



CHELtenham

BOROUGH COUNCIL

Notice of a meeting of Planning Committee

**Thursday, 23 March 2017
6.00 pm
Council Chamber - Municipal Offices**

Membership	
Councillors:	Garth Barnes (Chair), Bernard Fisher (Vice-Chair), Paul Baker, Mike Collins, Colin Hay, Karl Holey, 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 - 20)
6. **PLANNING/LISTED BUILDING/CONSERVATION AREA
CONSENT/ADVERTISEMENT APPLICATIONS,
APPLICATIONS FOR LAWFUL DEVELOPMENT
CERTIFICATE AND TREE RELATED APPLICATIONS –
SEE MAIN SCHEDULE**
 - a) **16/02105/FUL Cotswold Grange Hotel, Pittville
Circus Road** (Pages 21 - 46)
 - b) **16/02197/FUL 68 Sandy Lane, Charlton Kings** (Pages 47 - 68)
 - c) **16/02302/FUL Land at Arle Court** (Pages 69 - 112)
 - d) **17/00087/FUL Atherstone, 17 Church Road** (Pages 113 - 126)
 - e) **17/00114/FUL 3 Church Street, Charlton Kings** (Pages 127 - 146)

f) 17/00135/FUL Priors Farm, Imjin Road

(Pages 147 - 166)

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

Contact Officer: Judith Baker, Planning Committee Co-ordinator

Email: judith.baker@cheltenham.gov.uk

Planning Committee

16th February 2017

Present:

Members (14)

Councillors Barnes, Chair (GB); Fisher, Vice-Chair (BF); Collins (MC); Colin Hay (CH); Hobley (KH); McCloskey (HM); Savage (LS); Seacome (DS); Sudbury (KS); Thornton (PT); Wheeler (SW).

Substitutes: Councillor Rowena Hay (RH)
Councillor Chris Mason (CM)
Councillor John Payne (JP)

Officers

Martin Chandler, Team Leader, Development Management (MC)
Chloe Smart, Planning Officer (CS)
Victoria Collins, Planning Officer (VC)
Ullin Jodah McStea, Heritage and Conservation Officer (UJM)
Chris Chavasse, Senior Trees Officer (CC)
Annie Holdstock, Trees Officer (AH)
Nick Jonathan, Legal Officer (NJ)

1. Apologies

Councillors Oliver, Nelson, Lillywhite and Baker.

2. Declarations of interest

16/01812/FUL Kohler Mira Ltd, Cromwell Road

Councillor Rowena Hay – is speaking in objection to this application – will leave the Chamber.

17/00017/FUL & LBC Shoreline Cottage

Councillor Barnes received a bundle of papers from the applicant; he did not look at these but has given them straight to officers. KS said that she suggested the applicant send the package of information to all Committee members, as the photos did not copy particularly well. Other councillors confirmed that they received the documents but did not look at them.

3. Declarations of independent site visits

There were none.

4. Public Questions

There were none.

5. Minutes of last meeting

Resolved, that the minutes of the meeting held on 19th January 2017 be approved and signed as a correct record *without* corrections.

6. Planning applications

Application Number:	16/01755/CONDIT
Location:	Land at Manor Farm
DEFERRED	

Application Number:	16/01812/FUL		
Location:	Kohler Mira, Cromwell Road		
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.		
View:	Yes		
Officer Recommendation:	Permit		
Committee Decision:	Permit		
Letters of Rep:	12	Update Report:	Additional condition

MJC introduced the application as above, for variation of works already permitted at Kohler Mira. It is at Planning Committee at the request of Councillor Rowena Hay, due to the high level of concern from residents. The recommendation is to permit.

Public Speaking

Councillor Rowena Hay, in objection

Recognises that Kohler Mira is a large local employer and understands the need for the site to be modernised to achieve safer site management, but challenges the need for two vehicle entrances. Welcomes the cycle and pedestrian elements of the scheme, but is concerned that the automatic barriers will result in congestion at peak times. This is not a quiet road as stated in the report; the second entrance will increase movement, and result in a loss of parking spaces. It may not represent a loss of amenity in planning terms, but will affect those living in the area, and could also cause problems for the A bus which runs every ten minutes. Residents are also concerned about the safety risk to parents and children attending Oakwood School; the build-outs were installed to ensure safe crossing to Bredon Walk and these will now be moved. The tactile paving and dropped kerb will remain, however, which could be a hazard for the visually impaired. The trees officer’s suggestion for three replacements trees should be conditioned. Also, smoking off-site and cigarette rubbish is an issue for local residents and not good for Kohler Mira’s public image. Improving the shelter for smoking is not part of the planning consideration but is an issue to note. There is also the issue of noise and disturbance, in addition to the loss of mature trees, to be considered.

Member debate

HM: RH mentioned the barriers to access the site. Will these be permanently up during shift change-over times or rise and fall for every car?

CH: the new access is intended to separate public and private areas of the site, but the public area looks like a staff car park. The point about the barrier is important; if it goes up and down for each vehicle, it will cause considerable congestion at shift change times. There could be some confusion about the separate car parks when there are so many parking spaces. If there is not adequate signage and the public don’t know where to go, they may drive into the wrong entrance further down the road. It would be good to understand what Kohler Mira intend to happen.

MC: as a aside – a minor detail but nonetheless annoying – P46 of the officer report refers to Gloucester County Council – this should be Gloucestershire.

BF: on site view, Members were told that the build-out would be moved up and asked whether it would be constructed before the existing build-out is taken away. It's true to say that Cromwell Road is not a quiet road, and Bredon Walk is used to take children to school; this is the right and most obvious place to cross this road. Would like to see the crossing place upgraded and light controlled, as a safety feature, to slow drivers down.

DS: cannot see any mention in the papers – is there any estimate if this proposal would increase the traffic numbers and if so, by how much?

MJC, in response:

- To DS, no new floorspace is sought, suggesting no increase in the number of trips. Kohler Mira's desire is simply to improve circulation within the site;
- To CH and HM, regarding the barriers, does not know whether these will rise and fall with each car at peak times, but suggests this would not be helpful for circulation of traffic and would therefore expect they will stay open during constant streams of traffic;
- Takes CH's point regarding traffic entering the site – this could cause queuing – but why would Kohler Mira want this to happen. GCC has provided a detailed response and is aware of the barrier proposed, so presumably has taken this into consideration;
- CH's point about visitors and signposting is a valid observation; the layout as proposed would enable someone to go along the road at the front of the site to the new visitor parking area;
- To BF, regarding the build-out, there is a recommendation in the conditions (Condition 3) concerning the drop kerbs, but it doesn't give a trigger. This is reasonable – as with other sites around the town, the applicant will be reliant on the county council to do the work, and would need to settle a legally binding agreement with the County before it does the work. If the County delays, this would not be the fault of the applicant, and it would therefore be unreasonable to say the access cannot be used until the work is done;
- The condition as recommended is correct. If planning permission is granted and it is not looking like the county council will do the work in a timely manner, Members can lobby the County;
- To RH, regarding street trees, there is a condition on the blue update requiring the planting of additional trees.

PT: can there be condition requiring the barriers to be left up during busy times to stop congestion. Cromwell Road is busy, fast and straight. It's all very well Kohler Mira making these changes to improve circulation in the site, but if these means the opposite outside the site, it will be detrimental to the area. The barriers should be left up at shift change times.

JP: has some concern about the management of the new entrance which it would be helpful to have clarified. The existing entrance has a security guard on duty. Kohler Mira won't allow free access so will there be security officers on the entrance and would this mitigate the congestion at busy times?

CH: there are a few things which need to be addressed – the local residents have some concerns – and there are parts of the report which should be highlighted. Cromwell Road is described as a quiet residential street – it is residential but not quiet; it is a busy through-road. A number of large vehicles go to and from Kohler Mira, and Cotswold Road is almost a one-way street for these getting through. In addition, it is a bus route, and also a route used by learner bus drivers. Kohler Mira won't want the security gates open all the time, allowing open access to the site. It will be difficult at shift times and this is a real worry. Cannot support the proposal until we know how this is to be managed.

Residents are concerned about moving the build-out. It will be positioned in front of someone's house, and will also mean the loss of two car parking spaces. Traffic is currently controlled going eastwards. If someone is wanting to go into Kohler Mira site, the build out is quite close to the

entrance, causing vehicles to swing out into the road before turning in. Why does it have to be moved? Is concerned that, from a simplistic point of view, it just won't work. In addition, if the crossing point is moved up, the tactile paving will remain at the previous point opposite Bredon Walk, where there is no restriction – this could be an issue for people with visual impairment. If it has to be moved, it should go somewhere better, not worse.

All in all, there are a number of reasons to be concerned about this application. The management of the site needs to be changed. Kohler Mira is a good employer – is pleased that they are here in his ward – and wouldn't want to discourage them in any way, but this application isn't quite right. Building 20 on the plans is described as a 'product and public viewing area' – hadn't appreciated that Kohler Mira had a public viewing area, having always purchased spares by post. But if this is a public viewing area, and Kohler Mira is wanting to improve the site, it may have more changes in mind, which puts a slightly different slant on things and raises another question mark. Cannot support the proposal as it is. Would like it to be looked at again – move the entrance towards the building, car parking east-west not north-south – this would mean a few spaces are lost but other issues would be avoided.

SW: to PT's comments regarding the security gates, they cannot be left open all the time – but some measure could be requested for the gates to be organised in a manner that won't cause a backlog of traffic onto the main road. It looks like there is a lot of drive on the Kohler Mira side of the road; maybe a few cars could be allowed to park before the barrier. CH's comments are concerning.

GB: would remind Members that they are here to consider the application before them, not to amend it.

PT: GCC should not just be talking to planning officers; the applicant needs to be communicating with the County about any roadworks that will affect its plans. Is puzzled by MJC's comments.

BF: with reference to MJC's earlier answer, wouldn't want to suggest that Amey is slow to do roadworks, but there is a safety issue here. The pedestrian drop kerb opposite Bredon Walk is the natural place to cross the road. If this is taken away, we have a responsibility to the people who use it. It is a well-used route for families going to school; would like to see the chicane left in place. The overriding consideration is the safety of pedestrians. This won't be business buster for Kohler Mira. If they could look at this again, could support the application, but is not happy with it as it is. There must be other ways to organise the changes.

HM: regarding the barrier, the estimated number of parking spaces is the same, and no increase in traffic is anticipated. The existing entrance has a safety barrier; the new barrier will be some distance into the site from the kerb. The question is whether there is any congestion now. There has been no comment from local residents about this so presumably it isn't a problem, and so the new barrier is not likely to make it worse than now. The only question for her, therefore, is the build-out.

MJC, in response:

- Agrees with HM regarding the barriers – the new ones will replicate the existing situation, just be further over in the site to the east;
- SW said there is a lot of driveway on the Kohler Mira side. The application seeks to shift the gates back; GCC has scrutinised the scheme and Kohler Mira knows how its site works. If Members are concerned about the barrier position, there could be a condition to set out how the barrier is used, although officers do not consider this to be necessary;
- Regarding buildouts, it is rare we get road safety audits as part of a planning application, but if one has been provided, it is difficult to question it. Regarding the moving of the buildouts but retention of the tactile paving, the desire line for crossing is to Bredon Walk, which will remain a well-used crossing point, whether there are buildouts, tactile paving or whatever. If it was not considered reasonable, GCC would not have signed it off;

- CH referred to vehicles having to swing out before turning in to the site, and this might not be ideal, but moving the buildout makes sense, and it is difficult to challenge the findings of the audit, which results from a rigorous process;
- accepts BF's point about the delivery of the build out, but it is GCC's conclusion that it is not necessary for this to be done prior to use of the new access. If a condition is attached, GCC is in control, and conditions shouldn't rely on a third party's activity but be in the gift of the applicant to deliver. The applicant would prefer to have a planning permission with a condition than a refusal, but Members shouldn't be surprised if the applicant comes back with an application to vary the condition. It can be done – but officers don't advise it.

CM: works on a site with security barriers – they work efficiently, and Kohler Mira will be able to sort out any problems quickly. Noted on site visit that if the buildout is left as it is, cars travelling eastwards to the site will obscure crossing the road from cars turning right. It should definitely be moved.

CH: could be mistaken, but believes the current access to the site has a security guard but no barriers; the new access will have barriers but no security guard. Employees will have passes to gain access. Members just want to see how the scheme can be better; they are told that they're not here to redesign schemes, but if rejected, the minutes will show what Members would find acceptable. These smaller points are worth making for that reason. As an aside, the build-outs were put there when Oakwood School was established to help with additional traffic, and any roadworks should be carried out in school holiday time. Ordinarily, Amey would do the work, but Kohler Mira can appoint another approved contractor to do the work, should they wish.

MJC, in response:

- to confirm, would members like (1) a condition regarding how the barriers are operated, and (2) another one about the delivery of highways works prior to the beneficial use of the works?

GB: if Members are happy, officers can work out the wording of these conditions; Members can vote on them individually.

Vote on condition regarding operation of the barriers at peak times

10 in support
1 in objection
1 abstentions

CARRIED

Vote on condition to require highways work prior to implementation of work on site

7 in support
3 in objection
2 abstentions

CARRIED

RH: can there be a condition requiring the highway works during school holiday time?

MJC, in response:

- an informative would be more appropriate for this.

Vote on officer recommendation to permit, with two conditions

9 in support
3 in objection

PERMIT with conditions as above

Application Number:	16/01994/FUL		
Location:	53 St Georges Drive Cheltenham Gloucestershire		
Proposal:	Drop kerb to provide access with gravel hardstanding		
View:	Yes		
Officer Recommendation:	Permit		
Committee Decision:	Refuse		
Letters of Rep:	14	Update Report:	[transcript of applicant's public speech]

MJC introduced the application as above, to create off-street parking for two cars. It is at Committee at the request of Councillor Willingham, in response to the high level of local interest in relation to parking concerns. The report sets out that this issue has been considered. The recommendation is to permit.

Public Speaking:

Ms Julie Fisher, neighbour, in objection

A total of 14 neighbours have objected to this proposal. St George's Drive is comprised of 67 two-bedroomed maisonettes; the ground floors ones have street facing front garden and rear garden; the top ones just have a rear garden. As a result, most people park on the road, other than some properties on the roundabout, and two properties with planning permission to convert their gardens to drives. During the daytime and holidays, the street is quite quiet, but in the evening and at night, it is full, sometimes impossible to find a parking space. With this proposal, two on-street spaces will be lost to provide two private spaces. The current tenant only has one vehicle to one parking space is lost to the street. There is an average of one car per household. As only ground floor maisonettes have the opportunity to convert their front gardens, residents of the top maisonettes lose the chance to park near their property. This was acknowledged when a previous application was permitted, though the officer stated that each case must be considered on its own merits. Many residents consider the tipping point has now been reached, and current parking difficulties in the road will be further exacerbated by knock-on effect of the parking permit scheme in adjacent roads, coming into effect in July. In addition, the removal of front gardens spoils the appearance of the street, and affects wildlife. The loss of two more parking spaces is more than the street can bear. To sum up, this proposal is unfair to top floor maisonettes, will reduce the number of on-street parking spaces, and will be detrimental to wildlife and the appearance of the street.

Mrs Carol Gilbert, applicant, in support (not present at meeting)

Transcript of speech:

I believe mine is only the third Application of this kind which does not seem excessive given the number of properties in the road and I understand that neither the Planning nor Highways Depts. have an issue with it.

From the residents point of view, I would suggest the real problem emanates from the fact that three other properties, Nos. 29,35 & 41, have converted to off street parking without consent. .

I have read the various objections and feel that comments regarding detriment to the appearance of the street are not relevant as brand new gravel with a stone front edge could only be an improvement to the existing and I am sure any wildlife would be happy with it. As to the idea that I would expect any tenant to pay for the work, I cannot imagine where that came from, or indeed that I intend to sub-let; these remarks are totally groundless. You will have noted during your site visit that work has not commenced as has been suggested.

I have followed correct procedure by applying for consent and paying the relevant fee and it seems neither fair nor reasonable that I should be penalised because other people have flouted the rules.

I would ask the Committee to consider that, if it is felt mine would be one too many, a fairer option might be to make those who have not complied with regulations reinstate on street parking and apply in the correct manner.

Thank you for your time

Councillor Willingham, in objection

This is a difficult application for Members to decide, but it is evident from the number of objections that there is considerable public interest, which is why he requested a committee decision. As a liberal, is cautious about depriving anyone of the right to develop their home as they see fit, but this is a case where the rights of the individual are outweighed by the needs of the wider community. The application appears to be swapping one on-road parking space for one off-road, but is not that simple. If permitted, the owner of the ground floor flat gains not only any off-road parking spaces but also the sole ability to park further vehicles on the road blocking the access, to the detriment of residents of the upstairs maisonettes. There is a lack of clear planning policy on which to refuse this application, but would suggest that policy CP4(a) can be used as the primary reason, as it will cause unacceptable harm to the amenity of the area. The planning officer has been cautious and used a restrictive interpretation of this policy, only considering the items specifically listed in Note 1 of the policy, but other items, such as parking, can be used; if this and other similar applications are permitted, residents of the upper maisonettes could end up with no parking space at all. Secondary grounds for refusal are Policy CP4 (c) and (d), due to the potential for low level crime and disorder and anti-social behaviour resulting from the 'parking wars' which could arise from these divisive applications. Has to deal with this in other parts of his ward, and expects other Members face similar issues in their wards. Urges the Committee to take notice of the significant level of opposition to this proposal and the cumulative consequences of these detrimental planning applications. Believes there can be equitable, negotiated solutions between neighbours to these parking problems, but these are not something that can be conditioned by planning.

Member debate:

KS: all occupiers of the street will be affected by any reduction in parking, and this is not mentioned in the report. This proposal will take away from others the option to park near their homes, which is a loss of amenity.

BF: is the proposed drop kerb going to be the full width of the property? Does it need to be?

MJC, in response:

- Yes, it will be the full width of the property;
- To KS, regarding loss of amenity, the report talks about the convenience of parking near to home, and officers grappled with this application for some time for that reason. They understand the concerns of residents, and recognise that a tipping point may come – some drop kerbs will already have been approved, but officers will consider that any more will be unacceptable; this is not uncommon in planning;
- This application will result in a loss of on-road parking in St George's Drive, and installing a drop kerb and off-street parking is not an option for the occupants of first floor maisonettes. However, officers do not consider that the balance has been tipped yet, and are trying to consider the convenience of being able to park close to home;
- Planning guidance doesn't allow for this. Officers have taken the advice of County Highways, that this drop kerb is acceptable and tipping point has not yet been reached. A lot of residents of the town can't park in front of their houses. Is this an amenity issue? No – it is nice to have, and convenient, but the application cannot be refused on these grounds.

PT: this street is in her ward, and parking has always been a nightmare. If we don't approve a legal planning application, we will be being very unfair to the owner, as there are a number of parking stations in the road which have been installed without planning permission – we should be taking them to court and getting them changed. Is not sure where to go with this, and would like a steer on how it should be handled. When the flats were built on the corner - St George's Gate – one space was provided for all the flats, as there was a government directive at the time that if a property was within one mile of the town centre, there was no need for parking spaces. As a result, a lot of people there are parking on the pavement and on yellow lines – luckily for the residents, tolerant traffic wardens understand the situation. Has huge sympathy but doesn't know where to go. Councillor Willingham is kind to have brought this to Committee as it shows the difficult situation we are in. Considers that the tipping point has already been reached – parking is really bad, as Members saw on Planning View – but doesn't know what to do.

MC: also has sympathies both ways, and doesn't want to see gardens used as parking spaces, and further on-street spaces taken away. As PT has said, this application has been submitted properly, yet the applicant has pointed out that elsewhere in the road, residents have converted their gardens without permission. If permission isn't granted, this applicant and other owners of ground-floor maisonettes might do the same. There are too many cars here and not enough parking spaces, and the loss of front gardens is regrettable. What can CBC do about it?

CH: following on MJC's comments about the expectation of having a car parking space close to home, the difference here is that for existing residents there will be a loss of an amenity they thought they had. It is a difficult situation, and this isn't the only place in Cheltenham where it is happening. We need clearer guidance about how to deal with this going forward. Enforcement action against those people who have done the work illegally also needs to be addressed. There could be more cooperation if people took less frontage into their drop kerbs, so other residents could still park on the street

SW: is minded to refuse this application. DW has made a good case regarding loss of amenity – officers can advise on how strong an argument this is – but will support a refusal on those grounds if possible. The applicant could consider a drop kerb only half the width of the house; that way an extra space would be provided, as there would be room for two cars off-road and one on-road. And if people have converted their frontage without planning permission and without an official drop kerb, there is nothing to stop other residents from parking in front of their properties, blocking their access. This applicant has applied for a drop kerb, obviously hoping for official permission, but if it is refused, hopefully she will take Members' view on board; maybe she could use half the drive, and come to some agreement with the upstairs neighbour. It will probably come to the point in this road where all the residents of the first-floor maisonettes could find themselves with nowhere to park, and an awfully long walk to their cars. Is minded to vote against this, and hopes the applicant comes back with something more sensitive.

GB: would remind Members to keep their comments short; this is a simple application, and Members shouldn't concern themselves with redesigning it.

RH: understood that not all drop kerbs need planning permission – some can be done under permitted development? Could officers advise on this?

BF: lives in an upstairs maisonette himself; there are gaps between the blocks which provide shared access and a drop kerb between the two blocks could provide parking for two cars, with co-operation between residents – with most maisonettes, the upstairs is the freeholder of downstairs and vice versa, for this reason. These were built when cars were much smaller and narrower, however, with a garages at the back, accessed by the shared driveway. A solution would be that the drop kerb is not the full width of the property.

JP: agrees that on the face of it this is a simple application if it wasn't for the complication of on-street parking in the area. Is minded to refuse. As DW has said, these applications have the

potential to give rise to a lack of cohesion in the community; people need to get together to solve the issue, and permissions such as this will open the floodgates.

HM: over the years has been on many planning views to view proposals where the main concern was parking. The speaker mentioned that Members saw the road in the early afternoon, but it was horrendous; went back to see it in the evening and it was even worse. Has every sympathy with all the residents, and can imagine their anxiety on coming home from work every day not knowing where or whether they will be able to park. Will move to refuse on Local Policy CP4 for loss of amenity for local residents, and particularly for those living in the upstairs maisonettes.

KS: the previous two speakers have anticipated most of her comments, but regarding the tipping point and when this might be reached – was involved in the 2004 election and parking here was a huge issue then. What is the tipping point? Will it be the next drop kerb application? Will another ten applications be considered OK? The community says tipping point has already been reached.

