrance at lunchtime and i wouldn't wish that outside this front door.

finally, are there not at least two other access points (clyde crescent and severn road) which are not on bus routes / near schools that should be considered as viable alternatives?

137 Cromwell Road
Cheltenham
Gloucestershire
GL52 5ES

Comments: 31st October 2016

137 Cromwell Road (objection)

We object to proposed new vehicle access points, there are a number of negative impacts this will have on homeowners and public safety. Cromwell road is a residential area which already suffers from a lack of parking and is a busy thoroughfare of factory and public traffic.

There is currently traffic calming to accommodate the need for public access to local schools in particular Oakwood, the new plan is not clear on where or if this is to be re-sited. If this calming is moved further along the vehicle access will increase the traffic amount around this and so increase the danger to young children. This will also impact on local residents as further parking will be lost i.e. yellow lines outside houses 139 - 133.

Factory staff currently park in Cromwell road and Cam road however the plans to alter parking layout within Kohler Mira will not alter this as the amount of car parking spaces are staying the same, why then is there a need for such dramatic changes.

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Improving the facilities for bikes is not an issue as such but perhaps access to bike sheds could be via Severn road or Clyde Crescent?

Un sociable Smoking is also an issue as can been seen outside current access and nearby area and is not something we feel is acceptable to local residents and children who will be passing by the entrance to go to school, apparently there is a smoking shed onsite.

Looking at the proposed plans it is clear that the only people to benefit from such plans are Kohler Mira who are more concerned with making their parking area more pleasing to the eye of their visitors. Impacting on environment, wildlife and the removing of trees etc. as well as the impact this development will have on the local community is clearly not a priority or concern to them.

139 Cromwell Road
Cheltenham
Gloucestershire
GL52 5ES

Comments: 30th October 2016

Kohler Mira is a joke as it is already, without adding more chaos and less parking outside our houses. I have two young children and think it will make it worse for walking to school.

126 Cromwell Road
Cheltenham
Gloucestershire
GL52 5EW

Comments: 29th October 2016

I have reviewed the application for the provision of a secondary vehicular access onto Cromwell Road for Kohler Mira Ltd and would like to submit the following comments for your review and consideration.

My understanding of traffic calming measures is to improve safety for motorists, pedestrians and cyclists. It is used to encourage safer, more responsible driving and potentially reduce traffic flow. The Council made the decision to narrow the road on three locations on Cromwell Road and put up give way signs to make the road safer, one of these is currently located opposite the proposed planning area and would have been put there as it would have been the most appropriate place to have it. Whilst it has been proposed that the traffic calming measure is moved, Kohler Mira has proposed to add 169 car spaces which will make the road more dangerous for motorists, pedestrians and cyclists and would not assist with the Council's plan to calm the traffic flow. Having reviewed the planning proposal (swept paths of a 16.5m articulated vehicle) it also appears that Kohler Mira intend to have 16.5m articulated vehicles use the proposed secondary access which again increases the risk and will cause chaos.

If the traffic calming measure is moved up the Road this will also reduce the number of car parking spaces that are available to residents in Cromwell Road and Bredon Walk where residents already struggle to park.

I would also like to point out which I think is the most important point to my objection that nearly opposite the proposed planning provision of the secondary vehicular access is Bredon Walk which is used by a lot of children to get to Oakwood School as at the end of it provides direct access to the school. I believe that if the planning application was to be agreed this would make it more dangerous for pedestrians to cross the road especially children who use Bredon Walk on a regular basis. A lot of parents also use Cromwell Road to take their children and pick up their children from school.

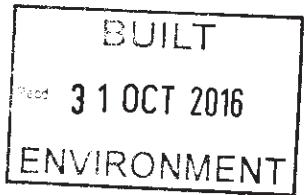
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Cromwell Road is already used as part of the A bus route and having this secondary access will only cause further chaos on a already busy road and will lead to congestion. I myself already struggle to pull out of the driveway when workers are starting and finishing work at Kohler Mira and parents are dropping and picking their children up from school. Cromwell Road is also used by residents on Bredon Walk as they do not have the ability to park their cars outside their houses.

I have noticed that on the planning document entitled 2.0 Site Analysis in the bottom left it indicates that Cromwell Road is a quiet Road which is not the case for the majority of the day.

The loss of existing views from neighbouring properties would adversely affect the residential amenity of neighbouring owners. Privacy of houses opposite will be lost due to the secondary access on incoming and outgoing cars and lorries and employees of Kohler Mira Ltd who already congregate at the primary access. This would also lead to increased noise and disturbance.

I believe that this will adversely affect highway safety and the convenience of road users and therefore object to the provision of a secondary vehicular access onto Cromwell Road.



130 Cromwell road
Cheltenham
Glos
GL525EU

28th October 2016
ref no 16/01812/FUL

Dear Miss Payne

We are writing to you regarding the planning application from Kohler Mira for a vehicular access onto Cromwell rd. We would strongly oppose this application due to safety and noise issues. The traffic calming measure they wish to remove was put in place to slow traffic and allow children a safe crossing to Oakwood school and there was no visible signs on the plans for a replacement crossing without this it could be detrimental for their safety. Cromwell rd is very busy with many heavy duty vehicles using it and also a bus route operates every 10 minutes. The removal of the fence and hedge at the boundary would be a great loss of the noise and screening barrier between the factory and the houses in Cromwell rd along with the loss of wildlife habitat in the hedge and surrounding trees some of which would have to be felled to accommodate the access road.

Yours Sincerely

Agenda Item 6c

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APPLICATION NO: 16/01994/FUL	OFFICER: Mr Ben Hawkes
DATE REGISTERED: 8th November 2016	DATE OF EXPIRY: 3rd January 2017
WARD: St Peters	PARISH:
APPLICANT: Mrs Carol Gilbert	
AGENT:	
LOCATION: 53 St Georges Drive, Cheltenham	
PROPOSAL: Drop kerb to provide access with gravel hardstanding	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a ground floor maisonette, located on St George's Drive, a residential street accessed via Queens Retreat.
- 1.2 The applicant is seeking planning permission for a dropped kerb and gravel hardstanding to provide 2 off-street parking spaces.
- 1.3 The application has been called to Committee at the request of Councillor Willingham, due to the level of public interest regarding this application and its potential impact.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Honeybourne Line
Residents Associations
Smoke Control Order

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
TP 1 Development and highway safety

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Parking Services

16th December 2016

As part of the current Cheltenham West Parking Review (Westend, Railway and Lansdown areas) to be implemented next year, St Georges Drive residents were consulted over the proposal to introduce a permit holders only scheme into the street. This was rejected locally and the current situation to retain unrestricted parking accepted by GCC (despite residents being reminded about displacement parking from other restricted areas). Households in St Georges Drive will be eligible to buy parking permits for the zone in general - effectively if parking is not available in St Georges Drive, those with a valid permit can park elsewhere in the entire Westend zone (where restrictions allow).