MJC, in response:

- To RH, regarding PD rights, drop kerbs can be considered under permitted development rights if they are installed at the same time as something else which is permitted development, such as a driveway, but this only applies to householder applications, which this is not, as it is a maisonette. Any drop kerbs should have planning permissions; there are three or four in the road with no record of any planning permission. What recourse is available? If the drop kerbs have been in place for more than four years, they are immune from any enforcement action, and it isn't possible to ascertain or prove how long they have been there;
- On the issue of amenity, understands where Members are coming from; officers discussed this issue for a long time, and considered whether there were any grounds for refusal and whether the tipping point has been reached. If Members think that it has, refusing on CP4 would not be an unreasonable thing to do. Officers expected there to be this debate, and if the applicant goes to appeal, it will be interesting to receive the advice of the Inspector. Officers are not convinced that CBC would win the appeal, but a refusal would not be straying into unreasonable behaviour territory, so costs are extremely unlikely.

Vote on officer recommendation to permit

0 in support
12 in objection
1 abstention

REFUSED

CH: on the point of enforcement action and whether it is worth enforcing something which has been in place for a year or two – particularly against an individual resident – the issue is a matter of respect for the planning process. This is a tough decision but it must be tackled, on drop kerbs, satellite dishes, non-SUDS driveways etc, all installed without permission. The question may be asked as to whether it is worth enforcing, and it might seem petty, but it will result in more respect for the planning process. The debate should be started.

GB: Members will be receiving enforcement training in the near future. The issue is the proportionate use of enforcement.

PT: as DW said, St George's Drive is not the only place where this issue occurs. We need to have the discussion.

Application Number:	16/02132/FUL		
Location:	Municipal Offices		
Proposal:	Erection of war memorial interpretation board		
View:	Yes		
Officer Recommendation:	Permit		
Committee Decision:	Permit		
Letters of Rep:	0	Update Report:	None

UJM introduced the application as above, the interpretation board to be mounted on a Forest of Dean stone stand to the front of the Long Gardens, providing a brief history of the work on the war memorial.

Member debate

KS: will support the application but finds these interpretation boards irritating clutter. They always look nice and fresh to begin with and then deteriorate, with no resources available to keep them looking nice. Is there no technological way to provide the information, that won't become an eyesore in ten years' time?

SW: agrees with KS, and has an additional concern. If the stand is to be Forest of Dean stone, cannot support the proposal – it should be Cotswold stone.

PT: agrees, and would ask that it be kept in a reasonable state. It is right in front of the Municipal Offices, and it should be possible for it to be kept clean. It is a good thing that people will be informed about the war memorial, however, as not everyone has access to computers.

KH: doesn't care what stone is used for the plinth, but a QR code shouldn't be used – no-one ever uses them.

MC: it's essential that the war memorial and what it represents is kept up together, and is glad that this work is being done. Is also not concerned about what stone is used, but permission should be granted and it should be kept looking nice.

UJM, in response:

- the reason for the Forest of dean stone for the plinth is to match the railings and the stone within the memorial.

SW: if the stone is yellow in colour, will have no objection; was concerned that it would be red stone. It's all about the colour.

Vote on officer recommendation to permit

13 in support

1 abstention

PERMIT

Application Number:	17/00017/FUL		
Location:	Shoreline Cottage, Back Montpellier Terrace		
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		
View:	Yes		
Officer Recommendation:	Refuse		
Committee Decision:	Permit		
Letters of Rep:	0	Update Report:	None

CS introduced the application as above, for an extension to a modern coach house to the rear of GII* listed 8 Suffolk Square. Permission was granted for the coach house in 2012, after lengthy discussion, and planning permission and listed building consent are now being sought for a two-storey infill, following removal of the lean-to. It is at Committee at the request of Councillor Sudbury, who questions officers' conclusion that the proposal will have a harmful impact on the conservation area and the setting of the listed building. Neither Historic England nor the conservation officer consider the scheme to be acceptable, for the reasons set out in the officer report.

Public Speaking

Mr Peter Pritchard, applicant, in support

Conservation officer, planning officer and Historic England have all objected to this application on two grounds. Firstly because of the adverse impact on the rear of No. 8 Suffolk Square, and Grade II listed building, describing it as substantial, modern, large, unwieldy, disjointed, not subservient, with an impact on the appearance of 8 Suffolk Square which would be considerable and detrimental, and transforming the size and mass of the Coach House. In reality, the infill can hardly be seen, and entirely complements Shoreline Cottage, which itself totally blends in, architecturally and aesthetically. Both Historic England and CBC admit that the impact will be limited, and state that the infill will not impact negatively on the amenity of the surrounding properties – not loss of light or privacy. It therefore meets the criteria of Policy CP4. It is a small pretty extension to Shoreline Cottage, extending the character and scale of this model, traditional mews coach house, not damaging or detracting from the appearance of the listed building. The second objection is that the infill has a considerable detrimental effect on the conservation area. In reality, Back Montpellier Terrace is not attractive, but more a jumble of garage doors and fences, dominated by high brick and rendered walls. But for its situation between Suffolk Square and Montpellier Terrace, the lane would probably not be in the conservation area at all, or deemed of any architectural or historic value. No neighbours have objected, probably for this reason. Members have visited the site and seen for themselves. Cannot understand why the conservation and planning officers are so opposed to it and, apart from anything else, a new two bedroomed home will be created for future families. Shoreline Cottage and the extension meet every planning criteria of the Planning Act, and will enhance and promote the character and appearance of the conservation area, as the most attractive and historically sympathetic Coach House to be erected in the lane since the early 19th century.

Member debate

KS: has a couple of questions about the officer report. Officers consider the proposal will have a limited impact and yet be harmful but they don't say why. Will it be out of keeping? Is there nothing like it in the lane? The street has similar cottages to what is proposed all along it. Doesn't understand the leap. Realises this is professional officer advice, but why is this proposal so bad?

PT: seconds that. Doesn't understand why officers are so against this proposal. Is not sure, but on Planning View it seemed that the fire escape from the listed building leads to the back yard. What will happen to that? Is a new fire escape proposed?

JP: has difficulty with this application because he can see nothing wrong with it. When reading the officer report, noted the comments of the conservation officer and Historic England and carefully considered the officer recommendation to refuse. Supports the work of the heritage and conservation officer and of Historic England – they understand what makes Cheltenham special and work to preserve it. But in this case, the important aspect is the front of No. 8 Suffolk Square – it was built to demonstrate the wealth of its owners. The back of this, and other Georgian houses, however, is bland, with no architectural merit; the contrast between the front and the back is a telling piece of social history. Officers say that the size of the proposed extension is disproportionate, but does not agree. It is well designed and recessed. There is a distance between the cottage and the listed building; the roofline is maintained. It is a very well-considered application. We often see applications for extensions but don't know what the quality will be. Here

we can be certain – Shoreline Cottage is exemplar. Conservation officers like to read buildings and see their history; this proposal will make no difference to the reading of this building. It is Grade II* listed at the front, with an excellent extension to the back. Shoreline Cottage enhances the setting, and this proposal to infill the gap will have no amenity impact. Supports the proposal and will vote accordingly.

CM: agrees. Looking at the drawings, considers the extension flows and is in keeping. On site visit, noted that the buildings down the back lane are a mish-mash, though the front of the houses are uniform. This is a well thought out project; will support it.

SW: looked at Shoreline Cottage and the one at No. 7 – considers them wonderful coach houses, beautifully done. As JP has said, the backs of Regency buildings are not special and this is a classic. Can't say what is proposed is wonderful as it isn't built yet, but if it is as good as Shoreline Cottage, will have no complaint. The proposed extension will be set back, and no one will see it other than people standing at the front door. Is struggling to agree with officers here. Thinks a refusal would be unfair. Will vote in support.

BF: if a building is listed, thought that everything in the curtilage was listed too.

CS, in response:

- officers would agree that harm to the actual listed building is minimal; it is more about harm to the *setting*. The proposal will change the character of the cottage beyond that of a coach house, traditionally found at the back of Regency house;
- officers have conversations on a daily basis about protecting listed buildings; Members have talked about protecting the front, but of the back being less important; this is not what listed building consent is about. Every aspect of a listed building needs to be protected, as they all contribute to its significance and importance. It is important to remember this statutory requirement;
- Shoreline Cottage isn't curtilage listed as it is a modern addition, but it is in the conservation and within the setting of a listed building, permission for listed building consent is a statutory requirement;

BF: the cottage will be attached if permission is granted.

CS, in response:

- Yes, but it still won't be classed as part of the curtilage of the listed building.

UJM, in response:

- Members have asked what harm will be caused and how is this assessed. Officers use guidance from Historic England, whose planning practice advice notes asks all conservation officers to consider certain things – one of which is the cumulative effect of a proposal;
- CS has mentioned that Shoreline Cottage was granted consent in 2012, when officers felt that its size, form and mass was appropriate to the setting, making it a positive addition to the conservation area and the setting of a Grade II* listed building;
- However, with the addition of the extension, this manifestly changes and goes beyond the scope of the previous consent, taking a step down in perception of the site;
- Both she and Historic England are concerned about this: Shoreline Cottage was a good addition in 2012, but the extension, although not huge, will completely alter it, and this is how it should be judged.

PT: has not had a response to her question about the fire escape - is it necessary, or will it be blocked off?

CS, in response:

- It is safe to say that the exit will be blocked off, and this is not an issue for access to the building as the plot is divided.

PT: agrees with the previous speakers and cannot understand Historic England's comments that the density will be substantially altered. The applicant has tried to make the extension subservient; it is not vast, but described as being substantial – though it is in fact a small extension, filling in a corner. Cannot see officers' point. Will support the proposal]

JP: it isn't a substantial additional. The footprint of the new extension is less than one-third that of Shoreline Cottage.

UJM, in response:

- Stands by her comments in the officer report, although these were mostly made at the pre-app stage and the extension as since been recessed;
- As a conservation officer, it still appears to be a substantial addition to a small building, as stated by Historic England.

CS, in response:

- Members have heard Historic England and the conservation officer's advice, but if they are minded to permit, it will need an informative on the decision notice to indicate that the planning authority considers the infill to cause 'less than substantial harm'.

Vote on officer recommendation to permit

6 in support
7 in objection
1 abstention

NOT CARRIED

KS: What conditions will be added to the permission ? Will building materials be specified?

GB: presumably all the usual conditions will be included.

CS, in response:

- Conditions will be the standard ones relating the drawing numbers, time periods, brick match with samples etc, and detailed design treatments.

KS: the key for success is to match the materials very closely to Shoreline Cottage. This is a listed building in a conservation area; it is a diverse road, but the success of this application relies on conditions.

Vote on move to permit

8 in support
3 in objection
3 abstentions

PERMIT

The meeting ended at 8.00pm.

APPLICATION NO: 16/02105/FUL and ADV	OFFICER: Miss Chloe Smart
DATE REGISTERED: 25th November 2016	DATE OF EXPIRY: 20th January 2017
WARD: Oakley Ward	PARISH:
APPLICANT:	Cotswold Grange Hotel
AGENT:	Urban Aspects Ltd
LOCATION:	Cotswold Grange Hotel, Pittville Circus Road, Cheltenham
PROPOSAL:	FUL: Proposed erection of gates and boundary railings, new landscaping scheme and car park reconfiguration. ADV: Proposed illuminated box sign containing menu board

RECOMMENDATION: To follow



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is a hotel known as Cotswold Grange Hotel, which is a locally indexed building within the Central Conservation Area.
- 1.2 Both planning permission and advertisement consent is sought for the proposed erection of gates and boundary railings, a new landscaping scheme, car park reconfiguration and the installation of a menu sign at the pedestrian entrance to the site.
- 1.3 The application is at committee following a request of Councillor Rowena Hay due to concerns raised from residents of Moorcourt Drive in relation to the noise impact, the removal of trees and hedges along with the highway issue of large commercial vehicles accessing at the rear of the site.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area
Local Listing

Relevant Planning History:

08/01351/CACN 17th October 2008 NOOBJ

Holly (T6 on plan) - formative prune to improve shape and form (20% approx reduction in size)

08/01352/TPO 23rd October 2008 SPLIT

3 x Holly (T1, T2 and T3 on plan) - formative prune to improve shape and form (20% approx reduction in size).

Yew (T4 on plan) - reduce and reshape crown by 30% and deadwood

Thuja (T5 on plan) – fell

08/01625/ADV 24th March 2009 WDN

Two illuminated free-standing signs in forecourt

09/00701/ADV 1st July 2009 GRANT

Two illuminated signs

14/01959/FUL 18th December 2014 PER

Installation of 3 roof lights to rear elevation

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 4 Safe and sustainable living

CP 7 Design

BE 5 Boundary enclosures in conservation areas

BE 12 Advertisements and signs

BE 13 Advertisements and signs in conservation areas

GE 5 Protection and replacement of trees

GE 6 Trees and development

TP 1 Development and highway safety

Supplementary Planning Guidance/Documents

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

National Guidance
National Planning Policy Framework

4. CONSULTATIONS

Wales And West Utilities

19th December 2016

Letter and Plan available to view on line.

Cheltenham Civic Society

13th January 2017

We consider it essential that the new railings should be embedded in a plinth in the traditional manner.

Gloucestershire County Council Highways

5th January 2017

I refer to the above application, there is no definite location to where the proposed gates are to be erected as long as the gates are set back 4.5m from the carriage way edge it would be unlikely for a highway objection to be raised

Tree Officer

4th January 2017

The Tree Section objects to this application.

The application involves the removal of a TPO'd Thuja plicata (T6) to the front as well as the insertion of car parking spaces under existing TPO'd trees. T6 is a fine tree with capacity for further growth without becoming out of size proportion to the front of this property. It would be unfortunate to lose this tree which contributes to the overall arboricultural fabric of the street scene on Pittville Circus Rd. The proposed 2 Amelanchier trees to be planted to the front would not mitigate for the loss of T6 and the adjacent holly (T4). It is noted that there are 19 car parking spaces to the front whilst the new proposal shows 16 parking spaces-a reduction of 3.

The proposed car parking area to the front could appear to have a quite harsh appearance compared to the current layout.

The proposal to the rear of this property involves the removal of a pine, an Irish yew, a cypress and a holly as a part of the overall re-landscaping of the area. Whilst 'specimen maple' trees are proposed to be planted, it is noted that this area is to the south of the building and likely in near constant shade. The holly and cypress are both shade tolerant and are both good trees (we do not concur with the Arb consultant's BS 5837 classification of their being category 'C' grade trees. Similarly, whilst the pine (T13) is suppressed by the plum (T12) in the adjacent garden, it will out-grow this plum and will not continue to be suppressed in the future. Whilst Acer trees tolerate shade to an extent, it is not considered that they would thrive in this position. No details of the species of maple to be planted have been given.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	32
Total comments received	13
Number of objections	13
Number of supporting	0
General comment	0

5.1 Thirty two letters have been sent to neighbouring properties and thirteen responses have been received raising an objection to the proposals. A site notice has been displayed on Pittville Circus Road in front of the application site and an advertisement placed within the local newspaper.

5.2 Summary of comments received;

- Location of refuse and recycling bins
- Removal of hedge
- Noise disturbance
- Highway safety considerations
- Removal of trees
- Impact on conservation area
- Impact on amenity

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The main considerations in relation to this application are the impact of the works on the locally indexed building and the conservation area, neighbouring amenity, significant trees within the site and access and highway issues.

6.3 Design and layout and Impact on Conservation Area

6.4 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.

6.5 As set out within the introduction, the application involves various elements which will be discussed in turn.

6.6 *Landscaping*

6.7 Firstly, a new landscaping scheme is proposed for the whole site, but in particular to the front of the building. This comprises a re-configuration of the existing car parking layout which will result in the loss of some hardstanding and soft landscaping, but an introduction of hardstanding and soft landscaping in other areas.

6.8 Members will note the application has been the subject of revisions since its original submission. With regards to landscaping, officers raised a concern that the original

proposals brought the hardstanding closer to Pittville Road and in removing an existing hedge at the front of the property, significantly increased its prominence within the conservation area.

- 6.9** Following these initial concerns, officers have been involved in extensive discussions with the applicant to reduce the impact of the proposal on the conservation area and also to gain a further understanding as to the justification for the proposal.
- 6.10** The justification for the proposed works is an overall enhancement of the building and its surroundings. As part of this, the proposal involves the replacement of hard standing and car parking spaces immediately to the front of the building to allow new soft landscaping to be introduced.
- 6.11** This results in car parking being introduced closer to the frontage along Pittville Circus Road. One of the main concerns of this was the increase in prominence of the hardstanding in a more visible location, which was further made worse by the removal of the hedge. The applicant has now amended the scheme to incorporate a new hedge to the front of the property.
- 6.12** Officers recognise that there is a positive impact on the appearance of the building as a result of the reduction in hardstanding immediately in front of it. To add to this, soft landscaping will be retained at the front of the site, and overall, there is a reduction in hardstanding. It is considered that the changes made have overcome the previous concerns in relation to the impact of the scheme on the character and appearance of the conservation area.
- 6.13** *Boundary enclosures*
- 6.14** The next aspect of the application relates to alterations to boundary enclosures at the property. Railings are proposed at the front of the building, together with alterations to part of the boundary enclosure to the rear.
- 6.15** The principle of railings in this location is acceptable. That said, it was considered that should railings be introduced these would need to be historically appropriate. The applicant has reduced the height of the railings to 1.2 metres to ensure this is the case. Cheltenham Civic Society has commented on the application and considers it essential that the new railings should be embedded in a plinth in the traditional manner. There is an existing sandstone plinth at the front of the property and to ensure the railings are appropriately installed within a plinth, a condition has been attached requiring further details and agreement prior to their installation.
- 6.16** In addition, the applicant also proposes alterations to the rear boundary of the site. This involves the removal of part of the hedge and installation of a pair of gates. The initial submission comprised sliding metal and timber gates which were not considered appropriate in such a prominent location and given the sites location within the conservation area. Following further discussions with the applicant, the scheme has now been amended for a narrower pair of hardwood timber gates which are considered a significant improvement to that previously proposed and much more sensitive to the surrounding context. Residents have raised concerns regarding the loss of the hedge in this location. This does not require the benefit of planning permission and therefore officers must consider the acceptability of the proposal put forward. As set out, the proposed gates are now considered appropriate and given they are considerably narrower than the original proposal this enables more of the hedge to be retained.
- 6.17** *Advertisements*
- 6.18** The final element of the scheme is a menu board which is to be located to the front of the property, at the pedestrian entrance off Pittville Circus Road. The applicant has confirmed

that there is a desire to encourage those not staying in the hotel to dine at the hotel and therefore seek some signage to encourage this.

6.19 In terms of assessing the proposed advertisements, Local Plan Policy BE12 advises that advertisements will only be permitted where they do not harm visual amenity and public safety. In addition, Local Plan Policy BE13 requires advertisements and signs in conservation areas to be appropriate in type, size, colour, illumination, material, design and location.

6.20 The proposed sign is to be black powder coated aluminium and to measure a total height of 1.8 metres. Officers advised that a lower sign would be more appropriate or alternatively a menu board sympathetically fixed to the railings. This aspect of the scheme has not been amended by the applicant. Whilst the suggested alternatives were considered more appropriate, officers do not consider this element of the scheme would warrant refusal. The menu board aspect itself is small in size and supporting posts lightweight so it is not considered that the sign will detract from visual amenity or have a harmful impact on the conservation area. Whilst in a prominent location at the front of the site, this is considered appropriate given the type of sign this is, which aims to attract those passing the site.

6.21 *Summary of design and impact on conservation area*

6.22 In summary, officers recognise there is a positive impact on the appearance of the locally indexed building as a result of the alterations to the layout at the front of the site. There is a reduction in hardstanding immediately surrounding the property and the proposed layout has been amended to address initial concerns. Initial concerns surrounding the proposed boundary treatment to the site have been fully addressed by the applicant. Finally, the proposed menu sign to the front of the site is on balance, considered acceptable. The proposal is now considered to respect the surrounding area in line with Local Plan Policy CP7 and in doing so the character and appearance of the conservation area.

6.23 **Impact on neighbouring property**

6.24 Local Plan Policy CP4 requires development to protect the existing amenity of neighbouring land users and the locality.

6.25 Within the submitted letters of representation, concerns have been expressed surrounding the impact of the proposals on neighbouring amenity. Specific concerns include an increase in noise and disturbance as a result of works to the rear of the building, namely improvements to the rear garden area and the bin storage.

6.26 The majority of landscaping works to the rear garden do not require the benefit of planning permission. Notwithstanding this, the use of the rear garden area will remain unchanged as a result of the works undertaken. It will remain the ancillary amenity space to the existing hotel and therefore the level of noise and disturbance will not change above and beyond the current situation.

6.27 Bin storage and collection has been raised as a significant concern from an amenity perspective as the applicant will be re-locating the bins to the rear of the site fronting onto the residential cul-de-sac. Concerns include visual amenity and noise and disturbance from collection.

6.28 It is important to clarify that the location of the bins is not something that the planning authority can exercise any control over in this instance. The applicant could in theory remove the existing hedge to the rear of the site without permission, and store and have bins collected from the location proposed, again without permission.

- 6.29** With this in mind, whilst it is the proposed gates that require planning permission, the current proposal is considered a betterment both in terms of the conservation area and neighbouring amenity, when compared to the fallback position described.
- 6.30** Whilst the concerns of the residents have been noted, in light of the above and also when considering bin lorries currently collect refuse from this cul-de-sac, the proposal is not considered to have any unacceptable impact on neighbouring amenity.
- 6.31** The application is therefore in accordance with the requirements of Local Plan Policy CP4 in terms of ensuring the amenity of neighbouring occupiers.

6.32 Trees

- 6.33** There are a number of trees within the application some of which are protected specifically by way of a Tree Preservation Order and others, due to their location within the conservation area.
- 6.34** The Tree Officer has been consulted in relation to the application and initially raised an objection due to the removal of certain trees within the site. The full response from the Tree Officer can be found above in section 4 of this report. Following the comments, a further site visit was undertaken with the applicant and Tree Officer in attendance to individually consider the trees which needed to remain, those which were acceptable to remove and suitable replacement planting to compensate for any loss. Since this meeting, amended plans have been submitted which appear to be consistent with the discussions which have taken place and importantly, involve the retention of T6 (Thuja plicata) which is a significant protected tree to the front of the site. Notwithstanding this, officers have sought a further comment from the Tree Officer to confirm this, which will follow this initial report by way of an update.