Demand for parking in the Westend area is high, with the Highway network unable to cope with that demand - this is why the review has taken place. To that end, parking places need to be managed very carefully, and it is our view that the provision of additional vehicular accesses for maisonette properties in St Georges Drive will further exacerbate current

parking pressure, further restrict the availability of on-street parking, and impact on the wider area as demand increases.

GCC Highways Planning Liaison Officer

16th January 2017

No information has been supplied with regards to the layout of the proposed access, therefore the applicant will have to supply information and annotated plans to demonstrate sufficient space to park a large saloon car,

In accordance with MfGs the required dimensions of a single driveway will be 5.5m long (length) and 3.2m in width to prevent vehicles over hanging the highway and to allow for vehicle door width. If the access to a single dwelling crosses a footway or footpath then the minimum levels of pedestrian to driver visibility must be provided and kept clear from obstruction, with no planting within these areas.

The council requires that a private access is surfaced in a bound material over at least the first 5 metres adjacent to the public highway to minimise the risk of loose material being carried onto the highway.

I note the objection comments on Cheltenham Borough Council website; however a safe and suitable access can be achieved in accordance with the NPPF paragraph 35.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	11
Total comments received	14
Number of objections	14
Number of supporting	0
General comment	0

5.1 11 letters were sent to neighbouring properties, 14 letters of objection have been received. The main concerns are:

- Reduction in on street parking spaces
- Off street parking being limited to ground floor maisonette occupiers only
- Visual impact
- Increased parking pressures on surrounding areas

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The main considerations of this application are highway safety implications and any visual impact on the surroundings.

6.3 The site and its context

6.4 The application site is located on a one way residential street accessed via Queens Retreat from St George's Road. St Georges Drive is made up of 17 blocks; each block contains 4 separate maisonettes, creating a total number of 68 units in the street.

6.5 The application site relates to a ground floor maisonette located half way up St Georges Drive.

6.6 Access and highway issues

6.7 Access and parking issues are the main concerns raised by local residents. The objectors consider that the proposal to introduce a dropped kerb and off street parking will have an unacceptable impact on parking pressures for other residents within the street and surrounding areas. The impact is considered to be further emphasised by the proposed permit holder parking schemes that have been or will be implemented in the surrounding areas.

6.8 The highways authority would not normally be consulted on an application of this nature as their standing advice would be applicable. However, given the level of local concern, the highways authority has been consulted and the application has also been further discussed with them in light of the potential implications.

6.9 Paragraph 32 of the NPPF requires plans and decisions to take account of whether safe and suitable access to the site can be achieved for all people. Local Plan Policy TP1 states ‘Development will not be permitted where it would endanger highway safety, directly or indirectly by creating a new access or generating high turnover on-street parking’. The highways authority has noted the concerns raised by residents but do not consider that the proposal would result in any highway safety implications and would meet the requirements of paragraph 32 of the NPPF and local plan policy TP1.

6.10 In addition to the highways authority, the Council’s own parking services team were consulted on this application. They consider that the provision of additional vehicular accesses for properties in St Georges Drive will further exacerbate the current parking pressures and will further restrict any available on street parking.

6.11 Whilst it could be argued that the provision of off street parking will mitigate the loss of available on street parking spaces, due to the characteristics of the road and the specific land ownership issues whereby the ground floor maisonettes own the land to the front of the buildings, any off street spaces are only likely to be available for use by ground floor maisonettes.

6.12 Whilst officers gave some empathy with the owners of the first floor maisonettes, it is the type of property and the land ownership associated with it that ultimately prevents the provision of off street parking for all residents in the street. In light of policy context which prioritises highway safety over convenience, members are advised that the council cannot reasonably refuse residents from providing off street parking unless there is a valid highway safety reason. The comments provided by the parking services team have been noted but following further discussions with the highways authority, as there is no objection regarding highway safety there is no valid reason to reasonably withhold planning permission on these grounds.

6.13 Visual impact

6.14 The proposal for a dropped kerb and off road parking will require an alteration to the front garden area associated with the property. The proposal will require the removal of a small grassed area and the laying of a gravel hardstanding.

6.15 Whilst the changes to the front garden area are unfortunate in terms of a loss of landscaping, the laying of gravel itself would not require any form of planning permission. The proposal is therefore considered to be acceptable in terms of visual impact.

6.16 Other considerations

- 6.17** Had the application site not been a maisonette, it is likely that the proposed dropped kerb and hardstanding could have been carried out without the need for planning permission. If that had been the case, an application for a certificate of lawful proposed development could be made and this process does not account for impact on parking pressures or visual amenities.

7. CONCLUSION AND RECOMMENDATION

- 7.1** With the above in mind, officers do not consider that the proposal will result in any highway safety implications or any unacceptable impact on visual amenities and therefore the recommendation is that planning permission be granted.

8. CONDITIONS / INFORMATIVES

- 1 The development hereby permitted shall be begun before the expiration of three 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 the approved plans listed in Schedule 1 of this decision notice.
Reason: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVES

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

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

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

APPLICATION NO: 16/01994/FUL	OFFICER: Mr Ben Hawkes
DATE REGISTERED: 8th November 2016	DATE OF EXPIRY : 3rd January 2017
WARD: St Peters	PARISH:
APPLICANT: Mrs Carol Gilbert	
LOCATION: 53 St Georges Drive, Cheltenham	
PROPOSAL: Drop kerb to provide access with gravel hardstanding	

REPRESENTATIONS

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

58 St Georges Drive
Cheltenham
Gloucestershire
GL51 8NX

Comments: 4th December 2016

I am against this as it will reduce parking in an already overcrowded street. This could encourage more people to follow suit making parking for the upper maisonettes problematic and spoiling a pleasant green street.

I think that a planning officer should come and look at the street, sometime plans don't tell the whole story.

36 St Georges Drive
Cheltenham
Gloucestershire
GL51 8NX

Comments: 30th November 2016

I have the same concerns as stated in the other comments, with the already cramped parking situation losing more spaces is just not acceptable for the residents of the upper maisonettes. Others in the street are converting their front gardens into parking without the correct planning if this continues those needing to park will be forced to block other cars in or to park on main roads if they can actually find a legal place to park

17 St Georges Drive
Cheltenham
Gloucestershire
GL51 8NX

Comments: 14th November 2016

Case officer Gary Dickens comments on case 16/01332/FUL that first floor residents will eventually struggle to find parking spaces if applications similar to this one continue to be granted. This application is the continuation of that process, so I strongly object. It is the third

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such application, and already parking is difficult in the street (Try parking here after normal working hours when residents return home. My guess is case officers only make assessments during the working day).

It does nothing but provide the owner with a private parking slot to the detriment of other residents. Granting this does not have a neutral effect, as residents are then forced to park in other streets around the area.

I'm also of the opinion that the Council don't care what the local residents have to say on the matter. The previous application received lots of objections - all of which seem to have been interpreted as irrelevant.

I feel the visual impact is significant. Residents caught between No 53 and 59 will effectively have their gardens surrounded by parking slots if this goes ahead, and I think that will significantly reduce any enjoyment they may get from their garden.

56 St Georges Drive
Cheltenham
Gloucestershire
GL51 8NX

Comments: 14th November 2016

I live in this cul-de-sac and I recently bought here because it is an attractive, quiet road with beautiful gardens in the front of the properties.

Parking is already incredibly challenging in this street and the surrounding streets. As I live in a first floor maisonette the impact that allowing this or other ground floor flats to use the entire breadth of the properties for access to their own parking space will have an extremely detrimental impact on, in particular, me and other first floor owners or occupiers to park near their own property or in the street that they live.

If more drop curbs are granted in this street it will also have a negative impact on surrounding streets as residents of St Georges Drive will have no option but to park in nearby streets (if that is possible with the already challenging options to park in this area).

In addition to the initial impact of parking becoming a more problematic affair, I believe that this will also negatively impact the option of selling or renting out first floor properties in future if there is no option to park near their own first floor property.

I would strongly ask that the Council listen to the valid objections of residents in this street and stop this and future drop curb building/parking in front gardens. Not only because it will make parking has more difficult if not impossible but also because this street has gardens that visually make the street more attractive. Please do not let it become a parking lot.

51 St Georges Drive
Cheltenham
Gloucestershire
GL51 8NX

Comments: 28th November 2016

The plan has an detrimental effect on parking for other residents in the street. There is only limited parking space available and this has already dwindled following previous conversions of front gardens into parking bays. I believe further development of this kind in the street can only have negative impact for neighbours and therefore hope the council will reject these plans.

54 St Georges Drive
Cheltenham
Gloucestershire
GL51 8NX

Comments: 27th November 2016

I object to the following proposal: 16/01994/FUL - Drop kerb to provide access with gravel hardstanding at 53 St Georges Drive Cheltenham Gloucestershire GL51 8NX.

St Georges Drive is comprised of 67 small 2 bed maisonettes (with the exception of number 15 and 15A). The properties are popular with the young, including first time buyers and new families and the the older, living on their own without dependents. In general residents on St Georges Drive have on average one car per household.

All ground floor maisonettes have a front garden and rear garden; top floor maisonettes have an adjoining rear garden. All the ground floor maisonettes' front gardens face the road of St Georges Drive. Currently the majority of parking is on road, with the exception of some of the properties on the roundabout and number 47, who converted their drive after seeking planning permission.

I am concerned about the decision to grant planning for a hardstanding on another property on our road (16/01332/FUL) where the report states "Consideration has been given as to whether any inequality and community impact will be created by the transport and highway impacts of the proposed development. It is considered that no inequality is caused to those people who had previously utilised those sections of the existing transport network that are likely to be impacted on by the proposed development". However there is inequality as only ground floor maisonettes have the opportunity to convert their front gardens into hardstanding, meaning top floor maisonettes lose the opportunity to park near their properties. The officer also commented in the report that "It appears that the impact on the on street parking availability will be neutral (i.e. the lost spaces will be replaced by that provided on the hardstanding)". As already mentioned people on the street have an average of one car per property. Therefore the impact is not neutral, the street is in fact losing two spaces.

However the lower floor is gaining those spaces. As mentioned in number 17's comment, the owner has made approaches to try and rent out one of the two spaces. It may turn out that this space is rented to someone who is not a St George's Drive resident thus reducing residents' parking still further. The officer then added "It is acknowledged that if all the ground floor maisonettes in the area created off street parking in this way then the first floor maisonettes would struggle to park.

However that is not yet the situation and this application must be assessed on its own merits". There is already a big parking problem hence the council implementing the upcoming parking permit restrictions on all roads except for St Georges Drive. However our parking problems are currently not related to commuters, just the number of residents on the small road. I am very concerned with the effect of the new local parking permit restrictions; will nearby residents not buy permits and use our road instead? All eight comments raised objections, yet they do not appear to have been taken into consideration which is disheartening.

The removal of front gardens to make way for hardstanding will not only spoil the appearance of the street but will also affect wildlife attracted to it. As well as butterflies, frogs are in abundance (presumably due to the proximity of the River Chelt) which often take refuge in leaf litter and twigs around the area.

If planning permission for hardstanding with space for two cars is granted, top floor residents will not be able to park on their street. If the hard standing was only a single car, then there would be enough space for top floor residents to park in between the hardstanding. If planning permission

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is granted to number 53, this will take two parking spaces from the street. The property is currently rented, where the previous tenant had no car and the current has one. This proposal is not neutral.

(Photographs attached.)

30 Benhall Avenue
Cheltenham
Gloucestershire
GL51 6AE

Comments: 17th November 2016

I would like to support objections regarding this proposed drop kerb and parking application.

I visit my daughter, who lives in this street, regularly and as an older person, it is vital that I can park in this street when I visit. With the continuing reduction of on street parking it will become harder to park and will affect my quality of life if I can no longer visit because I cannot park. I would urge that Council think about all the people who live on this cul-de-sac and stop permitting this type of building with this and ALL future applications. Not only will it make parking harder for people who live on this street (in particular the first floor residents who will not have an option to build a drive way on their property) but also for family and friends who wish to visit residents.

If this type of building work continues on this street it will also destroy the gardens that work to keep this a visually attractive street.

11 St Georges Drive
Cheltenham
Gloucestershire
GL51 8NX

Comments: 28th November 2016

I totally agree with all comments made by others objecting to this application. It is almost impossible to get a parking space when returning to the road in the evenings and weekends and it will be come even more difficult if this is permitted as it will set a precedence for others.