6.35 Access and highway issues

- 6.36** Gloucestershire County Council Highways have been consulted with regards to the application. The response states that there is no definite location for the proposed gates, but these should be set back from the highway. Officers have confirmed there is both an elevation and site plan accompanying the application which indicates the location of the gates.
- 6.37** The proposed gates are not set back 4.5 metres from the highway but the applicant has confirmed these will open inwards and not onto the public highway. In terms of visibility, the proposed gates are significantly lower than the existing hedgerow and will therefore not have any unacceptable impact on highway safety. To add to this, the proposal is not for any new vehicular access and will only be accessible on foot. A dropped kerb is not proposed and the gates are simply to allow bins to be brought out of the rear of the site.

7. CONCLUSION AND RECOMMENDATION

- 7.1** Conclusion and recommendation to follow by way of an update once the re-consultation response is received.

APPLICATION NO: 16/02105/FUL	OFFICER: Miss Chloe Smart
DATE REGISTERED: 25th November 2016	DATE OF EXPIRY : 20th January 2017
WARD: Oakley Ward	PARISH:
APPLICANT:	Cotswold Grange Hotel
LOCATION:	Cotswold Grange Hotel, Pittville Circus Road, Cheltenham
PROPOSAL:	Proposed erection of gates and boundary railings, new landscaping scheme and car park reconfiguration.

REPRESENTATIONS

Number of contributors	13
Number of objections	13
Number of representations	0
Number of supporting	0

4 Moorcourt Drive
Cheltenham
Gloucestershire
GL52 2QL

Comments: 28th December 2016
Letter attached.

3 Moorcourt Drive
Cheltenham
Gloucestershire
GL52 2QL

Comments: 21st December 2016

We would like to register our objection to the proposed development of the Cotswold Grange Hotel directly across a small road from my home in Moorcourt Drive, Cheltenham GL52 2QL

The 11 houses in this small cul de sac were built in the walled garden of Cotswold Grange when it ceased to be a private house. We all live very close to the hotel and have a cordial relationship with the owners.

Notice of this planning application arrived at our house on December 14th - seven days after the date on your letter - leaving only two weeks (including the Christmas holidays) to respond. Nothing has been posted, as is usual, on the lamp post in our road.

We are particularly concerned to see in the proposed plans that the hotel's commercial refuse and re-cycling bins might be moved from their current discreet location to a new site across the road from my house and directly on the blind bend.

This will mean that a significant length of the handsome mature laurel hedge will be removed to make way for very large industrial gates opening on to a new bin area.

The existing arrangement, where the bins are housed in a side alley by the hotel which the refuse lorry is able to access very easily from the spacious car park, without inconvenience to anyone at all, will change and the lorry will have to park on the sharp bend in this already narrow road.

There will also be the resultant daily noise of the kitchen waste and, more significantly, large quantities of empty glass bottles being dropped in to the bins. At the moment, these bins are easily accessed by kitchen staff working at the back of the hotel and by bar staff at the front of the hotel.

The proposed new site will cause noise and disturbance for the residents of Moorcourt Drive, the awkward blind bend will, at times, be even more difficult to navigate and actually blocked when the refuse lorry is parked. It is dangerous to have a vehicle parked on the corner, but there will not be other space available because Moorcourt Drive is used as a parking spot by car owners who work in Cheltenham town centre and can't find free parking anywhere nearer. We also feel strongly that the large gates will dramatically change the pleasant and peaceful aspect of that part of the cul de sac.

The new plans indicate that there is nothing to stop the refuse lorry accessing the front of the hotel to get to the established bin location - in the same way as all other large commercial vehicles if one of the new car parking spaces was removed to allow constant vehicular access to the bins. It is a big car parking space for a 20 room hotel and we are not aware of guests finding any difficulty finding space for their cars. It seems harsh to chop down beautiful trees and to re-locate waste bins in front of other people's houses for so little gain.

Our final point concerns the development of the small garden area at the back of the hotel. The first two houses in Moorcourt Drive, directly opposite the back of the hotel, have only front gardens which are carefully planted and tended and much enjoyed by their owners. Turning this area at the back of the hotel in to a new facility will inevitably lead to the loud evening and weekend drinking which residents deal with now very good naturedly - and without complaint - during Race Weeks, on the unspoken understanding that it is ONLY Race Weeks when this happens. Also, the main bedrooms of all the houses in Moorcourt Drive are at the front and developing this particular area for the use of bar customers at the hotel will undermine our peaceful enjoyment of our homes.

Landscaping plans at the front of the hotel will, at first sight, be an improvement but we are all very sorry to see beautiful mature trees, at least one of which has a preservation order, threatened with the axe. What is the value of a preservation order when a handsome tree, which is probably over 100 years old, can be destroyed for a single car parking space?

These trees are part and parcel of the tree-lined boulevard style of Pittville Circus Road as well as established natural habitat and they are key, in this Conservation Area, to the town's cultural and destination targets.

1 Moorcourt Drive
Cheltenham
Gloucestershire
GL52 2QL

Comments: 23rd December 2016

As residents of Moorcourt Drive we would like to register a number of objections to the plans described in the planning application referenced above, relating to the Cotswold Grange Hotel located on Pittville Circus Road. Our objections concern:

1. Relocation of refuse and recycling storage and collections to a blind corner, thereby increasing the likelihood of an accident occurring, and restricting the access of residents during collection times;
2. Introduction of large commercial gates in a residential area, visually impacting the area in a negative way;

3. Destruction of healthy mature hedging and trees in a Conservation Area to make way for additional commercial parking facilities.

We understand that notice of this planning application was not sent to all residents of the road, despite all residents being impacted by the changes, and also that no notice was posted on any of the lampposts on the road despite them having been posted there for previous applications submitted by the hotel.

Our front garden is the primary access we have to outside space and as such we are particularly sensitive to changes which will impact on that space. Currently, we enjoy the attractive mature laurel hedging and trees surrounding the hotel. The proposed commercial gate, at over 7 metres wide, would transform the area from a scenic residential area to one with a distinctly more commercial feel and any signage required on the gates to advise people not to park in front of them, as cars often park here, would further add to a degradation of our outlook. Additionally, we have concerns that the noise generated by the daily disposal of waste, in particular glass bottles, will further adversely impact our environment.

In addition to the adverse impact the proposed plans would have visually in a Conservation Area, we have concerns about the safety of increasing the number of large vehicles using the cul-de-sac. Plans to locate a gate for refuse and recycling collection on a corner are concerning, as it is a blind corner. Waste collection vehicles would need to reverse up the cul-de-sac and about this corner, as there is little room for turning at the top, without being able to see approaching motor vehicles and pedal cycles, increasing the likelihood of an accident. During collection times the road would also be blocked reducing the amenity to residents wanting to enter or exit their properties.

Collection of refuse and recycling from the hotel is currently managed on the hotel's property with no loss of amenity or increased danger to local residents. Although we understand that additional parking spaces are commercially desirable, we do not believe that this should be achieved by destroying healthy mature hedges or trees or adversely impacting the amenity enjoyed by local residents. We feel very strongly that the current location for refuse collection should remain and that protected trees, in a Conservation Area, should not be removed to make way for parking.

We ask that these objections be dealt with by the Planning Committee.

5 Moorcourt Drive
Cheltenham
Gloucestershire
GL52 2QL

Comments: 20th December 2016

Further to the recent application submitted by the Cotswold Grange Hotel for the erection of gates and boundary railings, new landscaping scheme and car park reconfiguration, I am writing to formally object to the application. The reasons for my objection are detailed below:

Erection of Gates

The new gates will be located on a blind corner in the residential cul de sac, Moorcourt Drive. The hotel plans to relocate the existing commercial refuse area to the area behind the proposed 8 Meter gates on Moorcourt drive. This action will severely hinder the residents of Moorcourt Drive's ability to access the narrow road and exit the cul de sac during times of refuse collection. It will also increase the danger associated with the blind corner. The proposed new location will result in commercial refuse being transported over a narrow pavement to the refuse truck causing noise and nuisance as well as rendering the narrow pavement inaccessible during collection times.

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The existing discreet refuse location requires the collecting vehicle to reverse onto the hotel's spacious car park and access a concealed area. This is done without disruption to those who neighbour the commercial property. Relocating to the proposed new area will ensure that refuse removal is shared with the daily lives of the Moorcourt Drive residents. This is completely avoidable.

Additionally, the erection of the gates will result in a well-established run of laurel hedge being removed.

Tree Removal

The proposed scheme will result in the removal of healthy mature trees. One substantial mature tree earmarked for removal is subject to a preservation order. I would ask that the existing preservation order be respected!

Rear Landscaping

The hotel plans to develop a small garden area to the rear of the hotel as an outside area for guests. This will be a smoking area resulting in increased unsocial noise. The area will be unacceptably close to neighbouring residential properties affecting residents peaceful enjoyment of their homes!

Conclusion

The proposal is un-neighbourly and dangerous. Currently, the commercial and residential properties co-exist without incident as the current hotel configuration allows each party to respect boundaries while allowing the commercial business to thrive. Moorcourt Drive is a peaceful and attractive small residential area. I have no wish to see Moorcourt Drive converted into a commercial access for refuse, especially when there are credible alternatives.

Please consider my comments. I am happy to meet with you and the hotel owners to discuss.

9 Moorcourt Drive
Cheltenham
Gloucestershire
GL52 2QL

Comments: 20th December 2016

We strongly object to the proposal of rehousing the hotels waste bins on the blind corner of our road, behind unsightly metal gates.

Moorcourt Drive already suffers from congestion and poor access on the corner (midweek commuters park on the road up to and on the corner; this issue persists at weekends when the football is on or during race meetings).

The pavement on this side of the road is already largely obstructed by the hotel's laurel hedge, and by the time cars have mounted the kerb to park on the bend, the pavement is impassable. This is not acceptable particularly when you take into consideration the young children and elderly residents who live further down Moorcourt Drive. In addition larger vehicles such as ambulances or fire engines would frequently be unable to pass round the corner into the main part of the road to reach the other houses on the street.

The proposal will increase congestion as the road will be blocked weekly whilst bins are emptied, and the appearance of the road will deteriorate significantly with large industrial bins and metal gates having a hugely negative impact on the feel and appearance of the rest of the street.

The current situation means the bin lorry has easy access into the large forecourt of the hotel to empty its bins which are discreetly hidden from view and without obstructing the road for other users. There would seem to me to be NO good reason to even consider this proposal as a feasible option.

The new plans will also see an increase in litter on the road, as frequently after the bin lorry has been there is recycling/ rubbish littered on the road which either didn't make it into the cart, is dropped by the bin men or falls off as the lorry drives away. Finally, the road surface at the entrance to Moorcourt Drive is already in appalling condition in no small part due to the traffic in and out of the hotel. The road condition will be affected even further along if the bin lorry stops on the corner every week.

Finally I also object to the removal of a beautiful and listed tree which is not a danger and that is within a conservation zone.

8 Moorcourt Drive
Cheltenham
Gloucestershire
GL52 2QL

Comments: 28th December 2016

I strongly object to proposed installation of gates and relocation of bin store for the following reasons:

1. Removing a beautiful laurel hedge and replacing it with unattractive, solid gates would have a significant and adverse visual impact. Instead of enhancing the established character of the Conservation Area (which is characterised as being "green and leafy") the proposed gates would negatively impact on the visual amenity of the road.
2. It is concerning that the gate is proposed to be located on a blind corner. Moorcourt Drive is currently a quiet, residential road which feels safe. I am concerned that the character of the road would be negatively altered in that I would no longer feel safe walking with my very young children for fear of the bin lorries coming in and out of the gates and/or having to reverse up the road etc.
3. It is difficult to see how waste collection vehicles would be able to access the bin store without blocking the entire road as they reverse in and out, thereby blocking residents' access to their properties.
4. There is also potential for noise disturbance from the bin lorries, their alarms and bottles being thrown into the bins. I am also concerned about noise nuisance from hotel guests using any new garden that is created at the rear of the hotel.

In summary there would be a serious impact to nearby residents and no justification to counter this and the significant harm to the Conservation Area.

With regards to the trees and landscaping at the front of the hotel I also object to the removal of the mature trees. The Pittville Character Area Appraisal and Management Plan specifically refers to the large trees in front gardens along Pittville Circus Road and how they "reinforce and enhance the green, leafy character of this road" (para 5.33). The Western Red Cedar tree (T6) is referred to in the tree report as "a good specimen" and its loss would be "unfortunate". It is a large, attractive mature tree and the character of the street scene would change significantly if it were removed to make way for a car park. This would be exactly the type of thing the Conservation Area Management Plan would seek to avoid.

5 Moorcourt Drive
Cheltenham
Gloucestershire
GL52 2QL

Comments: 19th December 2016

I have objections to the following proposals:

Installation of an 8 metre gate system: I am objecting to the re-siting of the bin store. The current site of the bin store is perfectly suitable for the hotel whereas the plan to cut 8 metres of a perfectly healthy and beautiful established laurel hedge in a conservation area and replace it with an 8 metre wooden gated system will certainly not improve the residents environment. The installation of these gates to collect the hotels waste makes our cul-de-sac entrance into a service road for the hotel, currently the refuse collection reverses onto the hotels drive and does not cause any stoppage/blockage of residents entry/exit from our homes.

From speaking to the hotel owner he states that the new bin location is due to their need for more parking, the hotel has had the same amount of rooms for years and parking has not been an issue, however they are cutting down trees to the front of the property to increase the parking. He also states that the need for the new gates is that due to the increased parking to the front of the property the refuse collection vehicle wouldn't be able to reverse onto the hotels drive. If that is the case then they should consider wheeling the bins to the refuse collection vehicle, as we the residents do, or indeed reconsider the parking spaces causing the obstruction to the entry of the refuse vehicle onto the drive.

Rear Landscaping: The hotel owner is intending to create a guest outside space to the rear of the hotel, currently Moorcourt Drive is a beautiful quiet cul-de-sac and although speculation and what may be isn't to be used in a planning objection this outside space can only have a negative impact to myself and our close neighbours as with a no smoking condition in public places this new area could be in continuous use, this area will have no walls, no roof to contain the noise - and once planning is given then it will only be ourselves, the residents that are affected by the area.

Whilst I appreciate the hotel owner wants to increase the value of his hotel, I as a resident of Moorcourt Drive would like my home and the environment around it to remain the beautiful and quiet place it is to live in currently.

7 Moorcourt Drive
Cheltenham
Gloucestershire
GL52 2QL

Comments: 22nd December 2016

Letter attached.

6 Moorcourt Drive
Cheltenham
Gloucestershire
GL52 2QL

Comments: 22nd December 2016

Letter attached.

2 Moorcourt Drive
Cheltenham
Gloucestershire
GL52 2QL

Comments: 22nd December 2016
Letter attached.

10 Moorcourt Drive
Cheltenham
Gloucestershire
GL52 2QL

Comments: 22nd December 2016
Letter attached.

9 Moorcourt Drive
Cheltenham
Gloucestershire
GL52 2QL

Comments: 22nd December 2016
Letter attached.

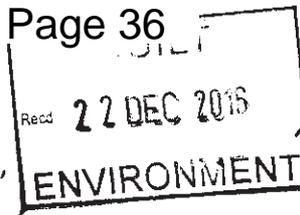
9 Moorcourt Drive
Cheltenham
Gloucestershire
GL52 2QL

Comments: 20th December 2016

Re new arrangements for bins/rubbish: the application seeks to put the bins on a blind corner of a street with limited access. The bins are currently tucked down the side of the hotel and do not affect residents of, or access to MOORCOURT Drive.

Additionally, there appears to be no way for the hotel staff to access their bins without using the proposed gates and it is reasonable to assume these will be in use all the time.

The existing arrangement is much more acceptable as it causes me no problem. I don't see why I have to look at or smell his bins for the sake of a car park space; whereas it does me no harm if he parks on the road.



Cheltenham Borough Council,

Planning Dept,

For the attention of Miss C. Smart,

Your ref 16/02105/FUL&

16/02105/ADV

Moorcourt Drive,
Pittville

Cheltenham

GL52 2QH

20-12-2016

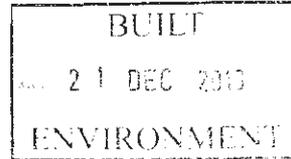
Dear Sirs, Proposal: Proposed erection of gates & boundary railings etc at Cotowold Grange Hotel, Pittville Circus Road. Having reviewed the planning application 16/02105/FUL, I have the following comments relative to the re-positioning of the waste bin store & installation of protective gates.

The gate sizes proposed appear oversized relative to the function they are to perform. Furthermore, because of their size they will be visually intrusive when set into the existing laurel hedge. As planned the gates will be located adjacent to a 90° blind corner on a very narrow road. (Moorcourt Drive). I fear that this will encourage collection vehicles to park in a potentially dangerous situation to other road users, when collecting waste.

Would you please take these points into consideration when considering this planning application,

Yours faithfully,





7, Moorcourt Drive
CHELTENHAM

GL52 2QL

19 December 2016

Dear Sirs

Re Planning Application 16/02105/FUL AND 16/02105/ADV

I would like to register my objection to the proposed development of the Cotswold Grange Hotel directly across a small road from my home in Moorcourt Drive, Cheltenham GL52 2QL

The 11 houses in this small cul de sac were built in the walled garden of Cotswold Grange when it ceased to be a private house. We all live very close to the hotel and have a cordial relationship with the owners.

I am particularly concerned to see in the proposed plans that the hotel's commercial refuse and recycling bins might be moved from their current discreet location to a new site across the road from my house and directly on the blind bend.

This will mean that a significant length of the handsome mature laurel hedge will be removed to make way for very large industrial gates opening on to a new bin area.

The existing arrangement, where the bins are housed in a side alley by the hotel which the refuse lorry is able to access very easily from the spacious car park, without inconvenience to anyone at all, will change and the lorry will have to park on the sharp bend in this already narrow road.

There will also be the resultant daily noise of the kitchen waste and, more significantly, large quantities of empty glass bottles being dropped in to the bins. At the moment, these bins are easily accessed by kitchen staff working at the back of the hotel and by bar staff at the front of the hotel.

The proposed new site will cause noise and disturbance for the residents of Moorcourt Drive, the awkward blind bend will, at times, be even more difficult to navigate and actually blocked when the refuse lorry is parked and the large gates will dramatically change the pleasant and peaceful aspect of that part of the cul de sac.

There is nothing to stop the refuse lorry accessing the front of the hotel to get to the established bin location – in the same way as all other large commercial vehicles. Only one new car parking space would be lost to allow constant vehicular access to the bins. It is a big car parking space for a 20 room hotel and we are not aware of guests finding any difficulty finding space for their cars. It seems harsh to chop down beautiful trees and to re-locate waste bins in front of other people's houses for so little gain.

My final point concerns the development of the small garden area at the back of the hotel. The first two houses in Moorcourt Drive, directly opposite the back of the hotel, have only front gardens which are carefully planted and tended and much enjoyed by their owners. Turning this area at the

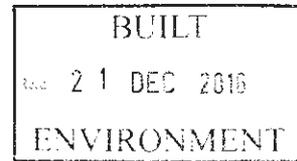
back of the hotel in to a new facility will inevitably lead to the loud evening and weekend drinking which residents deal with now very good naturedly during Race Weeks. Also, the main bedrooms of all the houses in Moorcourt Drive are at the front and developing this particular area for the use of bar customers at the hotel will undermine our peaceful enjoyment of our homes.

Landscaping plans at the front of the hotel will, at first sight, be an improvement but we are all very sorry to see beautiful mature trees, at least one of which has a preservation order, threatened with the axe. What is the value of a preservation order when a handsome tree, which is probably over 100 years old, can be destroyed for a single car parking space?

These trees are part and parcel of the tree-lined boulevard style of Pittville Circus Road as well as established natural habitat and they are key, in this Conservation Area, to the town's cultural and destination targets.

Yours faithfully

[Redacted signature block]



6, Moorcourt Drive

CHELTENHAM

GL52 2QL

19 December 2016

Dear Sirs

Re Planning Application 16/02105/FUL AND 16/02105/ADV

We would like to register our objection to the proposed development of the Cotswold Grange Hotel directly across a small road from my home in Moorcourt Drive, Cheltenham GL52 2QL

The 11 houses in this small cul de sac were built in the walled garden of Cotswold Grange when it ceased to be a private house. We all live very close to the hotel and have a cordial relationship with the owners.

I am particularly concerned to see in the proposed plans that the hotel's commercial refuse and recycling bins might be moved from their current discreet location to a new site across the road from my house and directly on the blind bend.

This will mean that a significant length of the handsome mature laurel hedge will be removed to make way for very large industrial gates opening on to a new bin area.

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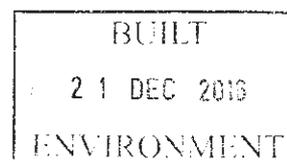
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Yours faithfully

A large black rectangular redaction box covers the signature area. A horizontal black bar extends from the left edge of the redaction box to the left margin of the page.

2 Moorcourt Drive Cheltenham Gloucester GL52 2QL



21st December 2016

Re Planning Application 16/02105/FUL AND 16/02105/ADV

I would like to register my objection to the proposed development of the Cotswold Grange Hotel which is directly across the cul de sac from my house at 2 Moorcourt Drive, Cheltenham GL52 2QL

My main concern is the safety of placing a vehicle entrance on a blind corner on an already narrow road.

I am deeply troubled to see on the proposed plans that the hotel's commercial refuse and re-cycling bins might be moved from their current discreet location, where to my knowledge, they are not seen by anyone, to a new site right across the road from my house (and my neighbours) and directly on the sharp, blind bend in the road.

The proposal to removed much of the lovely, mature laurel hedge, for gates to the bin area is, in my view, totally out of keeping with the property and the whole road.

All of my garden is at the front of my house – which incidentally was the groom's cottage to Cotswold Grange. My house looks onto the back of the hotel. I do not want to see vast wooden gates, or hotel bins instead of a lovely Laurel hedge.

As it is, current access through the spacious hotel car park is safe and contained. No one is currently inconvenienced visually and the noise is minimal. The idea of refuse lorries accessing the proposed area on a completely blind corner of a narrow road seems total madness.

Several times a week there is already a large lorry parked outside the side of the hotel collecting and delivering laundry. The refuse lorries also come in the morning – so I can see they will be forced to use the pavement to get past each other or block the road.

The proposed new site will cause noise and disturbance for all the residents in Moorcourt Drive.