Also with permit parking coming to Queens Retreat and NOT St Georges Drive it is likely residence will try to park in the Drive causing further difficulties.

However I feel this is just an exercise of being seen to do the right thing as when the original planning application was presented several residents objected but not listened to..

16 St Georges Drive
Cheltenham
Gloucestershire
GL51 8NX

Comments: 29th November 2016

I object to this proposal and any like it. If more people are allowed to convert the front gardens of ground-floor maisonettes to parking places with a dropped kerb, it will reduce the parking spaces available in the street for people living in the first-floor properties. This if not fair and it will also reduce the value of the first-floor maisonettes.

There are likely to be many more applications to do this now that we will need parking permits for anyone to park in the street.

Please do no allow any further applications of this kind.

24 St Georges Drive
Cheltenham
Gloucestershire
GL51 8NX

Comments: 30th November 2016

I find the fact that you are even considering this a complete farce. If a planning officer decided to visit ST GEORGES DRIVE they would realise that IF all downstairs properties were allowed this what actually would happen to the residents that live upstairs with a car. I am sure they would object if they lived down this road. I feel this should not be allowed and anymore applications rightfully refused. I was under the understanding that the only reason one resident was granted this was due to health reasons - I had made the comment at that time this would open the floodgates - only to be told NO - well that was not true. Please do not allow this as all the residents that own upstairs will now be living in a property that soon will become worthless. I will contacting my local councillor to see if they may be able to help - I feel that the council who say YES or NO should come to St GEORGES DRIVE and not make the decision from behind closed doors.

4 St Georges Drive
Cheltenham
Gloucestershire
GL51 8NX

Comments: 1st December 2016

Letter attached.

34 St Georges Drive
Cheltenham
Gloucestershire
GL51 8NX

Comments: 30th November 2016

The net effect of this hardstanding will be that 2 spaces in the road are lost in order to park 1 car. There is always space to park in the road, but it may not be immediately in front of your home - that is living in a town or city.

There is national concern about the hard landscaping of front gardens and the loss of green space. The work is already being carried out at this address, but I and many of the other residents hope that you will call a halt to this. We like the front gardens as gardens! If carried out, this work will contribute to changing the character of the road at a time when 'greening the grey' is seen as important.

Please do not allow this proposal.

Comments: 6th December 2016

Further to my previous comments, I would like to highlight that the work for the parking space is going ahead; is this consultation just window-dressing or does he know something we don't?

Also, I understand that one half of this area has been offered for rent!? This person not only wants to alter the look of the road but now wants to open a car park.

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Even if the change goes ahead, I do not believe that a tenant would want to incur the costs of carrying out this work correctly- around £5,000. This person will move on in a few years having changed the road for all the owners who enjoy living here.

Again, please don't grant this permission.

49 St Georges Drive
Cheltenham
Gloucestershire
GL51 8NX

Comments: 2nd December 2016
Letter attached.

57 St Georges Drive
Cheltenham
Gloucestershire
GL51 8NX

Comments: 7th December 2016
Letter attached.

16/01994/FUL
53 St. George's Road

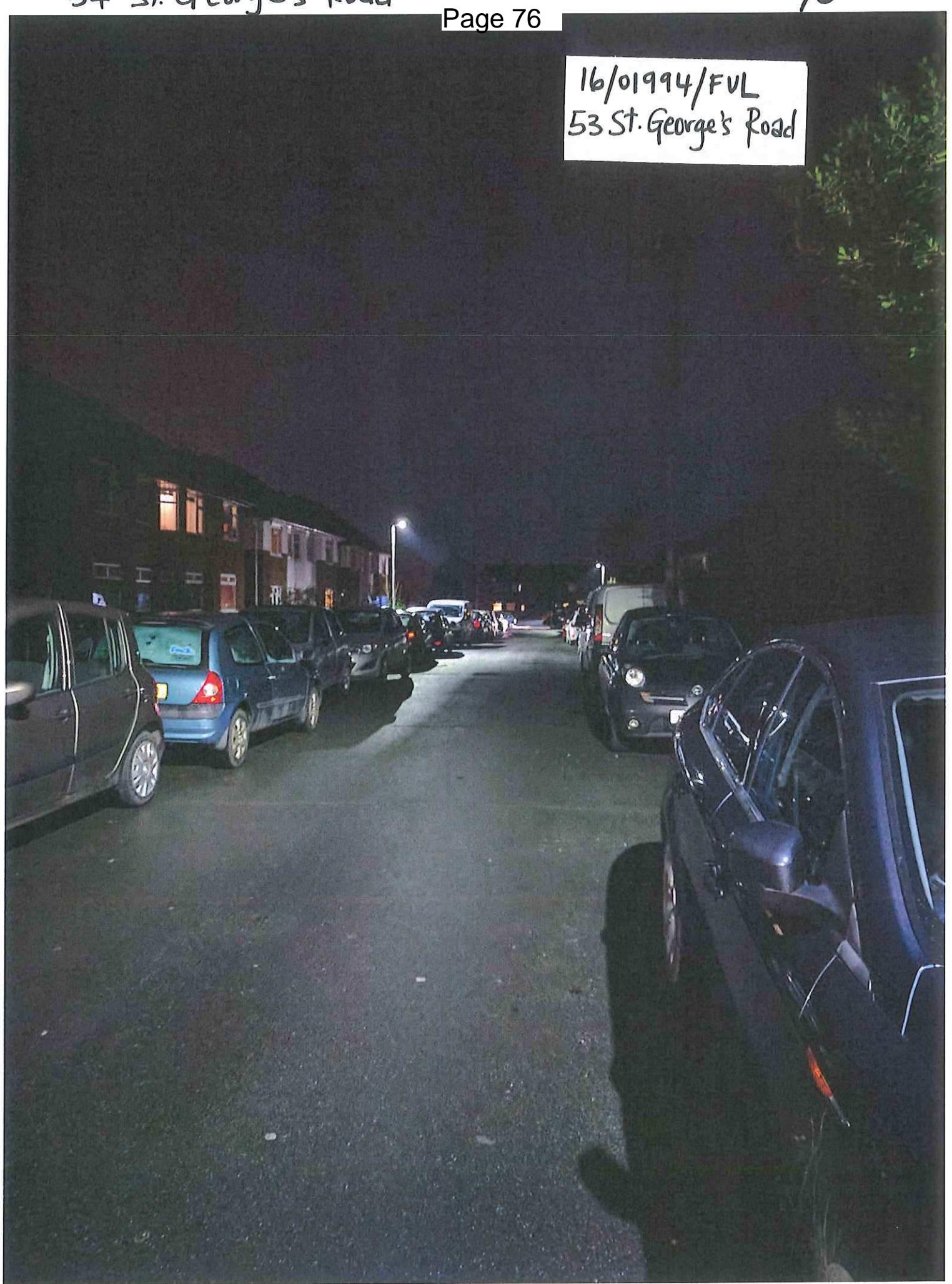


54 St. George's Road

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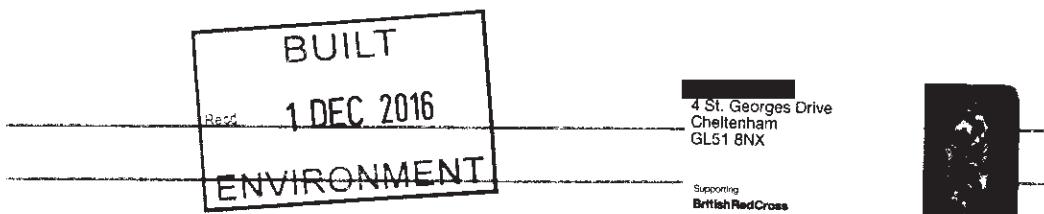
2/3

16/01/994/FUL
53 St. George's Road



16/01994/FUL
53 St. Georges Rd.





30.11.16

Dear Sirs

Ref: 53 St Georges Drive

I wish to object to the proposal for drop kerb access to the above property.

All properties in St. Georges Drive are maisonettes and therefore two owners need parking spaces. If ground floor properties are allowed to have off road parking this will make parking in this road even more difficult than it already is.

I would not be objecting to this application if this were a road with normal houses but with maisonette lots of things including access are shared and I suggest you look into whether off street parking is therefore permissible under the words of the deeds.

Yours faithfully

BUILT
2 DEC 2013
ENVIRONMENT

49 ST GEORGES DRIVE
CHELTENHAM
Glouc
GL51 8NX

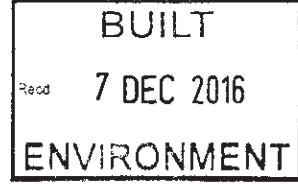
REF NO 16/01994/FUL.

FOR OFF ROAD PARKING 53 ST GEORGES DRIVE

MR BEN HAWKES,

I am TOTALLY against this application. Parking now is a problem, if granted it would be chaos. Also no thought what so ever has been given to the upstairs occupants.

Why should the down stairs flats have off road parking for 2 cars plus 1 one pavement / kerb. Parking for 3 car's surely is unacceptable. I hope a visit here from the planning office would see what chaos this application would cause.



57.5⁺ Georges
Drive.
Cheltenham.
2/12/16

Planning Application.
Ref 16/01444/FUL

Sirs

I wish to state my objections
to the above.

We have already lost 4
kerbside places to Nos 47 + 59.
as we are no longer including
in the Residents Permit Scheme.
it also creates more difficulties
by the further overflow from
this scheme.

Yours,



APPLICATION NO: 16/02132/FUL	OFFICER: Mrs Ullin Jodah McStea
DATE REGISTERED: 22nd December 2016	DATE OF EXPIRY: 16th February 2017
WARD: Lansdown	PARTY:
APPLICANT: Mr Gary Angove	
AGENT:	
LOCATION:	Municipal Offices, Cheltenham Borough Council, Promenade
PROPOSAL:	Erection of war memorial interpretation board

RECOMMENDATION: Permit



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The site is an area to the front of the Municipal Offices, (currently the home of Cheltenham Borough Council but originally part of a grade II* listed terrace of 19 houses constructed in the early 19th century), in front of the historic Long Gardens as well as the recently grade II listed Cheltenham War Memorial. This is a particularly important and sensitive part of Cheltenham, and one of considerable historic interest.
- 1.2 The proposal in this application is for the installation of interpretation board, to the front of Cheltenham's War Memorial.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area
Core Commercial Area
Smoke Control Order

Relevant Planning History:

16/00728/LBC 8th June 2016 GRANT

Insertion of a narrow stainless steel flashing above inscription panels

16/01290/LBC 23rd September 2016 GRANT

To renew 4 number lamps with 4 purpose fabricated globe lamps and caps

16/01296/CLBW 5th August 2016 CERTPU

Cleaning works to the Cenotaph

16/00337/CLBW 14th March 2016 CERTPU

To over-cover existing felt roof and re bed existing coping stones

16/01497/CLBW 5th September 2016 CERTPU

Service of sash windows

16/02273/CLBW 10th January 2017 CERTPU

Repairs to corona mould

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 7 Design
BE 12 Advertisements and signs
BE 13 Advertisements and signs in conservation areas

Supplementary Planning Guidance/Documents

Central conservation area: Montpellier Character Area and Management Plan (Feb 2007)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

GCC Highways Planning Liaison Officer

4th January 2017

I refer to the above planning application received on 22nd December 2016, with Plan(s) Nos 1BD1, Existing and proposed block plans to which no Highway objection is raised.

Statement of Due Regard

Consideration has been given as to whether any inequality and community impact will be created by the transport and highway impacts of the proposed development. It is considered that no inequality is caused to those people who had previously utilised those sections of the existing transport network that are likely to be impacted on by the proposed development.

It is considered that the following protected groups will not be affected by the transport impacts of the proposed development: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, other groups (such as long term unemployed), social-economically deprived groups, community cohesion, and human rights.

Historic England

9th January 2017

Thank you for your letter of 22 December 2016 notifying Historic England of the scheme for planning permission relating to the above site. Our specialist staff have considered the information received and we do not wish to offer any comments on this occasion.

Recommendation

The application(s) should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

It is not necessary for us to be consulted again on this application. However, if you would like further advice, please contact us to explain your request. We can then let you know if we are able to help further and agree a timetable with you.

Tree Officer

3rd January 2017

The Tree Section does not object to this application.

Whilst the Design and Access Statement states that the foundation excavations will be hand dug, it is important that no roots greater than 50mm diameter are severed without due consultation and permission from Trees Officers.