The proposal of large gates will completely alter the feel of the cul-de-sac. The existing hedges and trees soften the handsome, severe nature of the handsome hotel architecture. We are already surrounded by vast, flat roofed, sharp edged blocks of flats so the mature trees are vital to maintain the spirit of Pittville Circus Road.

I will be very sad indeed to see the removal of the mature trees at the front of the hotel – and most particularly, the removal of one tree which has a preservation order on it. How can it be that this is so easily ignored – for the sake of one parking space? What does 'preservation' mean?

Pittville Circus Road, and the Pittville area is known for its large, handsome properties softened by leafy hedges and lovely mature trees. The area is both unique and special to Cheltenham and reflects the fine architecture of the Pump Rooms.

We have an incredibly diverse habitat for birds to nest and hide in this peaceful haven and everyone in the cul-de-sac cherishes this, along with our relative privacy.

So to summarise my objections, I would hate to see the ambiance of the road stripped by removing mature trees and hedges.

I am most of all, concerned by the safety issues of vehicles stopping or turning on a blind corner which is also quite narrow in part.

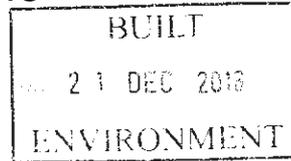
I am troubled at the wisdom of changing the existing arrangement of collecting bins - where no one is inconvenienced – to one where all Moorcourt Drive residents are inconvenienced, and one that is dangerous and unworkable – and I do not want the view from my house to change from a lovely hedge, to wooden gates and bins.

The existing car park for 20 cars seems adequate for a 20 bedroom hotel.

In the summer, we already have hotel guest using the small space at the back and so there are times when it is very noisy and drinkers stay outside late into the night. We must all live side-by-side and we do and get on well with the hotel owners – so I accept small inconvenience for what it is. To increase the area and encourage more use seems unreasonable in a residential area and will, without question affect all our lives. There is, incidentally, a grassed area at the front of the hotel that faces pavement and Pittville Circus Road, so perhaps the hotel could consider this as an outside drinking area?

Yours,





10, Moorcourt Drive

CHELTENHAM

GL52 2QL

19 December 2016

Dear Sirs

Re Planning Application 16/02105/FUL AND 16/02105/ADV

I would like to register our objection to the proposed development of the Cotswold Grange Hotel directly across a small road from my home in Moorcourt Drive, Cheltenham GL52 2QL

The 11 houses in this small cul de sac were built in the walled garden of Cotswold Grange when it ceased to be a private house. We all live very close to the hotel and have a cordial relationship with the owners.

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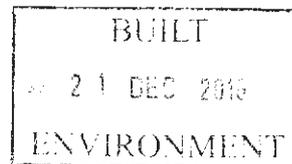
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Yours faithfully

A solid black rectangular box redacting the signature of the sender.



9, Moorcourt Drive
CHELTENHAM

19 December 2016

Dear Sirs

Re Planning Application 16/02105/FUL AND 16/02105/ADV

We would like to register our objection to the proposed development of the Cotswold Grange Hotel directly across a small road from my home in Moorcourt Drive, Cheltenham GL52 2QL

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Yours faithfully

[Redacted signature]

&

[Redacted signature]

I object to the bins. Everything else is OK.

P.S: It would seem ludicrous to place large size waste bins on the narrowest point of our already tight road.

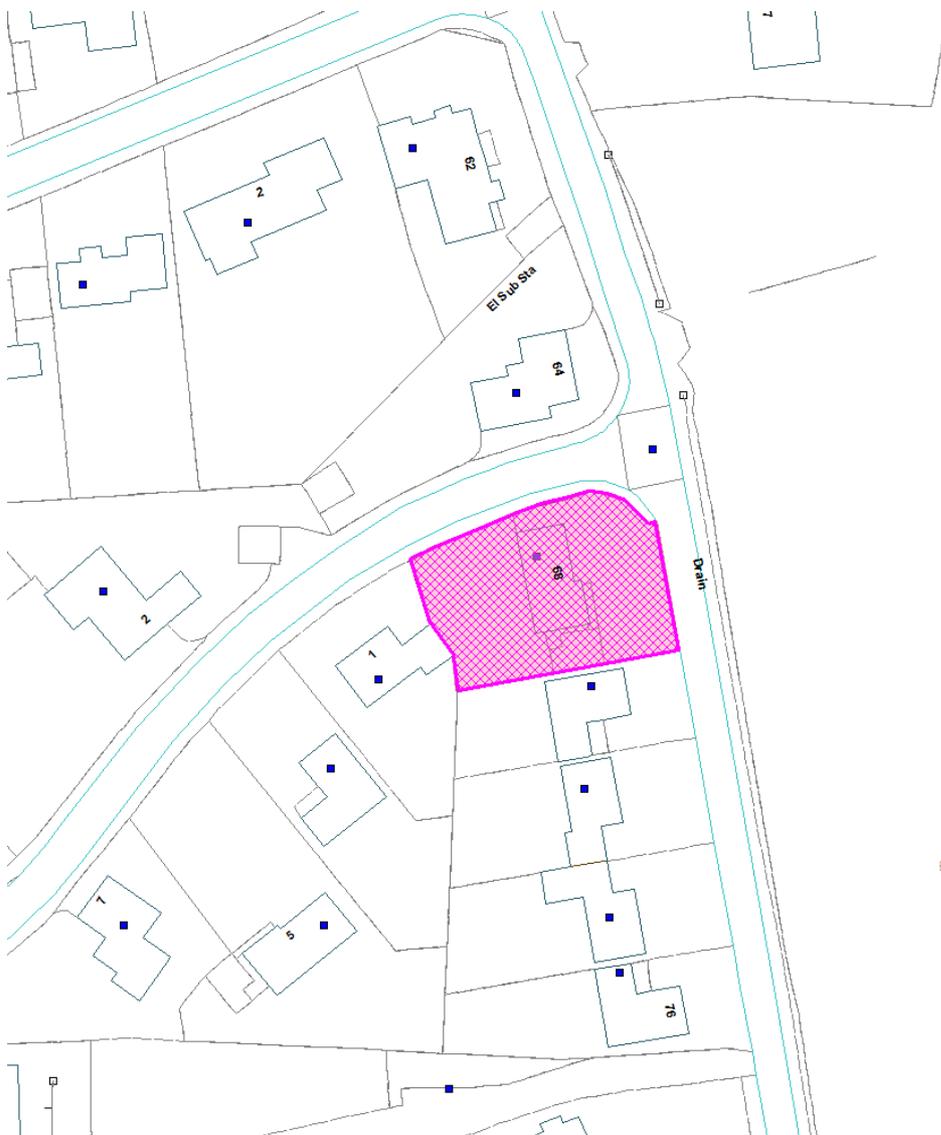
The laurel hedge belonging to the hotel already completely obstructs the pavement & this sheet houses a number of young families with children and elderly residents who must either cross the road or walk in the road due to the hedging.

During Race meetings and football matches the parking actually on the blind bend means emergency vehicles would not be able to gain access, and requesting the refuse lorry to empty bins on the corner further causes obstruction and inconvenience to other road users.

The hotel has a perfectly adequate driveway for the waste lorry to use. Finally I would like to draw your attention to the poor road condition by the hotel entrance due to volume of vehicles leaving the hotel.

APPLICATION NO: 16/02197/FUL		OFFICER: Mr Ben Hawkes
DATE REGISTERED: 9th December 2016		DATE OF EXPIRY: 3rd February 2017
WARD: Charlton Park		PARISH:
APPLICANT:	Mr Chris Gough	
AGENT:	H A Planning	
LOCATION:	68 Sandy Lane, Charlton Kings, Cheltenham	
PROPOSAL:	Two storey side extension, single storey front and rear extension, application of render and timber cladding and replacement windows and doors.	

RECOMMENDATION: Permit



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a detached residential property located on the corner of Sandy Lane and Hartley Close.
- 1.2 The applicant is seeking planning permission for the erection of a two storey side extension, single storey front and rear extensions and general remodelling of the property to include rendering, the addition of timber cladding and the replacement of windows and doors.
- 1.3 The application is before members in the interests of transparency, due to a senior member of Cheltenham Borough Council staff living in close proximity to the application site.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Smoke Control Order

Relevant Planning History:

None.

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development

CP 3 Sustainable environment

CP 4 Safe and sustainable living

CP 7 Design

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Gloucestershire Centre For Environmental Records

23rd December 2016

Biodiversity Report available to view on line.

Cheltenham Civic Society

13th January 2017

No comment.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	3
Total comments received	1
Number of objections	1
Number of supporting	0
General comment	0

5.1 3 letters were sent to neighbouring properties. One letter of objection has been received from the neighbouring property at number 70 Sandy Lane, whose concerns relate to the following:

- Visual impact of proposed development, relating to size, design and character of existing street
- Loss of privacy/ overbearing impact relating to the proposed balcony and proximity of the extension to the shared boundary

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The main considerations of this application are the design, the impact on its surroundings and the impact of the proposal on neighbouring amenity.

6.3 Site layout and context

6.4 Properties in the immediate locality range in size and style, but are generally detached properties set in reasonable sized plots. The application site is a detached property comprising of red brick, tile hanging, white pvc windows and doors and concrete interlocking roof tiles. The property faces East on to Sandy Lane with views over Lilley Brook Golf Course.

6.5 The main mass of the existing building is centrally located in the plot and generously set back from the highway. Views of the property are most appreciated when travelling on Sandy Lane from the North and from the rear of the site when exiting Hartley Close.

6.6 Design

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

6.8 The original submission as part of this application included a two storey extension to replace the existing single storey double garage. The extension projected forward of the front elevation of the existing property and included a hipped roof form. This part of the proposal raised significant concerns with officers due to its size, form and overall design. Officers did not consider this part of the scheme to read as a sympathetic or subservient addition to the existing building and would result in unacceptable harm to the character of the existing street scene. With this in mind, discussions took place with the applicant to overcome officer concerns. Revised plans were later submitted.

6.9 The revised plans show the two storey extension to have been reduced significantly in depth with a reduction in approximately 5 metres at first floor. The first floor is now set back approximately 1 metre from the front of the existing house. The roof form of the revised two storey extension will read as a continuation of the existing property's roof,

maintaining the same overall ridge height. It is the view of officers that this considerable reduction in size and the inclusion of a setback now allows the extension to read as a suitably subservient extension to the existing building. Whilst it is acknowledged that the proposal still remains generous in width and maintains the same ridge height the extension is considered to represent an appropriate addition to the existing property.

- 6.10** The ground floor element to the side extension extends a further 2 metres towards the highway. This creates a single storey flat roof projection that helps break up the overall massing of the building and creates a more interesting front elevation.
- 6.11** The single storey addition to the rear of the property will read clearly as a subservient addition to the existing building and will not result in any harm to the design or character of the existing building or its surroundings.
- 6.12** The additions to the property will result in a generous increase in additional living space. Due to the location of the two storey extension at the side of the existing property and now being set back from the front elevation views of the new extension are unlikely to be appreciated on the approach to the site from the north until directly in front of the building. The views from the rear will be oblique. It is not considered that the proposed additions to the property will result in any unacceptable harm to the character of the existing street scene or have any detrimental impact on views of the surrounding open space/natural environment. The proposal respects the existing pattern of development and is therefore considered to be acceptable.
- 6.13** The re-modelling also includes the rendering of the property and the application of timber cladding. This remodelling will result in a change in appearance of the property. But, properties in the locality are being re-modelled and modernised with the use of render and timber cladding and sit comfortably in the street. The proposed changes are considered to be acceptable and represent an appropriate modernisation of the existing property.
- 6.14** In its revised form the proposal is considered to be compliant with the requirements of the local plan policy CP7 and the Supplementary Planning Document – Residential Alterations and Extensions (adopted 2008)
- 6.15 Impact on neighbouring amenity**
- 6.16** Local plan policy CP4 requires development to protect the amenity of adjoining land users and the locality.
- 6.17** The existing single storey garage sits adjacent to the shared boundary with number 70 Sandy Lane. The proposal will allow for a greater gap between the buildings with an additional one metre gap proposed at the side of the property. Officers do however acknowledge that the scale of the elevation closest to the boundary will increase to two storeys.
- 6.18** The outlook of the habitable rooms for number 70 Sandy Lane is to the front and rear of the property. Given the location of the proposed extensions there will be no unacceptable loss of light to this neighbouring property. It is noted that the side elevation windows in number 70 are obscurely glazed and serve bathrooms to the property and therefore are not afforded any protection in terms of light.
- 6.19** It is acknowledged that the height and scale of the building directly adjacent to the shared boundary with number 70 will increase due to the additional floor proposed above the garage. The use of the land between the properties is for access to the rear of the site is not private amenity space. With this in mind, the proposal is not considered to result in any unacceptable overbearing impact.

- 6.20** A concern has been raised with regard to a loss of privacy as a result of the proposed first floor balcony to the front of the house. The submission of revised plans includes a reduction in depth of the balcony from 2 metres to 1 metre and the introduction of a 2 metre high obscurely glazed screen to the side. Officers consider that the reduction in depth and the inclusion of an obscurely glazed screen will appropriately protect the privacy of the neighbouring property.
- 6.21** The proposal is considered to be compliant with Local Plan policy CP4 which requires development to protect the existing amenity of neighbouring land users and the locality.
- 6.22 Environmental Impact**
- 6.23** Whilst records show that important species or habitats have been sighted on or near the application site in the past, it is not considered that the proposed development will have any impact on these species.

7. CONCLUSION AND RECOMMENDATION

- 7.1** Paragraph 60 of the NPPF states 'Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness'. Paragraph 197 of the NPPF reads 'In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.'
- 7.2** Whilst the concerns of the neighbouring property have been noted and fully explored, for the reasons discussed above it is considered that the proposal is in accordance with policy CP7, CP4 and the NPPF in terms of achieving an acceptable standard of design and protecting the amenity of neighbouring land users.
- 7.3** As such, the recommendation is to permit this application subject to the conditions set out below.

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.
- 3 Prior to the first use of the balcony hereby approved, the 2 metre high glazed screen to the south of this area shall be installed with obscure glass to at least Pilkington Level 3 (or equivalent) and maintained as such thereafter.

Reason: To safeguard the privacy of adjacent properties having regard to Policies CP4 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 and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, the authority sought revisions to reduce the mass of the extensions, to improve the design and to reduce impact on neighbouring amenity;

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

APPLICATION NO: 16/02197/FUL		OFFICER: Mr Ben Hawkes	
DATE REGISTERED: 9th December 2016		DATE OF EXPIRY : 3rd February 2017	
WARD: Charlton Park		PARISH:	
APPLICANT:	Mr Chris Gough		
LOCATION:	68 Sandy Lane, Charlton Kings, Cheltenham		
PROPOSAL:	Two storey side extension, single storey front and rear extension, application of render and timber cladding and replacement windows and doors.		

REPRESENTATIONS

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

70 Sandy Lane
 Charlton Kings
 Cheltenham
 Gloucestershire
 GL53 9DH

Comments: 2nd March 2017

Surroundings and character of area

The application site occupies an important and attractive corner location on Sandy Lane which forms part of the open and semi-rural gateway to the Cotswolds Escarpment and AONB. From this point the lane has open plan gardens to the west and a dense mature wooded screen to the east, forming the boundary with Lilleybrook Golf Course, leading to attractive views of the escarpment to the south. This section of the road is used and enjoyed by thousands of walkers and cyclists every year and is an important feature of Charlton Kings.

Like other corner plots in the surrounding area, the site is spacious and wide. However, this open character changes as the lane climbs up the hill towards the south. Nos 70 to 76 are much closer together with site widths being considerable less and space between the buildings much reduced.

Visual Impact of proposed development

Although the plans for the extension of no.68 have been amended, we feel that the resultant house will be out of character with the surroundings, particularly when compared with other large properties in Sandy Lane which maintain more space and openness between them. This detrimental impact is more pronounced as the site is an important corner plot.

The proposals will result in a very large and dominant two-storey building that will be 20m wide, built up to within 1 m of the boundary with no.70 Sandy Lane. The design is so - that there is no subservience to the proposed side extension. It appears as a two storey block with a constant unbroken roofline along the full 20m width. There is no break change in the form, change in heights or shape. If compared with other properties and plots of similar size in the surroundings and along Sandy Lane, they all either have: more space between the boundaries, single storey elements / subservient extensions to the sides, and / or changes to the shape & height of the roof line etc. These design features allow such large house to have prominence whilst creating a sense of space between them, reducing the impact of massing.

The fact that No.68 is on a corner plot extenuates this massing effect. All other corner plots in the surroundings maintain considerably more space around them. The size of the resultant building

and consistency of the roofline results in a detrimental visual coalescence and dominance especially in relation to No.70. This has a negative impact on the overall setting of the street scene when viewed from Sandy Lane.

When viewed from the rear of our property it will change the appearance of the surroundings considerably resulting in a bulky and dominant feature (similar to the impact described from the street). The gardens to the rear are not deep and buildings are close to boundaries. This significant extension will worsen the sense of enclosure with a resultant structure that is far greater and bulkier than anything else within view.

The proposed extensions are located / pushed close to our property. Measured along our boundary the side extension will be 13.5m deep only 1 m off the boundary. Considering the 20m width, this seems excessive and unnecessarily close to our property when there is a lot of space around the existing property.

Also, at the southern boundary with No. 70 Sandy Lane, the extension's roof overhang projects further than it does on the northern end of the property. Although a minor matter, it adds a little more impact on our enjoyment of the property and our residential amenity. Like all the other issues, they could be easily overcome with a revised scheme.

Front extensions, balcony and loss of privacy

The proposals include considerable flat roofed single storey extensions projecting in front of the existing building line. This seems an unattractive design feature considering the sensitivity of the corner site, is detrimental to the street scene and semi-rural surroundings.

The new garage will project 2m further forward (compared to the existing). This will mean that the cars parked on the drive, will be moved forward closer to the boundary with the highway. This section of Sandy Lane has an open estate layout - retaining an open strip leading from the corner plot up towards the escarpment with the mature trees bounding Lillybrook golf course to the east. This section of the estate has been designed to keep cars away from the road (providing a car free strip) where vehicles only park on occasion - which adds considerably to the semi-rural nature of the surroundings. We have provided photos of this vista and one of a nearby street that the garage locations result in cars parked close to the road. This creates a significant visual detriment to the street scene and would not be fitting in this semi-rural location. Once again, this could be easily changed by minor amendments to the proposal.

The garage's projecting front roof also provides a large balcony serving the new master bedroom with patio doors facing east. It has been designed so the balcony extends adjacent to the boundary of our house. It will provide unfettered views along the pathway to the side of our house into the rear garden and directly into the first floor bathroom window, ground floor toilet (only 2m away). These are the only windows to these rooms and both are opening windows. It would result in a significant loss of privacy and sense of overbearing. There is also a new window inserted into the existing first floor gable which also looks directly towards these windows; we are not certain this is essential.

Summary and possible solution

Overall we feel we need to object to the proposal in its current form. However, it is important to note that we are confident that with a different design a similar amount of floorspace could be effectively and attractively incorporated with minimal visual impact. We are very supportive of our neighbours being able to extend their house, but feel this could be done with significantly less detrimental impact to the surroundings and our amenity.

The scale of the overall development and massing of resultant building could be significantly reduced by creating more space between the buildings and changing its design by breaking up the roofline and pushing back the single storey garage projection. A balcony could still be achieved over the porch and 'Juliet' style balconies could provide options opening doors to first

Page 55

floor windows. A scheme could be reworked that would be much more in keeping with the other large properties in Sandy Lane - particularly those occupying corner plots.

We would be pleased to have a discussion with our neighbours and their architect on how this could be achieved to do hope this representation as proactive comments seeking a positive solution for both parties.

APPLICATION NO: 16/02197/FUL		OFFICER: Mr Ben Hawkes	
DATE REGISTERED: 9th December 2016		DATE OF EXPIRY: 3rd February 2017	
WARD: Charlton Park		PARISH:	
APPLICANT:	Mr Chris Gough		
AGENT:	Mr Nigel Jowsey		
LOCATION:	68 Sandy Lane, Charlton Kings, Cheltenham		
PROPOSAL:	Two storey side extension, single storey front and rear extension, application of render and timber cladding and replacement windows and doors.		

Update to Officer Report

1. OFFICER COMMENTS

- 1.1. Since the officer report was completed and circulated to members further revised plans have been submitted. The change includes an increased set back at first floor of the two storey side extension and subsequently an increase in the size of the balcony.
- 1.2. The revised plans show the ridge height of the extension dropping lower than that of the existing building. This change allows the extension to appear more honestly as a subservient addition.
- 1.3. The balcony has increased in size by approximately 300mm. The privacy screen has been increased in size accordingly and therefore is not considered to result in any increased loss of privacy

2. CONCLUSION AND RECOMMENDATION

The revised plans do not result in a change in officer's view of the application. Officer recommendation is to permit the application, subject to the conditions set out below;

3. CONDITIONS/REFUSAL REASONS

- 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 Prior to the first use of the balcony hereby approved, the 2 metre high glazed screen to the south of this area shall be installed with obscure glass to at least Pilkington Level 3 (or equivalent) and maintained as such thereafter.
Reason: To safeguard the privacy of adjacent properties having regard to Policies CP4 of the Cheltenham Borough Local Plan (adopted 2006).

21st March 2017

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, the authority sought revisions to reduce the mass of the extensions, to improve the design and to reduce impact on neighbouring amenity;

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

APPLICATION NO: 16/02197/FUL		OFFICER: Mr Ben Hawkes	
DATE REGISTERED: 9th December 2016		DATE OF EXPIRY : 3rd February 2017	
WARD: Charlton Park		PARISH:	
APPLICANT:	Mr Chris Gough		
LOCATION:	68 Sandy Lane Charlton Kings Cheltenham		
PROPOSAL:	Two storey side extension, single storey front and rear extension, application of render and timber cladding and replacement windows and doors.		

ADDITIONAL REPRESENTATION

70 Sandy Lane
 Charlton Kings
 Cheltenham
 Gloucestershire
 GL53 9DH

Comments: 20th March 2017
 Letter attached.

70 Sandy Lane

Charlton Kings

GL53 9DH

18th March 2017

16/02197/ FUL: 68 Sandy Lane – Two storey side, single storey front and rear extensions and creation of a balcony

I am the owner of the adjacent property No. 70 Sandy Lane and have made representations regarding this application. The application is recommended for approval however we believe that the issues we have raised have not been properly addressed. The proposal will have a detrimental visual impact on the surroundings and cause a loss of privacy that is in conflict to Local Plan policies CP4 and CP7.

We have discussed a potential amended scheme with our neighbours and we are grateful to them for looking into this. Although the agent has recently submitted a further amendment (after the report has been written), the changes are very minor and do not adequately address our concerns. We do wish to support our neighbours in extending their property and believe a substantial extension is achievable with some simple amendments, reducing the impact on our amenity and the character of the surroundings.

We ask the members of the committee to give careful consideration to our comments. In particular when visiting the site, please take time to visualise the development and its relationship with No. 70 as well as the character of the wider area, including other corner plots and how other nearby properties have designed their two-storey extensions. Annex 1 provides photographs supporting this general character. Our comments set out below relate to the scheme described in the officer's report.

Visual impact & massing

- The proposed extension results in a significant, two storey structure that occupies 21m of a 24m wide plot. This is out of character with the surroundings, particularly because it is a prominent corner location resulting in 88% of its width being occupied by a full height two-storey structure, built to within 1 m of No. 70's boundary. No reference is made in the report to the actual size of the resultant building instead using expressions such as 'generous' size and width, making it difficult for the reader to gauge the true impact.
- The application site is considerably wider and more open than other properties to the southern (upper) end of Sandy Lane. Any extension should respect the prominence of this corner site and the relationship with the adjacent property.
- In para 6.9 the report argues that the proposed two-storey extension 'reads suitably subservient' in relation to the main house. It is not subservient. It simply repeats the form and building line of the main section of the existing house with an unaltered roofline. Its massing remains consistent for all 21m.

- The adopted design guidance for two-storey extensions requiring subservience has not been applied in dealing with the revised proposals. However, these design principles are applied locally without exception when close to a party boundary. It is an important characteristic of the surroundings, not mentioned in the report.
- There are numerous examples along Sandy Lane and in nearby roads, that follow this design principle, required by the supplementary planning guidance. Photographs of these are provided in Annex 1. This study clearly demonstrates that the proposal would be out of character with the surroundings.
- There is also an application on this agenda (Atherstone, 17 Church Road, St Marks) that sets out the need for this subservience. The house to the rear of the application site (1 Hartley Drive) is currently being determined which provides a normal subservient design for a smaller, less prominent building with no buildings directly adjacent.
- In paras 6.8 & 6.9 the report places considerable weight on the design being permissible as the originally submitted plans have been considerably reduced. This also is not an acceptable justification. The application should be determined on the merits of the plans under consideration. Not compared against something that was unacceptable in the first place. This logic sets a dangerous precedent. It also encourages applicants to submitted large and unacceptable schemes, in the hope they are able to negotiate a revised solution that would normally not have been approved because there has been 'a considerable reduction in size'.
- From the rear, the extension would be clearly visible from the vast majority of our garden, impacting on our outlook and sense of openness. This is not 'oblique' as stated in para 6.12. There is no variation to the first floor building line to the rear, therefore compounding the impact of massing when viewed from the west.
- In para 6.10 it suggests that the large forward projecting single storey flat roofed extension assists in mitigating the massing of the resultant building. Such approach is contrary to the council's adopted design guidance. The report accepts the massing of two-story building requires mitigation; thus causing visual harm. Instead of following normal design protocol in reducing the size of the extension, a precedent could be set by encouraging large flat roof front extensions as a means of mitigating the unacceptable visual impact.
- The report does not discuss or address the visual impact on the street scene that will be caused by vehicles having to park closer to the highway boundary of this attractive / semi-rural nature of the lane. (see photograph in Annex 1). This point is taken as a material planning consideration in dealing with Cotswold Grange Hotel Pittville on this agenda.
- **Overall the proposal is in conflict with Policy CP7 of the local plan, as it will not respect the character of the surroundings, impact on the neighbouring property and will reduce the open space surrounding this prominent corner site. It is also in conflict with the design guidance relating to two-storey side extensions.**

Balcony & Loss of Privacy

- There is already a balcony to the rear of the house. A further balcony is proposed at the front which is created by the large flat roof forward projecting structure. The council's design guidance states: '*Balconies can affect a neighbour's privacy. The council will require careful consideration of the location and design of any balcony to avoid this problem.*'

- Careful consideration has not been given to the siting and design of the balcony, failing to meet the policy requirement. In terms of impact on No.70 this balcony is located in the worst possible location at the front of the house. Due to the change in levels and layout of proposal, the balcony would be sited between our ground floor toilet window and first floor bathroom windows. Both of which are opening windows and original design features.
- The balcony would be only 2m from both windows, in direct alignment with them. The relationship of a balcony so close to a bathroom & toilet with opening windows is not acceptable. This is a family house and one should be able to feel comfortable in using these private facilities. It would no longer be possible to use those facilities without the feeling that your neighbours are able to hear your family's bathroom and toilet activities, causing considerable detriment to the privacy and enjoyment of our house.
- Members are asked that when visiting the site, they visualise someone standing on the roof of the existing garage of No. 68 only 2m from the window of the bathroom and ground floor toilet. This is unacceptably close and is easily avoidable through good design. The fact that a small obscure glass screen has been added as a further minor amendment would not address the loss of privacy (visual and noise), it would also add an additional unattractive design feature.
- **This is clearly in conflict with the policy requirements of CP4 regarding loss of privacy and CP7 in that the neighbouring properties interests have clearly not been safeguarded. It is also in conflict with the adopted design guidance, requiring balconies to be carefully designed and sited.**

Potential Solution

We are very keen to support our neighbours in extending their house and are confident that the visual impact / massing issue and loss of privacy / noise issues can be easily addressed. A set back and drop in the roofline that make a significant change in the appearance of the extension when viewed against the parent house could be easily achieved with minimal impact on the internal layout. It would also align it with the adopted design guidance.

A far more suitable location for a balcony would be the bedroom window to the centre of the house above the porch. It would have better views, benefit from more sunlight and not result in a loss of privacy. A Juliet balcony could be considered for the bedroom adjacent to No. 70 if patio doors are desired.

Yours faithfully



Annex 1 16/02197/FUL

Study of design of similar & relevant extensions in immediate locality



123a Bath Road. Attractively set back with more space between the boundary and adjacent property than the application site at No.68, the property is also further set back from the highway in a less prominent location. However, the officer's report stated:

'This proposal seeks to secure a high level of accommodation in terms of existing and proposed floor space. Notwithstanding this the addition has been well designed to ensure that it remains subservient to the parent building. This has been denoted in the proposed form being set back from the front building line and down from the main ridge of the original building and the use of single storey lean-to additions to achieve addition ground floor space.'

Sandy Lane

The photographs below show extensions that are very relevant to the character of the surroundings. In all cases none result in a two storey property that is as wide as the application at 68 Sandy Lane.



No. 74 – set back and lower ridge line. These properties to the south of the application site have much narrower plot widths. The extension still observes the subserviency design guidance.



No. 10 set back and lower ridge line



View of application site, showing semi-rural setting. The vehicles parked on the drive will be forced to park right up to highway boundary, having a negative visual impact on the setting.



No. 22 close to boundary with only single storey garagae adjacent - set back and lower ridge line



No.25 Corner plot of Sandy Lane and Bafford approach. Maintains open and spacious character.



No. 25. A greater distance is maintained between the boundary, but it is still set back with a lower ridge line.



No.27 Corner plot of Sandy Lane and Bafford approach. Maintains open and spacious character.



No. 29. a similar width extension is considerably set back and lower as it is close to the boundary.



No 36 an example of an two-storey extension close to the boundary, following the design guidance with a clearly subservient result.



No. 42. This extsion is set well back from the building line.



No.48 - an example of a forward projecting single storey extension. The relationship between the two two-storey buildings is not ideal. The proposed scheme would be far wider than the houses shown here.



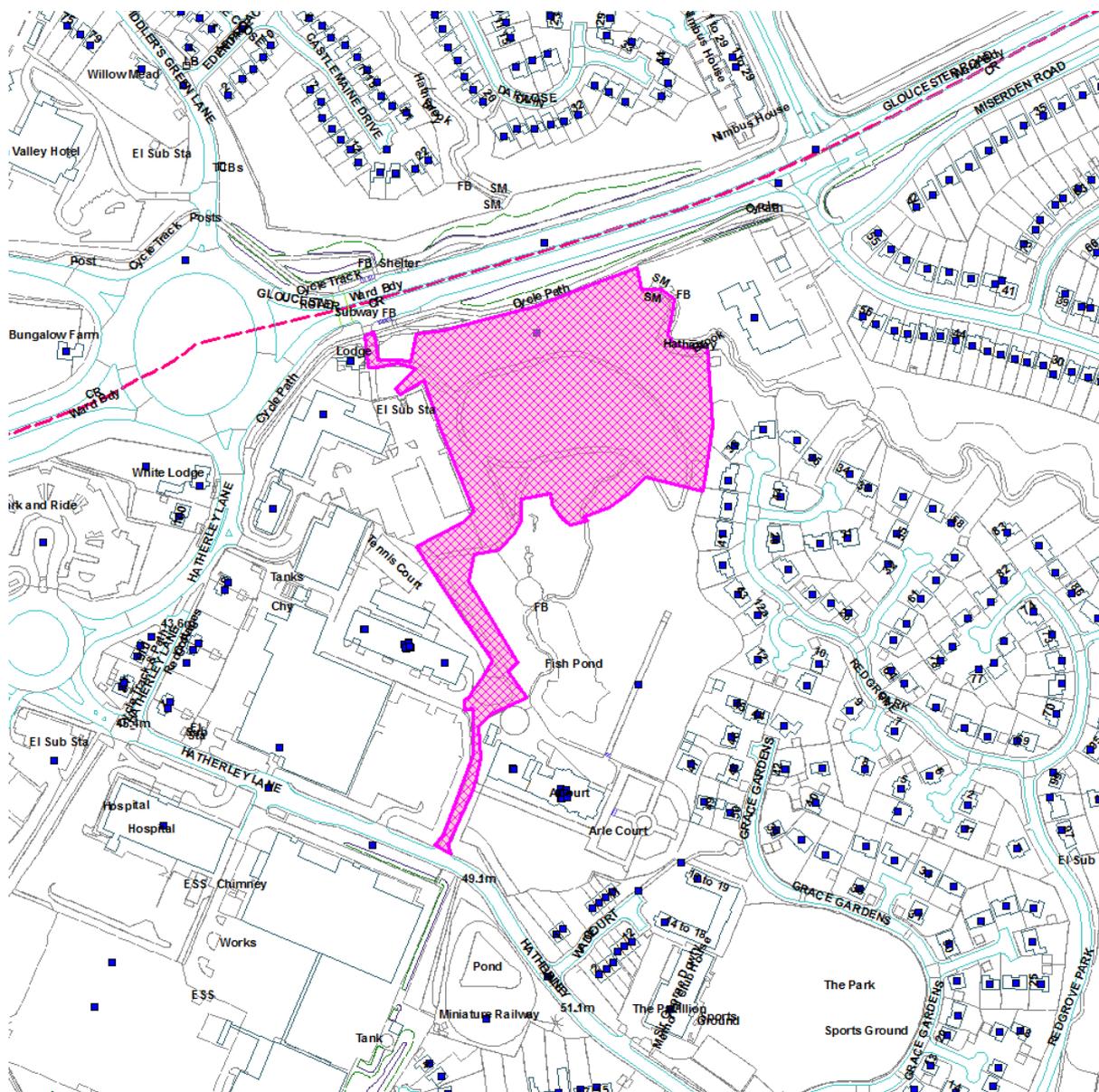
No 52 another example of a forward projecting single storey flat roof extension, which is set much further back than the proposed development.



No. 49. Extension set back with a lower ridge line.

APPLICATION NO: 16/02302/FUL	OFFICER: Mrs Emma Pickernell
DATE REGISTERED: 4th January 2017	DATE OF EXPIRY: 5th April 2017
WARD: Benhall/The Reddings	PARISH:
APPLICANT:	Richmond Villages Care Holdings Limited
AGENT:	SF Planning Limited
LOCATION:	Land at Arle Court, Gloucester Road, Cheltenham
PROPOSAL:	Erection of Care Home with Nursing Care (60 beds) and Assisted Living (55 suites) - use class C2. Restoration and management of woodland, and provision of car park.

RECOMMENDATION: Permit subject to a 106 Obligation



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is a parcel of land measuring 2.27 hectares in area, accessed off Hatherley Lane and bound to the north by the A40. The site is a TPO'd woodland and currently comprises unused land within the grounds of the Film Studios adjacent.
- 1.2 In addition to the TPO, other constraints include the presence of a Grade II listed building to the south, 'Manor by the Lake' (formerly known as Arle Court) which is a wedding venue whose grounds adjoin the application site. The lodge building to the north west of the site is also Grade II listed.

The most north-easterly point of the application site is within flood zone 2. The Hatherley Brook, which is a 'main river', runs along the boundary of the site.
- 1.3 There have been previous consents for development at the site comprising extensions to the studio/offices and associated addition car parking. However these are no longer extant.
- 1.4 The land is associated with the Film Studios building, which in addition to the studio use, also provides office space, much of which is used for 'start up' businesses.
- 1.5 Planning permission is sought for the erection of a new Care Home which would provide a combination of nursing care and assisted living suites. The total provision would be 60 beds within the Nursing Care section of the building and 55 Assisted living suites within a separate part of the building.
- 1.6 The proposed building is broadly 'L' shaped and located relatively centrally within the plot. The central part of the building would be 4 storeys in height with the outer sections of the building reduced to 3 storeys in height. In addition, at roof level it is proposed to provide a sun room, roof gardens and plant enclosures. The proposed materials are timber cladding with stone sections. There are some larger areas of glazing within the proposal, the concept being to adopt a muted palette of materials along with glazing which would reflect the surrounding trees.
- 1.7 The care suites are located in the eastern wing of the building. These are designed for people who are finding it hard to cope in their current home and need assistance with day to day activities but wish to remain as independent as possible. The ground floor of the northern wing contains communal facilities for the residents of the care suites such as restaurant, library, wellness area, exercise studio etc.
- 1.8 The care home element of the proposal is located within the northern wing of the building and is arranged over the first and second floors. This facility would provide long and short stay nursing care as well as palliative and dementia care. A residents lounge and dining room is located on each of the two floors.
- 1.9 The proposal also includes a single storey services building to the north west of the main building which includes bin stores, garden stores, maintenance stores, electricity substation and tank room. This is a simple, flat roof, timber clad building.
- 1.10 The site is accessed from an informal mini-roundabout between The Manor by the Lake and the Film Studios. A driveway leads into the site and curves towards the service building. 71 parking spaces are proposed which are located in pockets along the driveway. 4 of the parking spaces would be for disabled parking and mini-bus and ambulance parking bays are also proposed.
- 1.11 There is a natural clearing towards the centre of the site which is not readily appreciable from outside the site or from aerial photography. However the proposal will necessitate the removal of a number of trees and the proposal has been accompanied by a

landscaping scheme as well as a woodland management plan. The stated concept of the proposal is to be landscape led and to enhance the existing woodland whilst allowing the setting to complement the building and its use.

1.12 This application is before committee at the request of Cllr Britter.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Flood Zone 2
Residents Associations

Relevant Planning History:

03/00603/OUT 8th August 2011 DISPOS

Extension of existing offices/studio to provide additional floor space (5000m2 net)

97/01043/PO 26th March 1998 PER

Outline Application For Erection Of New Film Studio, Stages and Workshop; Residential Development (3.72 Hectares): New Access Upgrading Existing Access and Primary Road Layout.

97/01044/PC 23rd October 1998 PER

Use Of Existing Buildings For Film Studio Headquarters Production Offices, Residential Film Related Conference Centre, Ancillary Film Related Facilities And Film Stage.

07/01124/FUL 6th December 2007 REF

Gravel driveway 120 yards long leading into existing car park

07/01125/FUL 2nd October 2007 REF

Galvanised security 1.8 m high palisade fence, measuring 396 m with beech hedge to cover the fence, in keeping with woodlands

97/01043/PO 26th March 1998 PER

Outline Application For Erection Of New Film Studio, Stages and Workshop; Residential Development (3.72 Hectares): New Access Upgrading Existing Access and Primary Road Layout.

97/01044/PC 23rd October 1998 PER

Use Of Existing Buildings For Film Studio Headquarters Production Offices, Residential Film Related Conference Centre, Ancillary Film Related Facilities And Film Stage.

04/01852/FUL 11th January 2005 WDN

Extension of existing offices/studios to provide additional floor space

05/00461/FUL 22nd June 2005 REF

Extension of existing offices/ studios to provide additional floor space

05/01093/FUL 16th September 2005 PER

Extension of existing offices/ studios to provide additional floor space and associated works (identical application to 05/00461/FUL)

10/01378/TIME 1st September 2011 PER

Application to extend the time limit for the implementation of planning permission 05/01093/FUL. Extension of existing offices/ studios to provide additional floor space and associated works

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development
CP 3 Sustainable environment
CP 4 Safe and sustainable living
CP 7 Design
BE 10 Boundary enclosures to listed buildings
GE 5 Protection and replacement of trees
GE 6 Trees and development
GE 7 Accommodation and protection of natural features
NE 1 Habitats of legally protected species
NE 2 Designated nature conservation sites
NE 4 Contaminated land
EM 1 Employment uses
HS 1 Housing development
HS 6 Elderly persons housing
UI 1 Development in flood zones
UI 2 Development and flooding
UI 3 Sustainable Drainage Systems
TP 1 Development and highway safety
TP 2 Highway Standards
TP 6 Parking provision in development

Supplementary Planning Guidance/Documents

Flooding and sustainable drainage systems (2003)
Landscaping in new development (2004)
Travel plans (2003)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Architects Panel

6th February 2017

Design Concept

The panel had already commented on a pre-application presentation by the Architect for the care home on this site and had no objection to the principle of the development. The submitted scheme is a more refined design in terms of its architectural detailing but broadly follows the layout and composition of the pre-application scheme.

Design Detail

The panel liked the look of the scheme, the materials palette and the interesting details which are carefully composed to create an overall pleasing composition. There were mixed views over the appearance of the corner entrance tower, the detailing of which looked more convincing in the 3D model view than on the elevations.

The weathering and durability of the timber cladding would need to be carefully considered in detail design.

Recommendation

Support

Natural England
26th January 2017

Thank you for your consultation on the above dated 05 January 2017 which was received by Natural England on the same date

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

NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

European sites - Cotswold Beechwoods Special Area of Conservation

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on the Cotswold Beechwoods Special Area of Conservation and has no objection to the proposed development.

To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out. The following may provide a suitable justification for that decision:

The Cotswold Beechwoods Special Area of Conservation (SAC) is considered to be sensitive to additional recreational pressures. Our advice that in this case there are no likely significant effects is based upon the following combination of factors:

- The nature of the proposal, comprising of a care home and assisted living, and the likely demographic of the residents;
- The distance from the site (7.1km).

Cotswold Commons and Beechwoods Site of Special Scientific Interest

Badgeworth Site of Special Scientific Interest

Based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection.

Priority Habitat as identified on Section 41 list of the Natural Environmental and Rural Communities (NERC) Act 2006

The consultation documents indicate that this development includes an area of priority habitat, as listed on Section 41 of the Natural Environmental and Rural Communities (NERC) Act 2006. The National Planning Policy Framework states that "when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity. If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused".

Other advice

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

Should the proposal change, please consult us again.

If you have any queries relating to the advice in this letter please contact me on 02080 260955

GCC Local Flood Authority (LLFA)

17th January 2017

Response - Objection

I refer to the above application received by the Lead Local Flood Authority (LLFA) on 06th January 2016, for comment on the management of surface water. The site is situated primarily within flood zone 1 but small part of the site is noted to lie in flood zone 2 as demonstrated by the Environment Agency's (EA) interactive web based mapping service (see location below). The submitted FRA is robust enough but does not completely satisfy the strategy developed for surface water runoff generated from the proposed development.

According to paragraph 3.5.2 Site geology suggests largely impermeable conditions of clay and mudstone so infiltration is not possible. In the FRA it's mentioned that "Alternative means such as discharge to sewer of surface water course (Hatherley brook) which borders the site to the northeast should be investigated". As it is a major application LLFA suggests to have clear strategy to dispose off surface water. A surface water drainage plan is required. Also its mentioned that 513 m³ of surface water attenuation would be required. LLFA requires knowing where that attenuation would be provided on the drainage plan.

According to paragraph 3.1.3 "Cut off drains will be provided along the southern boundary of the site and directed to the retained forest areas and watercourse to ensure overland flows from the upstream catchment are directed away from the proposed development".

LLFA requires seeing cut off drains on proposed drainage plans as it is very important to divert overland flows from proposed development. The runoff generated from the existing / proposed catchment should be included in the calculations.

According to Appendix I existing runoff rates have been provided for total site area using Microdrainage which is fine but its also necessary to provide proposed runoff rates considering developable and impermeable area .LLFA requires all runoff rates should be calculated using Micro-drainage or similar approved software and submitted with updated information.

On the basis of the documentation supplied by Local Planning Authority (LPA) it has not been possible to successfully review this application for the purpose of assessing the adequacy of the surface water drainage system. Insufficient detail has been provided in the submission and therefore the LLFA objects to the current proposal.

Foul Water

Please note that proposed foul water is a matter that will be dealt by local sewerage authority and is not therefore considered by Lead local flood authority in this response.

NOTE 1 :The Lead Local Flood Authority (LLFA) will give consideration to how the proposed sustainable drainage system can incorporate measures to help protect water quality, however pollution control is the responsibility of the Environment Agency

NOTE 2 : Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the LLFA.

NOTE 3: Any revised documentation will only be considered by the LLFA when resubmitted through www.suds@gloucestershire

7th February 2017

Response - No objection subject to conditions

I refer to the above planning application, which the Lead Local Flood Authority previously objected on 19th January, 2016 due to insufficient detail provided in the FRA and Drainage Strategy. Applicant consultant proposed to discharge the surface water at 5l/s, which equals to the Greenfield runoff and recommended by LLFA. Based on the above and following subsequent submission of updated drainage information for proposed areas it is now confirmed that the proposal meets the requirements of a major application for which the LLFA is statutory consultee. As a part of layout please ensure that no development (including buildings, fences and walls or raising of ground levels) occurs within 8 metres of bank of Hatherley Brook. Please note that a detail design is yet to be developed.

The LLFA have no further objections to this application based upon the surface water management proposals for the site however recommends following conditions should apply to any planning approval and their responses should include the information indicated above.