5. PUBLICITY AND REPRESENTATIONS

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

- 5.1 A site notice has been displayed at the site and an advertisement was published in the Gloucestershire Echo

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2 The main considerations in relation to this application are the impact of the proposal on the listed building and the visual impact of the sign.
- 6.3 Local Plan Policy BE12 advises that advertisements will only be permitted where they do not harm visual amenity and public safety. Any sign employed wholly for memorial purposes is not considered as an advertisement, however the considerations in terms of visual amenity and public safety are still considered relevant in establishing the acceptability of the sign. Local Plan Policy BE13 is also relevant as this requires signs in conservation areas to be appropriate in type, size, colour, illumination, material, design and location.
- 6.4 The proposed war memorial interpretation board is site adjacent to the historic Long Garden, in the setting of a number of grade II and grade II* listed buildings, most particularly Cheltenham's War Memorial and the Municipal Offices, and within the Montpellier Character Area of Cheltenham's Conservation Area.
- 6.5 The proposed memorial interpretation board will be sited on a Forest of Dean pennant stone pedestal, with a toughed glass panel. It is not illuminated. It will be sited close to, but not within, the War Memorial or Long Garden.
- 6.6 The choice of material is in keeping with some of the stone used within the War Memorial, whilst the design of the pedestal is classical and low key. This, combined with the size of the board, means that it will not dominate the area.
- 6.7 As such its impact on the setting of the listed buildings, and the conservation area, are limited.

7. CONCLUSION AND RECOMMENDATION

- 7.1 The recommendation is to grant planning permission subject to the conditions set out below

8. CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three 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 the approved plans listed in Schedule 1 of this decision notice.
Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 The foundations for the interpretation board shall be hand-dug and no roots greater than 50mm in diameter shall be severed without the prior written agreement of the Local Planning Authority.
Reason: In the interests of local amenity in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.

- 4 The re siting of the plinth (if considered necessary due to the location of tree roots) will not take place until drawings have been submitted to and approved by the Local Planning Authority
Reason: In the interests of local amenity in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.

Agenda Item 6e

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APPLICATION NO: 17/00017/FUL and LBC	OFFICER: Miss Chloe Smart
DATE REGISTERED: 5th January 2017	DATE OF EXPIRY: 2nd March 2017
WARD: College	PARTY:
APPLICANT: Mr Peter Pritchard	
AGENT: John T Ladley Architect	
LOCATION: Shoreline Cottage, Back Montpellier Terrace, Cheltenham	
PROPOSAL:	Proposed removal of a modern lean-to on the rear of number 8 suffolk Square, erection of a two-storey rear infill extension to Shoreline Cottage.

RECOMMENDATION: Refuse (FUL) and Refuse (LBC)



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

1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is a modern 'coach house' style property known as Shoreline Cottage which is located to the rear of no. 8 Suffolk Square, which is a grade II* listed building which is also within the applicant's ownership. Shoreline Cottage is a separate dwelling and has an access onto Back Montpellier Terrace.
- 1.2 The dwelling to which this application relates was approved in 2012 (planning ref: 12/00060/FUL) following lengthy discussions and three withdrawn applications. Both planning permission and listed building consent is now sought for the erection of a two storey rear infill extension and the removal of an existing lean to addition to the rear of no. 8 Suffolk Square.
- 1.3 The application has been called to planning committee by Councillor Sudbury should the recommendation be to refuse, in order to allow the committee to consider whether or not there is a harmful impact to the listed building and the conservation area.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area
Smoke Control Order

Relevant Planning History:

09/00101/PREAPP CLO

Proposed coach house to the rear of 8 Suffolk Square

09/00732/PREAPP CLO

Proposed coach house dwelling to the rear of 8 Suffolk Square.

11/00564/PREAPP 4th October 2012 CLO

Dwelling at the rear of 8 Suffolk Square

16/00889/PREAPP 29th June 2016 CLO

Two storey infill extension

09/01291/FUL 30th November 2009 WDN

One bedroom coach house dwelling at the rear of No.8

09/01292/LBC 30th November 2009 WDN

One bedroom coach house dwelling at the rear of No.8

11/00051/FUL 9th March 2011 WDN

Erection of a detached "coach house" style dwelling

11/00052/LBC 9th March 2011 WDN

Erection of a detached coach house style dwelling

12/00060/FUL 19th April 2012 PER

Erection of one no self-contained dwelling to rear of 8 Suffolk Square

15/00488/DISCON 18th June 2015 DISCHA

Discharge of conditions 3, 4, 5, 6, 7, 8, 9, 11 (see attached letter for details) on planning permission 12/00060/FUL

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 4 Safe and sustainable living
CP 7 Design
BE 9 Alteration of listed buildings

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)

Central conservation area: Suffolk Square Character Area and Management Plan (July 2008)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Heritage and Conservation

1st February 2017

The key consideration in relation to these comments is the impact of the works on the listed building and the conservation. Sections 16 (2) and 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving a listed building or any features of special architectural or historic interest which it possesses, whilst section 72 (1) requires local authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

The Site and its Context

Shoreline Cottage is a modest modern property recently constructed in a ‘coach house’ style to designs that were given consent in 2012. It is situated on the Back Montpellier Terrace, to the rear of 8 Suffolk Square, part of a grade II* terrace constructed in the first half of the 19th century.

The proposals contained in this application are for the construction of a two storey extension that would link Shoreline Cottage to 8 Suffolk Square

Comments

The following comments were made in response to a pre-application:

There are a number of concerns with this proposal, both in terms of the principle of linking it to the grade II listed building, as well as issues with the design of what is proposed.*

1. *There have been a number of pre-apps/applications related to the back of 8 Suffolk Square, the final one of which was in 2012 when consent was given for the erection of a self-contained property.*
2. *Although the construction of a new property was permitted in 2012, an examination of the comments related to the earlier pre-apps and applications reveals a number of references to the size and scale of the proposed dwelling, as well as its design.*
3. *A response from the LPA to a 2009 pre-app for a ‘Proposed coach house dwelling to the rear of 8 Suffolk Square stated that ‘Although the principle of a dwelling in this location is acceptable, the building should be an ancillary building which is small in scale to resemble the character of a traditional coach house’.*