Condition

Prior to the commencement of development details of surface water attenuation/storage works shall be submitted to and approved in writing by the Local Planning Authority. The volume balance requirements should be reviewed to reflect actual development proposal, agreed discharge rate and the extent of impermeable areas and runoff to be generated. It is important to confirm dimensions and depth of proposed tank to the LPA. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied. Applicant suggested proposed tanks are subject to detail design and have been positioned to avoid as many tree root protection areas as possible.

Reason: To prevent the increased risk of flooding, It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

Condition

No development shall take place until a SUDS maintenance plan for all SUDS/attenuation features and associated pipework, in accordance with The SuDS manual (CIRIA, C753), has been submitted to and approved in writing by the Local Planning Authority. The approved SUDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality."

Condition

Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100+40% event has been submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall identify exceedance flow routes through the development based on proposed topography with flows being directed to highways and areas of public open space. Flow routes through gardens and other areas in private ownership will not be permitted. The scheme shall subsequently be completed in

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accordance with the approved details before the development is first brought into use/occupied.

Reason: To ensure satisfactory drainage of the site and avoid flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

Land drainage consent / Outfall Consent

Please note that under the Land Drainage Act, a consent may be needed to construct the outfalls to Hatherley Brook. It is recommended that the outfall/headwall remains flush with the bank of watercourse and is angled 45° to the direction of flow so as not to impede flood flows or cause scour. The applicant should contact Cheltenham district Engineer Geoff Beer for this consent.

Foul Water

Please note that proposed foul water is a matter that will be dealt by local sewerage authority and is not therefore considered by Lead local flood authority in this response.

NOTE 1 :The Lead Local Flood Authority (LLFA) will give consideration to how the proposed sustainable drainage system can incorporate measures to help protect water quality, however pollution control is the responsibility of the Environment Agency

NOTE 2 : Future management of Sustainable Drainage Systems is a matter that will be dealt with by the Local Planning Authority and has not, therefore, been considered by the LLFA.

NOTE 3: Any revised documentation will only be considered by the LLFA when resubmitted through suds@gloucestershire.gov.uk e-mail address. Please quote the planning application number in the subject field.

Gloucestershire Centre For Environmental Records

12th January 2017

Biodiversity Report available to view on line.

Environment Agency

17th January 2017

Thank you for referring the above consultation which we received on 5 January 2017.

Based on the information submitted, we do not object to the proposed development and would offer the following comments.

I note the reason for consultation is parts of the development site are located within 8m of a Main River.

Based on the Flood Risk Assessment (FRA) prepared by Rogers Leask (dated December 2016) and our Flood Map for Planning (Rivers and Sea), we understand that built development is proposed entirely within Flood Zone 1 (low probability of fluvial flooding).

We normally advise that new development and/or built structures are set at least 8 metres from the top of bank of the watercourse. This is to assist in operational management and

maintenance, to help improve flood flow and conveyance; and to help provide some biodiversity interest.

Based on the Plans submitted, we note there is no built development located within 8m of the Hatherley Brook. Furthermore we would encourage the use of a set-back outfall as part of the surface water drainage strategy thus avoiding the need for a formal built structure on the banks of the Hatherley Brook.

Informative: Permit for flood risk activity

Any works, in, under, or within 8 metres of the top of the bank of any designated main river may require a permit from us under the Environmental Permitting (England and Wales) Regulations 2010. This would have formerly been called a Flood Defence Consent. For more advice to confirm whether a permit is required, what type, and exemptions please ring 03708 506506 and ask for the local Partnerships and Strategic Overview Team. Also go to: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>

I trust the above will assist in your determination of the application. Please do not hesitate to contact me if you have any queries. A copy of the subsequent decision notice would be appreciated.

Trees Officer

1st February 2017

The CBC Tree Section does not object in principle to this proposed development.

Whilst the proposal is within the middle of a TPO'd woodland (TPO no 288-Woodland Order), the management of this wood has been sporadic at best and many of the best trees are in decline or are now dead. Much of the woodland is becoming overgrown with invasive laurel species inhibiting growth of traditional native woodland species and unless this is addressed soon, this woodland will become derelict. Such a care home development proposal, whilst inhabiting a good proportion of this wood, could enable the replanting/restocking of this wood with suitable species and facilitate proactive management to improve it's function as a woodland. As the Tree King Arb report states: 'the object of management will be to preserve the integrity of the woodland as naturalistic woodland, to replant wherever possible and to undertake silvicultural thinning to favour the growth of the best trees as appropriate'. This proposed development may be a last opportunity to preserve and improve the integrity of this woodland albeit with a sacrifice to a significant proportion of land area for commercial development. There is no formal public access into this wood in the form of footpaths, rights of way etc. It would not be possible to enforce the current owner to 'improve' this woodland as it currently stands as well as 'climate change proof' it for the future.

Many CBC Trees Officer visits and meetings between tree consultant representatives of the owner prior to the submission of this application, and given the necessary footprint area of the proposal, the design location and form, is, broadly speaking, the best that is reasonably achievable given existing trees location and pressure on ancillary support requirements- road, footpath access, the creation of 'garden' space around the proposed building etc.

It is inevitable that there will be 'mission creep' and trees not currently marked for removal may become apparent as inappropriate as building nears completion, or where unforeseen circumstances dictate the further tree removal is necessary and increased numbers of trees are required to be felled than is currently shown. However of Planning Condition no TRE08C Arb Monitoring is conditioned in any planning permission, then such unforeseen felling requirements can be minimised.

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However it is noted that all over-ground (electricity, phone etc) utility as well as underground (drainage, gas, water etc) plans have not been submitted. Such utility requirements will likely be significant and as such drawings showing their proposed location and the methods of their installation need to be submitted and approved as a part of the application.

There are concerns regarding the proposed 'no-dig' footpaths and roads within this area. Generally speaking, the proposed increase in ground levels proposed are such that these roads and footpaths would look somewhat incongruous in this setting. Similarly, the overall increase in height, whilst not significantly intrusive into the ground will increase the overall weight on the ground significantly. Mature trees with a corresponding reduction in vitality may struggle to adapt to having a significant proportion of their rooting area under up to 400mm of hardcore, asphalt etc.

Specifically:

Drawing no 305-002-803 No Dig Gravel Paving Detail proposes an increase in height of 200mm;

Drawing no 305 002-801 No Dig Asphalt Vehicle Surface proposes an increase of 400mm;

Drawing no 305-002-805 No Dig Asphalt Pedestrian Surface proposes an increase of 175mm;

Drawing no 305-002-806 Section through Asphalt Surface proposes an increase of 230mm;

Drawing no 305-002-813 No Dig Flush Kerb proposes an increase of 400mm.

Such heavy duty no dig surfacing seems somewhat over-engineered given the setting and whilst it is accepted that delivery vehicles and wheelchairs will need to access roads and footpaths, attempts should be made to reduce the burden of the rooting area of trees as well as making the final finish more visually sympathetic to this woodland setting. It may be more appropriate to use wooden sleepers (which have not been covered in creosote) or the use of logs to create barriers in parking areas etc.

Clarification is required regarding their presence (or not) of bats within this area.

There are 2 All Ecology surveys submitted:

- 1) Dated March 2015, updated March 2016 and Revision 1 Dec 2016
- 2) Dated June 2015

Both reports give conflicting advice regarding bats.

March 2015 report states (Para 5.5) 'it is recommended that trees on site be subject to detailed inspection for roosting bats with the use of ladders, torches and endoscopes' and (para 5.6) 'mitigation and recommendations are dependent on the outcome of the recommended further surveys'.

June 2015 report (para 6.2) states 'no further surveys are necessary at this time'.

Clarification is required as to whether the site is facilitates a breeding or nursery roost, is a feeding ground, and what measures are necessary to protect it or whether work can proceed.

The soil within this woodland is likely shrinkable clay soil and as such appropriate foundation design should be employed.

Tree King Woodland Management Plan (ref 36.50W) is welcome and some well-considered suggestions are made which if acted upon, and assuming trees establish promptly, and are not subject to attack by pests or disease, should improve the condition and well-being of this wood in the longer term.

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Paragraph 2.1.7 Appropriate tree selection is considered for the proposed differing areas within this site as a whole-shady areas, open spaces and trees close to buildings.

Para 2.1.8 considers the possible impact by squirrels. Similarly, it would be appropriate to plant extra evergreen species such as native holly, yew & box to those species selected. Tree planting numbers need to be increased adjacent to the car park by Manor by the Lake as well as along all perimeters to the site. Whilst there is no formal public access, the wood is highly visible from outside the site-along the A40 as well as to the rear of KFC/Travel Lodge etc and as such tree planting would be welcome in these areas.

Whilst deer do not appear to currently exist within this wood, should they find a way in, they can decimate new tree planting in a very short period of time and replanting is likely necessary. Should replanting be required, it is strongly recommended that new tree planting areas be protected against deer. Such an undertaking should be written into future management plans. If new planting does not succeed, the wood will be back on track to becoming derelict.

Para 2.5 CBC Tree Section generally concurs with the proposals given the existing condition of several existing oak. Given the anticipated compacted and nutrient-light nature of the ground at this location, it would be helpful if the proposed plane tree planting pits could be described (to include the incorporation of fresh soil (Amsterdam soil would be most beneficial).

Para 3.1-Please could this be re-described so that tree planting follows tree felling.

Para 3.2.4-Please could this be adjusted so that branch work and/or chippings are left on site. Similarly, standing deadwood is ecologically very rich and it would be beneficial if standing dead trunks within the woodland could be left standing as monoliths.

Para 3.3.2-Clarification is needed regarding the tree planting spacing regime.

Para 3.4.2-the thrust of this paragraph is correct. All newly planted trees will also be subject to this existing Tree Preservation Order. However 'The annual management plan will be approved by CBC before any tree works take place'. A routine TPO works application and permission is necessary should any live trees require pruning or removal.

Para 3.4.3 Tree King is correct in recommending that no vehicular is allowed into this woodland. Such clay soil is easily compacted which may kill roots or seriously inhibit their growth. As such a robust Tree Protection Plan should be submitted and agreed prior to the any planning permission being granted.

Appendix A-Tree felling in woodland areas. Tree numbers within this schedule do not tally with tree numbering within the tree survey or removal drawings. This needs rectification.

LynchRobertson Landscape Management and Maintenance Plan (undated) needs some adjustment:

- 1) Several of the specimen tree planting are inappropriate. The oriental plane tree is to be to the south of the main entrance of the building. Such trees will grow very large and will cast day-long shade which is unlikely to be welcome. Similarly, given the likely clay nature of the soil, such a tree could cause subsidence of the building (unless appropriately deep foundations are created).
- 2) The western red cedar is to be situated within 5 metres of the building-this is too close for such a fast growing and ultimately large species.

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- 3) Please could the proposed copper beech tree planting be changed to traditional green (native) beech.
- 4) *Tilia petiolaris* (weeping silver lime)-whilst a handsome tree, is narcotic to bees and as such please could other exotic species also be employed-*Tilia mongolica* Harvest Gold, *Tilia henryana*, *Tilia cordata* Winter Orange etc.
- 5) The proposed specimen tree planting is very large. Such large trees are v expensive and can be difficult to establish unless much after care and maintenance is given to them. Please could proposed tree planting pits be drawn as well as a method statement for the minimisation of existing tree damage (eg compaction whilst driving large vehicles into the woodland). It may be more appropriate to increase the tree numbers to be planted and to reduce the size of trees. However many of the smaller trees near to the building have an exotic nature and should provide much amenity to residents, workers and visitors alike.
- 6) Greater numbers of tree species synonymous with Regency Cheltenham (sequoia, cedar, holm oak etc) would be welcome
- 7) There is no mention of the proposed Tree King proposed planting. Such a management plan should incorporate the site as a whole.
- 8) Drawings submitted state 'Area to be managed as woodland understory' but does not elaborate-clarification is required.
- 9) Drawings state 'L.A. to instruct on the location of shrubs before planting'-such advice from CBC is unlikely.
- 10) Generally such planting plans are unclear with the extent of existing trees' canopy marked-even where they are to be removed. Clarification is required.

23rd February 2017

Notwithstanding the comments of 1/2/17, the Tree Section welcomes the submission of the Tree Felling Plans (Drawing no's 36-50-TR) which makes it clear which trees are to be removed and also gives the condition of such trees.

The overwhelming majority of trees earmarked for removal as a result of this application are of "C" category (-as per BS 5837)-"Trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm") and "U" category trees "in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years". However given the necessary size of the footprint of the proposed building, associated driveways and landscaping, there other (approx. 12) trees of better quality which will also be required for removal. There have been many, many site visits between the Trees Officer and the arb consultant to achieve the minimum removal of the better quality trees and the current proposed layout is likely to be the best which can be achieved if a care home is to be constructed within this woodland. As such, whilst the proposed tree removal mass is significant in order to build this care home, such removals can be mitigated by tree planting and a workable woodland management plan. The woodland management plan is acceptable providing the comments made on 1.2.17 can be addressed and agreed.

Since the previous comment a new planting plan has been submitted Lynch Robertson Tree Planting Proposals Amended Drawing no 36-50-04 of 14/2/17. It has incorporated several of the previous Trees Officer comments, but the overall thrust of it is still insufficient in terms of re-creating working woodland. Many of the proposed trees are inappropriate in a woodland setting and may struggle to establish and grow due to a lack of light when the

trees in this wood are in leaf, as well as their proposed very large planting size. Whilst previous Trees Officer comment requested tree species synonymous with Regency Cheltenham (Cedar, Sequoia etc), such trees should be planted in areas where there is sufficient light and space for the tree to grow into as it matures. So as to reduce future shade, it is recommended that ultimately smaller, more exotic trees are planted close to the proposed care home.

Many of the traditional broadleaved shade-tolerant species are susceptible to squirrel damage (beech, hornbeam etc). Whilst there is little evidence of an existing population of squirrels, an over-reliance on this species could be a high risk strategy as 15-20 years on; when trees have grown to approx. 7-12metres high; squirrels could decimate this emerging new population of trees. As such, to guard against this, it is strongly recommended that trees which are unattractive to squirrels (eg Thuja, cypress, holly, box, Portugal laurel, privet as well as other evergreen species are also planted-whether as feathered trees (6-8's) and indeed 100-125's. These can be densely planted at an inexpensive cost and should promptly establish. Dense planting will also help ensure trees grow tall quickly. This will be especially important when planting along the northern boundary adjacent to the A40 (where the majority of this belt of trees outside this site and adjacent to the A40 may be removed for a possible bus lane development). Similarly, it is desirable that the rear of the Travel Lodge and KFC are screened from views into and out of this site. If such trees are not planted close to these boundaries, the views inward will become very porous and the care home will likely be clearly visible from the north and west. Much of the whole premise of CBC Tree Section endorsing this development is based on the idea that the remaining woodland can be restocked and brought back into function again. It is important that this area still looks like woodland from the outside (there is no current official public access through this woodland).

It is noted that there is much laurel within this woodland. The proposed tree removals will enable significantly more light onto the woodland floor and this will promote laurel growth. As such it is important that every effort is made with the chainsaw and poison to control its spread.

Drawing no 305-002 815 No Dig Raised Kerb Detail proposes a kerb height approximately 500mm above ground level. This needs to be reduced as much as possible. It has been requested from the start of this process that tarmac footpaths and roads may be most appropriate where residents and heavy goods vehicles are frequent, but other proposed parking bays, driveways and footpaths should have a more woodland appropriate gravel/hard core finish. This will help make the proposal appear more sympathetic to the adjacent woodland that a fresh application of black-top. Every effort should be made to reduce the height of the proposed woodland vehicle and pedestrian no-dig roads and footpaths. Similarly, it is recommended that rustic parking bay surrounds (eg trunks from existing trees to be felled or railway sleepers) are employed rather than the current concrete proposal.

Several existing trees which are not marked for removal do not appear to be protected with appropriate fencing. This needs to be rectified so they are not damaged during the construction process. As such, please amend Tree Protective Fencing drawings no 36-50-02 of 13/12/16. Please could areas of no-dig be marked on this drawing.

Not least because of the nature of the clay subsoil, it is critical that no heavy vehicles are allowed access into the woodland. The first such vehicle does the majority of the damage to soil through compaction and the squeezing out of oxygen within. Such soil does not facilitate root growth. Should access be necessary, then extra ground protection measures (woodchip, ground protection boards etc) will be required. Permission from CBC Trees Officers must first be granted before any such access is allowed. Similarly, it is strongly recommended that an on-site arboriculturist is retained to trouble-shoot as well as ensure that all works around trees are as described.

14th March 2017

The existing TPO'd woodland to the rear of Cheltenham Film Studios is not in good condition and does not appear to have been actively managed for some time. Many of the trees in the centre of this woodland are now dead or are in poor form and there seems to be little natural regeneration of beneficial woodland species other than the rather invasive and poisonous cherry laurel. This species also inhibits natural regeneration of other tree, shrub and ground flora species. As such, unless this woodland is restocked and actively managed, it is likely to become derelict within a short period of time and the remaining mature trees will not be suitably naturally replaced and ecological diversity will diminish. It will likely lose its function as a woodland.

To place a large care home in the middle of a woodland is an unusual suggestion. Certainly the footprint of the building and access roads, utilities and other associated necessary development will require the removal of many trees. However, this proposed development has been subject to several modifications and negotiation between the developer's arb consultant representative (Tree King Consulting) and the LPA Trees Officer. The proposed building design and ancillary space represents what is considered by LPA trees Officer to be the minimal impact on existing tree population and the vast majority of trees to be removed are of low quality or are dead. The proposed tree planting regime by Tree King should secure the future of this area as a working woodland (outside the footprint of the building and the new access roads). The proposed management plan should ensure this into the future. All new trees will be automatically subject to protection from the existing Tree Preservation Order.

There is no official public access (designated footpaths, bridleways etc) through this woodland and as such can only be seen by the public from the outside. Part of the planting plan is the insertion of many broadleaved and coniferous evergreen trees around the perimeter of the site. As the new proposed trees grow, the sense of the rich arboricultural "fabric" of the area will be maintained. However the new planting plans should also ensure that much of the building basks in sunlight from the south. New trees near to the building are to be of a smaller, more exotic nature (ie significant flowering, autumn colour, bird/wildlife attracting etc) which should be welcome from a care home-resident perspective. Similarly, the tatty views into the rear of KFC and Travel lodge will be screened more effectively than the current situation presents.

Whilst service routes have been marked on the Tree King Tree Protection Plans, their route/existence is not clear and as such it would be helpful if bespoke utility plan drawings and Method Statements for their insertion could be submitted and agreed prior to the commencement of any works. Whilst the tree protection fencing should be effective, any incursion into the Tree Protection Area from utility operators must be closely supervised by an arboriculturist. All vehicular movement in this area will require ground protection boards as a minimum and all works should be to NJUG guidelines for the installation of services in proximity to trees.

It is noted that the Tree King Tree Planting Plan marks 1 London Plane tree to be planted to mitigate for the loss of the 3 oaks currently in a poor condition. This plane tree should grow very large and be a welcome addition to the area. However the March 2017 Tree Management Plan (para 2.5.2) discusses two plane trees to replace the three oaks. Please could this be clarified (2 trees required). It is noted that this area is outside the "red line" of the development proposal.

Similarly, please could a tree planting pit for all trees of "Standard" size (as per BS 3936) or larger be submitted and agreed. The soil horizon contains much clay soil and may be quite "thin/poor" in places and as such the incorporation of fresh quality soil into the pit should ensure prompt tree establishment.

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It is noted that the spec for “no-dig” driveways, parking bays etc have been reduced to a more acceptable size and it is not anticipated that their creation will significantly negatively impact on adjacent trees (though it is noted the oaks 303, 309 and 315 are very close indeed to such areas).

However, apart from relatively minor alterations, clarifications and descriptions required above, it is considered that with due care and attention to trees to be retained and planted, this care home could be created as described. It will be necessary to have on site arboricultural supervision throughout the whole build process. This will not be an easy site to create and there will be scenarios where on site arboricultural decisions will need to be made promptly. In that Tree King has had such a large influence on the design of this whole proposal it is considered that he is best suited to fill this role.

Please could a pre-commencement on site meeting between the site supervisor, the arboricultural supervisor and the LPA trees Officer, be conditioned with a view to endorsing erected/laid tree protection.

As mentioned above, there is heavy clay on site and as such the foundations of any build should take account of this so as to ensure that the building does not become damaged as a result of tree root action. Such action usually leads to calls for whole tree removal-which would not be welcome.

Please use the “gutter cover” informative on any permission to be granted.

Severn Trent Water Ltd

17th January 2017

Thank you for the opportunity to comment on this planning application. Please find our response noted below:

With Reference to the above planning application the company's observations regarding sewerage are as follows.

I can confirm that we have no objections to the proposals subject to the inclusion of the following condition:

The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority,

and

The scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is to ensure that the development is provided with a satisfactory means of drainage as well as to reduce or exacerbate a flooding problem and to minimise the risk of pollution

Severn Trent Water advise that there is a public sewers located within this site. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. You are advised to contact Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building. Please note, when submitting a Building Regulations application, the building control officer is required to check the sewer maps supplied by Severn Trent and advise them of any proposals located over or within 3 meters of a public sewer. Under the provisions of Building Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval.

Please note if you wish to respond to this email please send it to net.dev.west@severntrent.co.uk where we will look to respond within 10 working days. Alternately you can call the office on 01902 793851.

If your query is regarding drainage proposals, please email to the aforementioned email address and mark for the attention of Rhiannon Thomas (Planning Liaison Technician).

Environmental Health

26th January 2017

Condition:

In relation to the contaminated land assessment which has been completed for the site, all recommendations for further physical investigation of potentially contaminated areas of the site are to be completed and results forwarded to this department.

Condition:

A scheme for the control of noise from all plant and equipment at the site, including noise and odour from the kitchen air extraction system shall be submitted to the environmental health department of the Local Planning Authority and approved in writing before the commencement of the development. An acoustic report detailing the predicted noise levels from the equipment affecting nearby residential properties will also be provided.

The approved control scheme shall be implemented on site prior to the systems being brought into use and shall thereafter be maintained and operated in accordance with the approved scheme.

Reason: To prevent neighbouring properties from loss of amenity through noise or odour.

Advisory note:

The complete extraction system serving the kitchen should be designed and commissioned by competent specialist engineers. The design of air pollution control equipment should be based on peak load conditions, i.e. the worst case scenario.

The scheme shall include the following:

- Full details of the system layout
- Housing of filters, motor and fan inside the building where possible
- Integrated grease baffle filters
- Suitable odour treatment plant to render the exhaust odourless at nearby residential property
- Specification of a motor and axial fan with variable speed controller
- Circular section ducting preferred with a minimum of bends
- High level exhaust point fitted with a vertical discharge cowl that achieves maximum efflux velocity. This shall be at least 1 metre above roof ridge level of the host building

Condition:

The proposed development includes a number of residential properties to be built near to and around the other commercial units and a busy road therefore, there is a potential for noise from the other uses of the site to adversely impact upon the planned new residential units.

Condition:

No development above ground level shall begin until a sound insulation scheme for protecting the habitable rooms in the residential units of the proposed development from road traffic and commercial noise has been submitted to and approved by the Local Planning Authority.

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It may be that provisions will have to be made for the ventilation of the residential units without the need to open any windows. The scheme approved by the LPA shall be implemented before the development is occupied and thereafter shall be retained and maintained in a good working order for so long as the site remains in use.

Particular attention must be paid to the areas of the development nearest to the commercial units of KFC, Travelodge with associated Harvester and the units nearest the A40 as these end units are the most likely to be adversely affected by noise.

Reason: To protect the amenity of the occupiers proposed residential units.

Advisory: For the construction phase to be kept within the times of work as follows: 7:30am - 6:00pm Monday - Friday and 8:00am - 1:00pm Saturdays with no noisy work on a Sunday or Bank Holiday and to be mindful of noise when deliveries arrive at the site.

Query:

If there is to be a proposed lighting scheme for the proposed site please can an isolux diagram be forwarded to this department detailing where the external lighting will be placed as well as the impact this may have on neighbouring residential properties.

Cheltenham Civic Society

13th January 2017

We find the mass of the proposed block intimidating. We would have preferred smaller units spread through the site to take advantage of the woodland setting. We are also concerned that the loss of trees should be kept to a minimum.

Heritage And Conservation

7th February 2017

The key consideration in relation to these comments is the impact of the works on the listed buildings. Section 16 (2) 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 its setting or any features of special architectural or historic interest which it possesses. Whilst the proposals in this application do not physically impact on any designated heritage assets, the setting of a number of grade II listed structures are potentially affected.

The Site and its Context:

The heritage statement that accompanies this application identifies 6 designated heritage assets within the locality of the proposed development, all of which are part of the Victorian Arle Court site. The most prominent of these is Arle Court itself, (now a wedding venue known as the 'Manor by the Lake'), a substantial mid-19th century Tudor Gothic House, designed by Thomas Penson of Oswestry for Thomas Packer Walter Butt.

Once a grand and prestigious house in substantial grounds, Arle Court itself remains an important and significant building; however the grounds have been fragmented, and, since the 1930s substantial parts of the site have been altered and developed; these changes have fundamentally altered the setting of Arle Court and its ancillary buildings, such as the grade II listed lodge.

Comments:

The current application is for a substantial residential care home (and associated parking and access) to the north of Arle Court and the east of the lodge, on land that has historically been woodland separating Arle Court from the Gloucester Road.

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The proposed development is an 'L' shaped arrangement, staggered up to four storeys in height. It will be clad in timber, stone and metal, and will be a contemporary addition into an area which for over a century has been woodland. In addition, despite the extensive areas of glazing and differing roof heights, the sheer size of the development suggests that there will be a feeling of density with the proposed structure, one which will inevitably further impact on the setting of Arle Court.

In combination with earlier developments, such as the Travelodge and the housing to the east of the site, the proposed new development will lead to an increased impression of enclosure around Arle Court; the woodlands to the north of this historic building will be reduced, with one of the last remaining sections of its historic grounds succumbing to development. Views from Arle Court will also be affected, and though there will still be wooded areas, parts of the proposed development will be visible from the listed building.

Conclusion:

What has happened in the land surrounding Arle Court since the mid 20th has been the gradual encroachment of development onto land which once would have been connected to the grand Victorian house; which is, in my opinion, regrettable. Although the proposal for further development continues this process, the impact on the setting of the listed building of this development, though notable, is less than substantial; whilst there are considerable other benefits.

As such the approval of this development is recommended.

Historic England

10th January 2017

Thank you for your letter of 5 January 2017 notifying Historic England of the application for listed building consent/planning permission relating to the above site. On the basis of the information provided, we do not consider that it is necessary for this application to be notified to Historic England under the relevant statutory provisions, details of which are enclosed.

If you consider that this application does fall within one of the relevant categories, or if there are other reasons for seeking the advice of Historic England, we would be grateful if you could explain your request. Please do not hesitate to telephone me if you would like to discuss this application or the notification procedures in general.

We will retain the application for four weeks from the date of this letter. Thereafter we will dispose of the papers if we do not hear from you.

Highways England

13th March 2017

No objection

GCC Highways Planning Liaison Officer

14th March 2017

I refer to the above planning application received on the 5th January 2017 with submitted details; Transport Assessment, Travel Plan, Planning Statement, Design and Access Statement, and:

- 305-002-818 – Light Bollard Detail,
- 305-002-804 – Gravel Vehicle Paving Detail,
- 305-002-801- No-Dig Asphalt Vehicle Surface Detail,
- 305-002-806 – Asphalt Pedestrian Surface Detail,
- 305-002-811 – Post & Rail Fence Detail,

305-002-814 – Raised Kerb Detail,
Colour Masterplan Rev E,
10481 PL 009 Rev A.

Location and Local Highway Network:

The proposed nursing care and assisted living units are to be located on a small area of woodland towards the south west of Cheltenham. The sites northern boundary abuts the principal Class 1 A40 linking Cheltenham with Gloucester to the west and Oxford to the east. The eastern boundary is formed of another nursing and assisted living centre as well as residential development. The southern and west boundaries are bordered by a mix of employment and commercial uses. The Class 3 highways of Hatherley Lane and Grovefield way lie to the south and southwest and are connected by a roundabout junction which serves a retail/commercial complex and the Arle Court Park and Ride. Hatherley Lane continues north a short distance where it forms the southern arm of the Arle Court Roundabout. The A40 eastbound and westbound arms are signalised whilst the local road network arms of the B4063, Fiddlers Green Lane and Hatherley Lane are unsignalised.

Accessibility:

The proposed development site can be accessed by a range of transport modes including bus, cycle, walking and motor vehicle. Bus services are accessible on the A40 Gloucester Road within 400m which is regarded as a reasonable walking distance by the IHT in their document titled "Providing for Journeys on Foot" as a result of the pedestrian access to the north. The bus services available at this location of the 94 service between Cheltenham Town Centre and Gloucester City Centre with services ranging between every 10minutes at peak hour to every 30 minutes with an additional night bus service (N94) allowing an opportunity for sustainable transport over a wide time range. Additional less frequent local services can be accessed from Hatherley lane which is also within reasonable walking distance.

Access and Visibility:

The proposed care and assisted living unit will be accessed off of an existing private road which serves the Cheltenham Film Studios and Arle Court "Manor By The Lake". Currently the private road layout is of a cross road junction arrangement with the Film Studios served to the west and Arle Court to the east, and access to some overflow parking for Arle Court to the north. The applicant proposed to amend the junction to include an informal mini-roundabout arrangement with the care unit driveway forming the northern arm with the driveway to the overflow parking becoming shared and formalised with surface treatment.

The Highway Authority will regard access as being the priority T-junction of the private road with the class 3 Hatherley Lane. The junction is suitable for two-way working with a pedestrian footway presence on the west side of the driveway connecting to the footway to the north of Hatherley Lane. The access geometry and alignment is suitable.

Hatherley Lane is a class 3 highway subject to a 30mph speed restriction. New accesses or accesses subject to an increase in vehicular movements would need to demonstrate adequate levels of visibility. The required levels of emerging visibility would be 54m to the nearside carriageway edge with a 2.4m set back along the centre line of the access. 54m has been derived from the Gloucestershire Annual Speed Monitoring Survey that determined an 85th percentile speed for 30mph highways as 34mph. the required levels of forward visibility on Hatherley Lane for approaching vehicles would be 57m with a bonnet length adjustment. The required visibility is achievable in either direction within highway land, therefore the access is suitable for the proposed development.

Pedestrian/Cycle Access:

Pedestrian Access to the local amenities to the south will be provided by the existing footway to the west of the private road and the existing facilities on Hatherley Lane. The ASDA supermarket has a dedicated pedestrian access from Hatherley Lane, segregated from the carriageway to ensure safe and convenient means of access for all.

The development will also provide a pedestrian/cycle access to the north connecting to the A40 in the approximate location of the existing Arle Court Lodge. The pedestrian access will provide adequate accessibility to the westbound bus stop served by a number of local services in particularly the 94 and N94 Stagecoach service between Cheltenham and Gloucester. This is a gold service with regular buses and provides a viable alternative mode of transport to that of the private motor car. Eastbound services are accessed via a subway system. The dedicated pedestrian/cycle access also allows cyclists direct access to the National Cycle Route 41 and provides further opportunity for car free based travel. The site is therefore sustainable and can actively encourage a reduction in single occupancy car travel to and from the site.

Parking:

The development would provide 71 on-site car parking spaces for residents and staff. Given the sites sustainable and accessible location the parking provision would be suitable as there are reliable means of alternative transport for both staff and residents to utilise. This will be further supported by the Travel Plan that will actively encourage a modal shift to sustainable transport methods.

4 spaces have been designated as disabled and equates to approximately 5.6% of total parking provision and accords with the local standards.

The internal layout is accessible for both refuse collection and emergency vehicles such as fire tenders and ambulances. A dedicated ambulance parking space ensures that such vehicles can park as close to pedestrian entrances as possible.

Trip Rates:

Section 6.2.2 of the submitted Transport Assessment has proposed the expected trip rates for the site based on a TRICS survey using the 'care home – elderly residential' category. The TRICS survey proposed the following number of movements.

AM Peak:

Arrivals 8
Departures 8
Two-way 16

PM Peak:

Arrivals 4
Departures 9
Two-way 13

The applicant has also undertaken a survey of a similar development under their ownership in order to establish trip rates for the proposed Cheltenham Site.

AM Peak:

Arrivals 16
Departures 7
Two Way 23

PM Peak:

Arrivals 12
Departures 21
Two-way 33

The trip rates established from the donor site are higher than that of the TRICS survey and are therefore regarded as being robust.

Impact:

The development would distribute 73% of traffic to and from the west with traffic travelling through the Grovefield Way/Hatherley Lane roundabout. The number of additional trips travelling through the roundabout as a result of this development would be 17 two-way in the AM and 24 two-way in the PM.

Flow data determined a weekday two-way average of 1784 vehicles in the AM peak and 1864 in the PM peak.

The following table details the current and proposed flows and the % impact of the additional development trips upon the local network.

Direction	AM (08:00-09:00)				PM (17:00-18:00)			
	2016 ATC (weekdayly average)	Development	Total	% Increase	2016 ATC (weekdayly average)	Development	Total	% Increase
Eastbound	909	+5	914	+0.6%	1,042	+15	1,057	+1.4%
Westbound	875	+12	887	+1.4%	822	+9	831	+1.1%
Two-Way	1,784	+17	1,801	+1.0%	1,864	+24	1,888	+1.3%

The additional development traffic would result in a greater impact upon the network in the PM peak where flows are increase from approximately 1864 to 1888. The additional movements would result in a 1.4% impact increase upon the Grovefield/Hatherley Lane Roundabout eastbound, with the two-way impact percentage being 1.3%.

The latest available survey data for Arle Court roundabout is available on the Department for Transport website.

The traffic count recorded an annual average daily flow (AADT) of 54,134 vehicles travelling on the A40 between Arle Court roundabout and Benhall Roundabout. The recorded vehicles would have travelled through the Arle Court Roundabout. No peak hour flow data is available; however it is assumed that 10% of daily traffic flow occurs at the peak hours. This percentage is an accepted and recognised industry standard. Therefore it can be said that approximately 5400 vehicles will travel through Arle Court Roundabout in the peak hours. The development generates more vehicles in the PM peak and would increase flow to 5424, an impact increase of 0.44%.

Travel Plan:

The Travel Plan aims and objectives are adequate and the details of the Travel Plan accord with the local guidance. The Travel Plan can be secured by way of planning condition.

Given the scale and nature of the development, the impact would not be regarded as significant in accordance with the NPPF.

Therefore I recommend that no highway objection be raised subject to the following condition(s);

Condition #1 Construction Method Statement:

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning

authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

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

Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance paragraph 35 of the National Planning Policy Framework.

Condition #2 Travel Plan:

The approved Travel Plan shall be implemented in accordance with the details and timetable therein, and shall be continued thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason:- To ensure that the opportunities for sustainable transport modes are taken up in accordance with paragraphs 32 and 36 of the National Planning Policy Framework.

Condition #3 Parking:

The building(s) hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan drawing no.305-002-002, and those facilities shall be maintained available for those purposes thereafter.

Reason: - To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	173
Total comments received	15
Number of objections	15
Number of supporting	0
General comment	0

5.1 The application was publicised by way of letters to 173 neighbouring properties, a site notice and a notice in the Gloucestershire Echo. 15 representations have been received which relate to the following issues:

- Impact on wildlife
- Loss of trees
- Impact on road safety and congestion
- Accessibility by emergency vehicles
- Will lead to parking on surrounding streets
- Size and design of building
- Impact on adjacent listed building

- Should be located elsewhere
- Too much development in the area
- Impact on air pollution
- Fumes and smells from care home
- Noise pollution from emergency vehicles

6. OFFICER COMMENTS

6.1 Determining Issues

The key issues in determining this application are considered to be (i) principle of use, (ii) design and layout, (iii) impact on neighbour amenity, (iv) access and highways issues, (v) trees and landscaping, (vi) biodiversity, (vii) flooding and drainage.

6.2 The site and its context

The site is within the Principal Urban Area as defined by the proposals map and therefore subject to all other considerations and constraints being adequately dealt with the development of this site is acceptable in principle.

The accommodation provided is described as use class C2 which is secure residential accommodation and covers such uses as care homes, hospitals, nursing homes etc. This is distinct from use class C3 which covers dwelling houses. Often elderly persons accommodation can be capable of being occupied wholly independently, providing self-contained accommodation which would fall within use class C3, this then requires such schemes to be considered as any other housing scheme and triggering a potential requirement for affordable housing. Sometimes there can be ambiguity in this area. However the current proposal is clearly C2 accommodation. It provides a combination of care suites and nursing rooms. None of the rooms or suites are capable of being independently occupied. The model is that residents have their meals provided and as such there would be no cooking facilities within the suites. This will be secured through a legal agreement. The Council's affordable housing coordinators have confirmed that they are content with this approach and that the scheme is C2.

Policy HS6 of the Local Plan states that:

Purpose built elderly persons' flats, retirement and sheltered housing or similar self-contained accommodation, and residential and nursing care homes will be permitted where:
(a) the development is accessible to local amenities, is located on level terrain (note 1); and
(b) an appropriate amount of amenity space is provided (note 2); and
(d) the detailed design of residential units and their immediate environment are adequate for the purpose.

Where a change of use is proposed, the property must be capable of and suitable for conversion.

With respect to (a) the site is not completely flat however it is relatively level and there are amenities such as supermarkets within a short walk of the site. The site is also in close proximity to bus stops.

With respect to (b), due to the intended clientele the amenity space has been carefully designed with some more secure, defined areas and some more open areas which take advantage of the woodland setting. The site has a good amount of open space for residents.

With respect to (c), this will be covered later in the report, however it is considered that the quality of the accommodation proposed is acceptable.

Whilst members are required to consider only the acceptability of the use and not the end occupier it is worth setting out a little about the proposed operator, Richmond Care Villages. The company are a part of BUPA and have been developing and operating care villages for over 20 years. Often the care villages include an element of intendant living, however this site is not large enough to accommodate it. Therefore the Cheltenham site is less than half the size of their usual developments. The internal layouts etc are informed by the client's experience in this area and appear to offer a good range of facilities with a logical layout.

The proposal will provide a much needed facility within the urban area of Cheltenham and as such, subject to all other considerations is supported in principle.

6.3 Design and layout

Policy CP7 of the Local Plan requires development to be of a high standard of architectural design, to reflect the principles of urban design and to complement and respect neighbouring development and the character of the locality.

At 4 storeys with additional roof structures the proposal is quite high and with a maximum width of 79m it is without doubt a large building. However Officers consider that the design and the visual impact of the proposal is acceptable for the following reasons.

Although the building is large, it's footprint is not excessive in the context of the size of the site. The 'L' shaped configuration of the building breaks up the mass of the building. The block plan also belies the articulation which has been added to the building in terms of the reduction in height towards the edges of the building and the breaks in the elevations through the introduction of projecting elements. The variation in materials also helps to prevent the building from looking excessively linear and monotonous.

The design is considered to be high quality and appropriate for this woodland setting.

With reference to the height of the building the applicants were asked to submit a series of sections through the site. These indicate that the site is on lower ground than surrounding land with the parapet height being below that of the ridge of the Manor by the Lake. It is approximately 1.5m higher than the Travelodge. There are a number of 4 storey buildings in the vicinity including the Travelodge and the adjacent Amber Wood Care Home. As such the height is appropriate for the vicinity and especially bearing in mind that the site area is in excess of 2ha and as such the amount of built form on the site is not excessive. It is also towards the centre of the site being located 34m from the northern boundary, adjacent to the cycle path which runs alongside the A40. It is over 100m from the Film Studios building, to the southwest, 83m from the Travelodge building, 30m from the eastern boundary, adjoining the residential properties of Redgrove Park, over 100m to Amberwood and over 160m to the Manor by the Lake. As such, in this context a large building is considered to be acceptable.

The applicants have been asked to comment on the implications of having a smaller building e.g. by reducing the height by one storey. As stated above most Care Villages are over twice the size of this site and the applicant has stated that although the proposal put forward results in a viable scheme to reduce the level of accommodation any further would make the scheme unviable. This assertion has not been tested through a formal viability assessment as, on balance consider that the size proposed is acceptable in any event.

The proposal is in the vicinity of listed building, the Manor by the Lake and the Lodge. The conservation officer considers that on the whole, and bearing in mind other developments in the locality the proposal is considered to enhance the setting of these buildings.

The Architects Panel are supportive of the scheme, subject to detail of the cladding, which will be requested by condition. The civic society have stated that they find the mass of the building intimidating and would prefer smaller blocks throughout the site. Whilst the comments on the mass are understood it is considered that the clever design of the building and the lie of the land in this area means that the mass will not be as appreciable as might be imagined from the elevation drawings. The desire for smaller blocks would not fit with the accommodation model the applicant is trying to achieve and would likely be more damaging to the woodland.

6.4 Impact on neighbouring property

As detailed above the building is located a good distance from the edges of the site. Most of the neighbouring uses are non-residential, however the nearest neighbours which must be considered in detail are those in Redgrove Park, to the east. A cross section has been provided which shows the relationship between these buildings. The proposed building drops down in height to 3 storeys adjacent to the rear of Redgrove Park. This is not a dramatically different scale of building than these domestic properties, given the flat roof. The building is 30 from the boundary and at the nearest point is over 40m from the dwellings themselves. As such whilst the building may be visible through the trees it is not considered that it would result in an unacceptable impact on neighbouring properties by either loss of light or privacy. There is a balcony proposed which is upon the flat roof adjacent however it is set in from the edge of the roof and given the distances involved it is not considered that any special screening is required.

The care home use itself is unlikely to result in an unacceptable level of disturbance to neighbouring properties once operational. Environmental Health have suggested some conditions to protect the amenities of both neighbouring residents and future occupiers of the building. These should ensure that no adverse impacts occur by way of noise or pollution.

In light of the above it is considered that the proposal has an acceptable impact upon neighbouring properties and therefore is in accordance with the aims of CP4 of the Local Plan.

6.5 Access and highway issues

A number of the objections which have been received refer to parking and access issues. The Gloucestershire County Council Highways Officer has provided full comments on the proposal which are provided above. Highway England have also been consulted on the proposal and have stated that they have no objections to the proposals.

To briefly summarise the Highways Officer considers that the proposal is in a sustainable location being in the vicinity of a number of bus routes. The access into the site is safe and suitable, providing sufficient visibility and providing acceptable pedestrian access. There is also direct access to the National Cycle Route and therefore the proposal can support the use of sustainable modes of transport. In this context the level of parking proposed is acceptable and this will be supported by a travel plan which is enforced by a planning condition. With regards to the impact of the trips associated with the proposal on the local highway network, the comments conclude that this is minimal. The increase in traffic at the Grovefield Way/Hatherley Lane roundabout would be 1.3% at the PM peak. At the Arle Court roundabout this would be 0.44% at the PM peak. The comments conclude that *“given the scale and nature of the development, the impact upon not be regarded as significant in accordance with the NPPF. Therefore I recommend that no highway objection be raised subject to the following condition(s)”*

Therefore, in accordance with the specialist advice which has been received it is considered that the proposal is acceptable in terms of access and highway safety and therefore is in line with policies TP1, TP 2 and TP 6 of the Local Plan.

6.6 Trees and landscaping

As is demonstrated by the 3 sets of comments received from the tree officer above, the proposal has been the subject of significant amounts of negotiation by the tree officer in respect of the existing trees and the appropriate hard and soft landscaping of the site in the future.

Detailed plans have been provided which will be made available for members showing tree removals and new tree planting.

The proposal is a protected woodland and therefore, appropriately the proposal has had the stated intention of being landscape led. The woodland at present is declining and in the absence of interventions, would fail. Therefore whilst it might seem counterintuitive, the removal of (mostly dead, or dying) trees and the development of a new care home, will have a positive impact upon the woodland.

The landscaping scheme is considered to be acceptable and revisions have been made to this upon the tree officers advice.

As such subject to the implementations of appropriate conditions to ensure that the agreed measures are implemented the proposal is considered to be acceptable and in accordance with policies GE 5, GE 6, and GE 7 of the Local Plan.

6.7 Biodiversity

The application was accompanied by an ecological appraisal, Great Crested Newt Survey, Reptile Survey, Bat survey. Natural England have been notified of the application and have raised no objections.

The report concludes that the site could support bats, badgers, foxes and birds. The construction of the care home will result in the loss of grassland, tall redural, scattered scrub and standard trees. None of these are priority habitats. A number of mitigation features are recommended including the provision of bat boxes and the lighting of the site being kept to a minimum. A method statement is required in relation to a badger sett on the site. The proposal will result in the loss of bird nesting habitat and it is recommended that this be mitigated through the provision of bird boxes. It is considered appropriate to require these measures via planning conditions.