4. *Comments from Historic England (English Heritage) that same year on the construction of a one bedroom coach house stated that they did not object to the erection of some form of 'modestly sized structure'.*
5. *Comments from the Conservation and Heritage Manager in 2012, in response to the proposals that were subsequently approved, was that the proposed modest development, in terms of size, form and mass, was 'entirely appropriate'.*
6. *It is therefore of some concern that this current pre-app is for the proposal of a two storey infill extension, which would attach Shoreline Cottage to the rear of the grade II* listed 8 Suffolk Square, creating a substantial modern extension to the rear of listed building, and changing its character, appearance and setting.*
7. *This substantial modern structure would no longer be the modest traditional building that has been emphasised in the earlier pre-apps and applications, it would be their antithesis; a large, unwieldy addition of a disjointed design which would have little relationship to the grade II* building to which it would be attached.*
8. *By extending the existing modern coach house, the setting of the listed building would be changed, with the density of the site substantially altered. Although it could be argued that the extension is not in itself vast, it is still substantial when compared to the 'coach house' of which it is meant to be a part; as such it is not subservient, which is a point of LPA guidance on the addition of extensions. More importantly, however, is the cumulative effect of this proposed development. By adding this substantial extension, the setting of the grade II* listed building would change, becoming increasingly cramped and constricted, a situation not helped by the somewhat unusual design of the extension and its fenestration, which is in itself a cause for concern.*
9. *The nature of the fenestration, with its asymmetrical mix of different sized sash windows, is at odds with both the coach house elevation and the service wing of the grade II* listed building, whilst the attempt to fit a doorway into this restricted space, increases the feeling of density and constraint already been referred to.*

Conclusion

Whilst the creation of the modest 'Shoreline Cottage' was deemed acceptable, to add a substantial two storey extension which would link it to the grade II listed building is not. The impact of this infill extension on the appearance, character and setting of the grade II* listed building, as well as on the conservation area, would be considerable and detrimental. As such the proposals are not ones I could support.*

Comments on current application:

An application has now been received for the construction of a two storey infill extension to Shoreline Cottage. Although there have been some modification to the proposed plans that have been submitted, there still remains a great deal in common with the plans that were submitted at pre-app stage. As such, many of the concerns expressed at pre-app are still valid.

The proposed extension to Shoreline Cottage is a two storey recessed infill which would attach the Cottage to the rear of the grade II* listed 8 Suffolk Square. In common with the drawings submitted at pre-app, the proposed extension itself is not vast; however it is still substantial when compared to the 'coach house' of which it is meant to be a part. In addition despite the 'recessing' of the proposed extension, because of its height and mass, it is still not subservient to Shoreline Cottage. In addition in 2012 the approved

proposals for Shoreline Cottage were described by the officer as being of a size, form and mass that was 'entirely appropriate', but if the current proposals are accepted this would no longer be the case: the character of Shoreline Cottage would have fundamentally changed . Indeed Historic England states that the proposed work would transform the size and mass of the coach house 'beyond the scope of that perceived to be acceptable'; a transformation which would impact on the setting of the grade II* listed building as well as the conservation area.

The 'setting' of a heritage asset is defined by the NPPF as 'the surroundings in which a heritage asset is experienced.' The extent of the setting is not fixed and it may change as the asset and its surroundings evolve. In addition elements of a setting may make a positive or negative contribution to the significance of an asset and they may affect the ability to appreciate that significance or may be neutral.

If the proposed infill extension to Shoreline Cottage were permitted, then the setting of the grade II* listed building would undoubtedly be detrimentally changed. It would no longer be the location of the 'entirely appropriate' modest development, but rather the site of a building transformed 'beyond the scope of that perceived to be acceptable'. It would also fail to preserve or enhance the character or appearance of this part of the conservation area. As such the proposals in this application are difficult to support.

Historic England
16th January 2017

Thank you for your letter of 5 January 2017 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application:

Historic England Advice

The northern flank of Suffolk Square is a terrace of 12 houses with attached railings that are Grade II* listed. It was built against an earlier house, now called Willoughby. The terrace is attributed to J. B. Papworth; however the listing description states that it was probably more likely to have been the work of Edward Jenkins and built between 1832 and 1848. The external façade of the building, designed in a typical Regency Classical style (Corinthian columns, end pavilions with pediments etc.) holds a great deal of heritage value and contributes heavily to the significance of this formally laid out square. This furthermore sits within the Suffolk Square Character Area of the Central Cheltenham Conservation Area. The application site forms part of the rear of no. 8 Suffolk Square, and is accessed from Back Montpellier Terrace; a narrow carriageway tightly sandwiched between the rears of Montpellier Terrace and Suffolk Square. This is an archetypal area of grand terrace back-land historically associated with the servicing of these high status residences, and provides evidential value of this hierarchical relationship. It is characteristically constructed in un-rendered red brick and is of a lower two-storey mews form (although larger scale haphazard additions have occurred).

This proposal seeks the joining of a recently constructed two-storey coach house dwelling (Shoreline Cottage) to the rear of the principal listed terrace, effectively filling a void that presently separates the two entities. We acknowledge written communication between the applicants and the council has taken place referring to the design and function of this infill, and has been provided within the submission.

Central to our advice to the local authority is the Planning (Listed Buildings and Conservation Areas) Act 1990, section 66 (1) in which "the local authority shall have special regard to the desirability of preserving the building or its setting or any features of special

architectural or historic interest", as well as section 72 (1) "with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area". In line with the National Planning Policy Framework 2012, planning authorities should look for opportunities for proposals within conservation areas and within the setting of heritage assets to enhance or better reveal their significance. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal (para. 134). Only proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably (para. 137).

Whilst we consider the infill to have limited impact on the listed building, we draw attention to the determination of the recent (2012) Shoreline Cottage dwelling having been considered acceptable due to its scale and function as a distinctly separated coach house typically expected along the rear of a grand terrace. The officer report judges the scheme to be 'of an entirely appropriate size, form and mass'. Whilst the current work proposed is minimal, it will manifestly change the character of the detached coach house, transforming this aforementioned size and mass beyond the scope of that perceived to be acceptable. If the proposal can be amended to step down perceptibly so it is viewed deferentially to Shoreline Cottage, we would not see any reason to object.

Recommendation

Historic England has concerns regarding the application on heritage grounds.

We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 134 and 137 of the NPPF. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

Cheltenham Civic Society

13th January 2017

No comment.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	39
Total comments received	0
Number of objections	0
Number of supporting	0
General comment	0

- 5.1** Thirty nine letters have been sent to neighbouring properties and no responses have been received. A site notice has also been displayed at the site and an advertisement placed within a local newspaper.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2 The key consideration in relation to this application is the impact of the works on the listed building and the conservation area. In addition, the impact of the proposal on the amenity of adjoining occupiers is also relevant.
- 6.3 **Listed building and conservation area**
- 6.4 Sections 16 (2) and 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving a listed building or any features of special architectural or historic interest which it possesses, whilst section 72 (1) requires local authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Local Plan Policy CP7 also requires development to be of a high standard of architectural design and to complement and respect neighbouring development.
- 6.5 Due to the nature of the application and in order to fully consider the above, the Council's Conservation Officer has been consulted. Historic England is also a statutory consultee for this application due to the grade II* listing of the terrace and has provided a detailed consultation response.
- 6.6 The applicant engaged in a pre-application with the Council to establish the acceptability of a two storey extension to the rear of Shoreline Cottage. Members will note from the Conservation Officer's consultation response that concerns were raised at this stage. In summary, it was considered that whilst the creation of the modest 'Shoreline Cottage' was deemed acceptable, to add a substantial two storey extension which would link it to the grade II* listed building is not. The impact of this infill extension on the appearance, character and setting of the grade II* listed building, as well as on the conservation area, would be considerable and detrimental.
- 6.7 Following this advice, the applicant sought further advice from officers as to acceptable proposals at this site and a further site visit followed to consider this. Officers fully endorsed the comments of the Conservation Officer, but advised that if additional floorspace was required, that a single storey addition of a suitable design might be something that officers could support.
- 6.8 This however is not the proposal that has been submitted as part of this application and the acceptability of the current proposal must be considered. The applicant has submitted a detailed design and access statement in which aspects of the previous comments have been discussed and a case put forward as to why the proposal is acceptable.
- 6.9 The Conservation Officer has provided additional comments beyond the initial pre-application report, which respond to some amendments which have been made to the fenestration and also matters raised within the Design and Access Statement. It should be noted at this stage that the applicant has referred to neighbouring examples of extensions to the rear range of the listed terraces and submitted photographs of these examples to accompany the application.
- 6.10 As with all applications, each proposal must be judged on its individual merits. In providing the pre-application response, officers were mindful of neighbouring development and reviewed the historic maps within the area. This demonstrated that the footprint of the examples provided for the fully extended rear ranges appears to have been in situ historically and certainly prior to the listing of the terraced properties. Whilst officers acknowledge there are examples of coach house properties attached to the rear of the

listed building, given these are historic and given the legislative considerations as set out in relation to listed buildings, it is not considered that those examples would justify a harmful form of development.

- 6.11 Both the Conservation Officer and Historic England's comments draw attention to the 2012 approval for the coach house in which the officer report describes this new dwelling as being acceptable due to its size, form and mass, which would function as a distinctly separate coach house along the rear of a grand terrace.
- 6.12 The current proposal would fully infill this gap between the coach house and the terrace at two storey scale. As such, the character of Shoreline Cottage would fundamentally change. Historic England states that the proposed work would transform the size and mass of the coach house 'beyond the scope of that perceived to be acceptable'; a transformation which would impact on the setting of the grade II* listed building as well as the conservation area.
- 6.13 In terms of the design of the extension, the Supplementary Planning Document: Residential Alterations and Extensions requires extensions to be subservient additions to parent dwellings. The proposal is set back from the principal elevation of the dwelling which provides some distinction between the parent dwelling and the extension. In this instance, the issue is the infilling of the existing gap between Shoreline Cottage and no.8, the combination of this and the fact that the ridge height remains the same as the existing cottage results in an extension which overall lacks subservience. In extending the coach house property in this manner, the setting of the grade II* listed building would be detrimentally altered. The coach house would no longer read as an appropriately scaled and modest coach house development to the rear of the listed building and in doing so would fail to preserve or enhance the character and appearance of the listed building and the conservation area.
- 6.14 As alluded to earlier in this report, officers may be in a position to support an appropriately scaled and designed single storey extension to provide additional floorspace, but given the concerns raised by the Council's Conservation Officer and Historic England, the current two storey proposal is considered unacceptable in terms of its impact on the original coach house, the listed building and the conservation area.

6.15 Impact on neighbouring property

- 6.16 Local Plan Policy CP4 requires development to protect the existing amenity of neighbouring land users and the locality.
- 6.17 There have been no letters of objection received in relation to this application. A site visit has been carried out and the proposal is not considered to impact negatively on the amenity of surrounding properties. There will be no unacceptable loss of light, loss of privacy or overbearing impact as a result of the extension. The proposal therefore meets the requirements of Local Plan Policy CP4.

7. CONCLUSION AND RECOMMENDATION

- 7.1 As set out, the key considerations in relation to this application is the impact of the proposal on the character and appearance of the listed building and the conservation area. The legislative context is clear in that local planning authorities have a duty to ensure that in assessing proposals special regard is paid to the desirability of preserving a listed building or any features of special architectural or historic interest which it possesses. In the case of conservation areas, local authorities must pay special attention

to the desirability of preserving or enhancing the character or appearance of the conservation area.

- 7.2 The proposal has been assessed with this legislative and policy framework in mind. The advice from both Historic England and the Council's Conservation Officer is that this proposal would be harmful in terms of its impact on the character, appearance and setting of the listed building and the conservation area. The character of Shoreline Cottage would fundamentally change beyond a size and mass that is considered acceptable.
- 7.3 Whilst the applicant has drawn the local planning authority's attention to neighbouring development examples, having reviewed the historic maps, it would appear that historically, the properties referred to had a deeper footprint. Notwithstanding this, the scheme has to be treated on its individual merits and in accordance with the requirements of the current development plan and all other material considerations, and having done this, the proposal is considered unacceptable for the reasons set out above.
- 7.4 In light of all of the above, the recommendation is to refuse both planning permission and listed building consent for the refusal reason set out below.

8. REFUSAL REASONS

17/00017/FUL and LBC

- 1 The proposed two storey extension to the property known as Shoreline Cottage is considered unacceptable by virtue of its scale and mass, together with the resultant loss of the existing gap in between Shoreline Cottage and no.8 Suffolk Square which is a grade II* listed building.

In extending Shoreline Cottage in this manner, the character and appearance of the existing coach house would fundamentally change and as a result, the proposal would impact negatively on the character and appearance of the listed building and its setting, together with the character and appearance of the conservation area.

For these reasons, the proposal is contrary to Sections 16 (2), 66 (1) and 72 (1) of the Planning (Listed Building and Conservation Areas), Local Plan Policy CP7 and the Supplementary Planning Document Residential Alterations and Extensions (Adopted 2008).

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.

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In this instance, having had regard to all material considerations, the authority cannot provide a solution that will overcome the harm to the listed building and the conservation area.

As a consequence, the proposal cannot be considered to be sustainable development and therefore the authority had no option but to refuse planning permission.