Other aspects of the report, such as the legal protection of nesting birds, reptiles and amphibians are dealt with under separate legislation and if found on the site will need to be the subject to an application to Natural England for a license to move them if necessary.

These measures have been recommended by a qualified ecologist as sufficient to mitigate the habitats which will be lost through the development and to protect protected species on the site.

Officers are satisfied that these measures are sufficient to ensure that the proposal is in compliance with policies NE 1 and NE 2 of the Local Plan.

6.8 Flooding and drainage

The very edge of the site is located within flood zone 2 and as such the application was accompanied by a flood risk assessment and drainage strategy.

The Environment Agency have confirmed that as the proposed building is more than 8m away from the Main River, and not within the flood zone they have no objection to the proposal.

Initially the Local Lead Flood Authority (LLFA) objected to the proposal due to lack of information. Further information was provided which confirmed that the design work to date is to ensure a run off rate equivalent to a green field site. Detailed design work has yet to be carried out although the principles which have been established comply with the LLFA requirements at this stage. They have asked that a number of detailed conditions be attached which will allow them to consider detailed design at a later date.

Severn Trent have asked for a similar condition to be attached as the LLFA, with the addition of foul sewerage. However they have no objection in principle to the proposal.

Therefore subject to the conditions recommended within the specialist advice received from the flood and drainage experts, it is considered that the proposal is in accordance with policies UI 1, UI 2 and UI 3 of the Local Plan.

7. CONCLUSION AND RECOMMENDATION

- 7.1 The site is challenging due to its status as a protected woodland, however the proposal which has been put forward is sensitive to the constraints of the site. Whilst the building is large it has been well designed to fit on the site in an appropriate manner and the proposal will provide a function and enhancement to the site, which has been somewhat neglected in the past. The proposal is acceptable in terms of its impact upon neighbouring properties and the local road network.
- 7.2 Also of relevance in the consideration of the application is that it will provide 110 full time equivalent jobs. This adds weight to the conclusion that the proposal is acceptable, as does the provision of accommodation for elderly persons in need of care and support.
- 7.3 In accordance with the NPPF's 'presumption in favour of sustainable development' it is recommended that the application be approved as it is in line with the Local Plan for the area.
- 7.4 As mentioned above a s.106 agreement is required to ensure that the use remains C2 as stated through the control of provision of kitchens. As such the recommendation is to permit subject to the signing of a s,106 to that effect.

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.

- 3 No external facing or roofing materials shall be applied unless in accordance with
a) a written specification of the materials; and
b) physical sample/s of the materials,
The details of which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to Policy CP7 of the Cheltenham Borough Local Plan (adopted 2006).

- 4 The development shall be carried out in strict accordance with the recommendations and requirements of the ecological appraisal revision 1 dated December 2016 submitted with the planning application.

Reason: To safeguard ecological species, having regard to Policies NE1 and NE 3 of the Cheltenham Borough Local Plan (2006).

- 5 Prior to the commencement of development details of surface water attenuation/storage works shall be submitted to and approved in writing by the Local Planning Authority. The volume balance requirements should be reviewed to reflect actual development proposal, agreed discharge rate and the extent of impermeable areas and runoff to be generated. It is important to confirm dimensions and depth of proposed tank to the LPA. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied. Applicant suggested proposed tanks are subject to detail design and have been positioned to avoid as many tree root protection areas as possible.

Reason: To prevent the increased risk of flooding, It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

- 6 No development shall take place until a SUDS maintenance plan for all SUDS/attenuation features and associated pipework, in accordance with The SuDS manual (CIRIA, C753), has been submitted to and approved in writing by the Local Planning Authority. The approved SUDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality

- 7 Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100+40% event has been submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall identify exceedance flow routes through the development based on proposed topography with flows being directed to highways and areas of public open space. Flow routes through gardens and other areas in private ownership will not be permitted. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied.

Reason: To ensure satisfactory drainage of the site and avoid flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

- 8 Prior to the commencement of development, other than that necessary to comply with the requirements of this condition, the approved remediation scheme necessary to bring the site to a condition suitable for the intended use shall be implemented in full. Following the completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Local Plan Policy NE4 relating to development on contaminated land.

- 9 A scheme for the control of noise from all plant and equipment at the site, including noise and odour from the kitchen air extraction system shall be submitted to the environmental health department of the Local Planning Authority and approved in writing before the commencement of the development. An acoustic report detailing the predicted noise levels from the equipment affecting nearby residential properties will also be provided.

The approved control scheme shall be implemented on site prior to the systems being brought into use and shall thereafter be maintained and operated in accordance with the approved scheme.

Reason: To prevent neighbouring properties from loss of amenity through noise or odour.

Advisory note:

The complete extraction system serving the kitchen should be designed and commissioned by competent specialist engineers. The design of air pollution control equipment should be based on peak load conditions, i.e. the worst case scenario.

The scheme shall include the following:

- Full details of the system layout
 - Housing of filters, motor and fan inside the building where possible
 - Integrated grease baffle filters
 - Suitable odour treatment plant to render the exhaust odourless at nearby residential property
 - Specification of a motor and axial fan with variable speed controller
 - Circular section ducting preferred with a minimum of bends
 - High level exhaust point fitted with a vertical discharge cowl that achieves maximum efflux velocity. This shall be at least 1 metre above roof ridge level of the host building
- 10 The development shall not be occupied until a sound insulation scheme has been implemented in accordance with details which shall first have been submitted to and approved in writing by the Local Planning authority. This shall indicate how habitable rooms will be protected from road traffic and commercial noise, this may need to include non-opening windows. All measures put in place in compliance with this condition shall be retained thereafter.

Reason: To protect the amenity of the occupiers proposed residential units.

Note: Particular attention must be paid to the areas of the development nearest to the commercial units of KFC, Travelodge with associated Harvester and the units nearest the A40 as these end units are the most likely to be adversely affected by noise.

Page 98

- 11 Prior to the installation of any external lighting, isolux drawings shall be submitted to and approved in writing by the Local Planning Authority, indicating the light spill from the proposed lights. No external lights shall be installed other than those agreed through the approved scheme.

Reason: To protect the amenities of residents adjoining the site, in accordance with policy CP4 of the Local Plan

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

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

Reason: To reduce the potential impact on the public highway and accommodate the efficient delivery of goods and supplies in accordance paragraph 35 of the National Planning Policy Framework.

- 13 The approved Travel Plan shall be implemented in accordance with the details and timetable therein, and shall be continued thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason:- To ensure that the opportunities for sustainable transport modes are taken up in accordance with paragraphs 32 and 36 of the National Planning Policy Framework.

- 14 The building(s) hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan drawing no.305-002-002, and those facilities shall be maintained available for those purposes thereafter.

Reason: - To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.

- 15 The development shall be carried out in strict accordance with the recommendations and requirements of the Woodland Management Plan dated March 2017 submitted with the planning application.

Reason: To ensure the appropriate management of the protected woodland, having regard to Policies GE5 and GE6 of the Cheltenham Borough Local Plan (2006).

- 16 All landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size to be first approved in writing by the Local Planning Authority.

Reason: To ensure that the planting becomes established, having regard to Policies CP1 and CP7 of the Cheltenham Borough Local Plan (2006).

- 17 The works shall not be carried out unless in accordance with the approved details and the measures specified by the TPP shall remain in place until the completion of the construction.

Reason: To safeguard existing tree(s) in the interests of visual amenity, having regard to Policies GE5 and GE6 of the Cheltenham Borough Local Plan (2006). Approval is required upfront to ensure that important trees are not permanently damaged or lost.

- 18 Prior to the commencement drawings of the routes of all below ground utilities along with a method statement for installation shall be submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details.

Reason: To safeguard existing tree(s) in the interests of visual amenity, having regard to Policies GE5 and GE6 of the Cheltenham Borough Local Plan (2006). Approval is required upfront to ensure that important trees are not permanently damaged or lost.

- 19 Prior to the implementation of the landscaping scheme, details of the proposed tree planting pit for all trees of standard size or larger, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the planting becomes established, having regard to Policies CP1 and CP7 of the Cheltenham Borough Local Plan (2006).

- 20 No works shall commence on site unless details of Arboricultural Monitoring of the site to include details of (i) person(s) to conduct the monitoring; (ii) the methodology and programme for reporting; and (iii) a timetable for inspections, has been submitted to and approved in writing by the Local Planning Authority. This shall include a meeting on site with the LPA Tree Officer before work commences. The works shall not be carried out unless in accordance with the details so approved.

Reason: To safeguard existing tree(s) in the interests of visual amenity, having regard to Policies GE5 and GE6 of the Cheltenham Borough Local Plan (2006). Approval is required upfront to ensure that important trees are not permanently damaged or lost.

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, the authority sought amendments to the landscaping proposals in order to make the scheme acceptable.

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

- 2 Please note that under the Land Drainage Act, a consent may be needed to construct the outfalls to Hatherley Brook. It is recommended that the outfall/headwall

Page 100

remains flush with the bank of watercourse and is angled 45° to the direction of flow so as not to impede flood flows or cause scour. The applicant should contact Cheltenham district Engineer Geoff Beer for this consent.

- 3 Any works, in, under, or within 8 metres of the top of the bank of any designated main river may require a permit from us under the Environmental Permitting (England and Wales) Regulations 2010. This would have formerly been called a Flood Defence Consent. For more advice to confirm whether a permit is required, what type, and exemptions please ring 03708 506506 and ask for the local Partnerships and Strategic Overview Team. Also go to: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>
- 4 During the construction phase hours of work should be as follows: 7:30am - 6:00pm Monday - Friday and 8:00am - 1:00pm Saturdays with no noisy work on a Sunday or Bank Holiday and to be mindful of noise when deliveries arrive at the site.
- 5 The applicant is advised that there is heavy clay on the site which will need to be taken account of when designing the foundations in order to ensure the building does not become damaged as a result of tree root action.
- 6 The applicant is advised to install leaf guards for the guttering and down pipes in order to reduce the levels of tree related inconvenience experienced during the occupancy of the development.

APPLICATION NO: 16/02302/FUL	OFFICER: Mrs Emma Pickernell
DATE REGISTERED: 4th January 2017	DATE OF EXPIRY : 5th April 2017
WARD: Benhall/The Reddings	PARISH:
APPLICANT:	
LOCATION:	Land At Arle Court, Gloucester Road, Cheltenham
PROPOSAL:	Erection of Care Home with Nursing Care (60 beds) and Assisted Living (55 suites) - use class C2. Restoration and management of woodland, and provision of car park.

REPRESENTATIONS

Number of contributors	15
Number of objections	15
Number of representations	0
Number of supporting	0

27 Darwin Close
Cheltenham
Gloucestershire
GL51 0UE

Comments: 9th January 2017

I wish to object to this planning application primarily on the grounds that the development would destroy a rare and valuable nature refuge. The trees on the site are of a considerable age and have therefore become an ideal habitat for wildlife, especially as they are unmanaged and consist of a good mixture of dead and living trees resulting in a variety of insect for the wildlife to feed on. This make the trees a valuable asset for the town which once lost could not easily be replaced. New trees do not offer the same habitat as older trees such as those on the site.

As I live near to the site I regularly enjoy watching the wildlife in and around the site. For example, during the summer of 2016 I watched a family of Greater Spotted Woodpeckers flying between the trees to the West of the site, before they flew East over the A40 to the site of the proposal. Therefore these woodpeckers must be nesting close by, if not currently on site then their young could make use of the trees in the near future. The woodpeckers have become regular visitors to my garden and I would not like to see them harmed. I have seen foxes and hedgehogs on the site of the proposal, and I'm sure this area gives them a rare place to safely raise their young.

There is also a regular group of buzzards living on the site. These buzzards are presumably feeding off the small mammals that live there. I have also seen numerous bats in the vicinity of the site, often very early in the evening indicating that they are roosting nearby. If they are not actively roosting in these old trees now, then the trees would offer a rare natural habitat for them.

Does this new development have to be located on such a valuable green site? I do not think this is a suitable location for such a development. It would be such a shame to deprive the local wildlife of such a rare habitat within a residential area. Surely there is a more suitable brown field location that could be redeveloped.

In addition, Hatherley Lane suffers from considerable road use and congestion, especially in the mornings. A new development on this site will only exacerbate the situation.

44 Whittington Road
Cheltenham
Gloucestershire
GL51 6BS

Comments: 21st January 2017

I strongly object to the proposal, it represents the destruction of a valuable and ancient woodland habitat. I can barely fathom on what grounds this could seem like a reasonable proposal, given the loss of trees that are simply irreplaceable, nor readily found elsewhere in Cheltenham. I am confident that there are more suitable sites elsewhere in the Borough. Restoring (re-planting) trees is largely irrelevant since new trees do not offer the same habitat as older trees.

The layout and density of the buildings are bordering on overwhelming, and also add weight to my personal objection. The sheer size also indicates that even were the residents to require minimal parking, the amount required for those that do nevertheless drive, the staff, and the visitors, would simply be too much for the already overloaded Hatherley Lane and surrounding infrastructure (in particular, the roundabout at B&Q). It is already challenging for both pedestrians and cyclists, and this will simply exacerbate the problem and impact highway safety, including the ability for pedestrians to cross Hatherley Lane.

Springfield
The Reddings
Cheltenham
Gloucestershire
GL51 6RY

Comments: 3rd February 2017

I would like to object to the obscene takeover of The Reddings and its surrounds. To cut down so many trees for this massive building is not acceptable, especially when there is another nursing home just metres away. Parking in the area is an absolute nightmare and the roads are now so busy. Why isn't the entrance to this proposed site off the A40. Instead cars will be forced to make the horrible right turn out of that estate. If there is a need for this, but not offices, why not utilise the redundant area next to Pure Offices?

We currently have to contend with: Aldi, Costa, BMW, 4 x office blocks, a day nursery, housing, more office space next to pure offices, the Hayloft bedsits, all on top of the deluge of buildings gradually eating into the area over the past 10 years. Where will it end? Developers won't be content until every last tree is cut down and every wild creature is road-killed, starved to death or fled. I watched a squirrel leap from tree to tree in the Arle Court woods this morning and wondered how long it and the rest of the creatures in the beautiful nature oasis of Arle Court Manor House will live for. Where will the heron, woodpeckers and kingfishers that I know live there go? The "nature experts" supporting this atrocity should hang their heads in shame - you are helping developers destroy the very thing you should care about.

I am angry that our beautiful town is being destroyed at will and that future generations won't have seen how special Cheltenham really is. Yes I know this is a rant, and I'm sure the developers will have a good laugh at my comments as they clearly don't care about anything but money.

9 Grace Gardens
Cheltenham
Gloucestershire
GL51 6QE

Comments: 8th January 2017

I am concerned that this building will yet again increase the traffic problems along Hatherley Lane and cause even more congestion at the P&R roundabout during peak traffic times.

I also think that this building will cause parking issues in and around the local areas as there will be many staff to attend the elderly.

If workers chose to park in Grace Gardens as it is quite convenient then this could impact the house prices adversely.

29 Grace Gardens
Cheltenham
Gloucestershire
GL51 6QE

Comments: 21st January 2017

Because of the ASDA development, there has been a significant traffic increase along Hatherley Lane, from which access to the Care Home will be achieved. This will only exacerbate the situation.

15 Grace Gardens
Cheltenham
Gloucestershire
GL51 6QE

Comments: 22nd January 2017

I object to the development on the following grounds:

- The building is huge; much too large for the setting & would result in the loss of a large number of mature trees. I am concerned generally with the adverse impact on nature conservation in the immediate area. Lots of animals & birds currently use this wooded area & nearby pond.
- If approved there would be an unacceptable increase in traffic congestion, air pollution & noise pollution in the area, which could be detrimental to the health of residents. There is only one entry route to the property, via Hatherley Lane, & that road is already becoming too busy.

Parking in the surrounding areas is also a current problem. If approved this development would exacerbate the situation.

66 Redgrove Park
Cheltenham
Gloucestershire
GL51 6QY

Comments: 31st January 2017

I live at 66 Redgrove Park, Cheltenham, and I am writing to object to Planning Application 16/02302/ FUL, the proposed Care Home at Arle Court, for the following reasons

TRAFFIC GENERATION:

The new Asda store (on Hatherley Lane) has added considerable traffic along Hatherley Lane (in both directions), which already serves the businesses at Cheltenham Film Studios / Arle Court and The Pavilion, as well as houses in Wade Court, Grace Gardens, Redgrove Park, Reddings Road and onward into Benhall and Up Hatherley. Traffic at the B&Q roundabout and the Jury's Inn roundabout is already log-jammed at peak times and backed up along Hatherley Lane and Grovefield Way. Already this delays arrival and exiting the Nuffield Hospital.

The opening of the new BMW showroom on Grovefield Way will exacerbate traffic congestion at these roundabouts and along Hatherley Lane. There is also talk of siting a retail park on Grovefield Way, between the new BMW showroom and North Road West, which would add still further to this traffic congestion.

Not only would the proposed Care Home add to the traffic congestion at the B&Q and Jury's Inn roundabouts, it would also make it very difficult for emergency services to access the Care Home quickly. If Care Home residents need to be rushed to hospital in Gloucester or Cheltenham, they will be delayed significantly by traffic congestion on Hatherley Lane and at the B&Q and Jury's Inn roundabouts.

HIGHWAY SAFETY:

The Care Home will add to the traffic joining Hatherley Lane from Arle Court. During the daytime, cars are parked on the South side of Hatherley Lane just to the East of the Arle Court exit, requiring traffic travelling West along Hatherley Lane at this point to drive partly on the wrong side of the road. The risk of road traffic accidents will be increased by traffic exiting the Care Home at Arle Court into oncoming traffic from both directions.

SMELLS:

As the prevailing winds are Westerly in direction, this will lead to unpleasant smells and potentially noxious fumes from the Care Home being carried into Redgrove Park to the detriment of its residents.

NOISE & DISTURBANCE:

There is currently significant noise, audible in Redgrove Park and environs, from ambulances on the A40 rushing to and from hospital in Gloucester (as a consequence of reduced hospital services at Cheltenham). This noise pollution will be exacerbated by ambulances arriving and leaving the proposed Care Home, which is to be expected in a home with elderly residents.

NATURE CONSERVATION:

The process of building the Care Home and the siting of the Care Home in a woodland area will detrimentally affect the flora and fauna of this woodland area.

LOSS OF TREES:

Inevitably trees (mature and saplings) will need to be removed to make way for the Care Home and to provide access for construction vehicles and building materials.

2 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SE

Comments: 3rd February 2017
Letter attached.

28 Redgrove Park
Cheltenham
Gloucestershire
GL51 6QY

Comments: 31st January 2017
Owner of 28 Redgrove Park.

LOSS OF PRIVACY, SMELLS, NOISE & DISTURBANCE

The proximity of the Care Home to houses at the north-west end of Redgrove Park would lead to a loss of privacy for those residents. Smells and noise from the Care Home would be carried on westerly winds to this part of Redgrove Park. Trees would not baffle the sirens from ambulances arriving at and leaving the Care Home, in the same way as they don't baffle the sirens from ambulances on the A40 today.

TRAFFIC GENERATION

In the years since B&Q, Asda, Travel Lodge, Harvester and KFC have moved into a small stretch of Hatherley Lane, there has been no upgrade in the road infrastructure towards the Jury's Inn roundabout, and I am not aware of any upgrade to accommodate the new BMW showroom.

Between The Pavilion (on Hatherley Lane) and the Jury's Inn roundabout, Hatherley Lane carries high volumes of traffic (especially at rush-hour), causing drivers to create dual lanes onto the Jury's Inn roundabout despite the narrowness of Hatherley Lane there.

Road rage incidents have occurred on Hatherley Lane, caused by excessive traffic volumes, wait times, parked cars (forcing drivers into oncoming traffic) and the narrowness of road lanes.

The new BMW showroom and the proposed Care Home would cause tailbacks on Hatherley Lane, increasing traffic volumes to an unacceptable level and making it even more difficult to exit Wade Court, Grace Gardens and Redgrove Park in the mornings.

Surely, a planning application should only be approved where the road infrastructure can either support it or will be upgraded to do so.

HIGHWAY SAFETY

Increased traffic volumes (arriving at and leaving the Care Home) would add to the risk of road traffic accidents and road rage incidents.

NATURE CONSERVATION & LOSS OF TREES

The Care Home would be located in a woodland area. Trees would need to be cut down to make way for the Care Home. Any replacement trees would take years to mature. The flora and fauna of this woodland area would suffer as a result of building the Care Home and the Care Home itself.

5 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SE

Comments: 14th February 2017

As I am unable to access the appropriate website, I understand this email will reach the department.

I wish to express my concern at the proposed development in Arle Court woods.

Page 106

It would appear that there will be a serious threat to the flora and fauna of one of the few remaining areas of woodland in this area of Cheltenham. It is obvious that many trees will be felled to create the space to build the care home, thereby destroying valuable habitat.

Another reason for my concern is the resulting increase in traffic . As the BMW site close by is not in operation yet and there is another planning application for further development of that site, there is bound to be much more activity in the area, if the second set of plans are approved.

So without knowing the effect these developments will have on road use, there is now yet another scheme which would add pressure to movement in Hatherley Lane and Grovefield Way.

I understand that all traffic from the Care Home will enter Hatherley Lane by Asda. At certain times of the day when the A40 is very busy, Hatherley Road and Hatherley Lane are already being used by drivers hoping to avoid the queue approaching Arle Court roundabout on A40, including the Park and Ride buses.

Although planning has not yet been granted, as far as I know, it seems the developers are getting organised. Tape up, trees marked for felling, fences ready to erect and the gatehouse / lodge gate bring made ready for contractors to use.

So although it may be a " done deal" I thought it worthwhile adding my comments.

Andalin
The Reddings
Cheltenham
Gloucestershire
GL51 6RY

Comments: 6th February 2017

Having studied the proposal in detail I wish to object to the development on the following grounds:

The development is too large and overbearing. Its size and scale is out of keeping with the environment it is proposed to occupy. It will have an adverse visual impact on the surrounding area and will be detrimental to the Grade 2 listed Arle Court which relies on a pleasant visual backdrop as a wedding venue.

The development has insufficient parking provision for its size and scale and the number of residents and workers that would use it. Parking in the area is already at capacity and to illustrate the point the users of Pure Office are already parking on pavements because there are insufficient spaces, similarly B&Q and Asda are policing their carparks because of problems with drivers parking their cars without visiting the store. Insufficient parking provision on the GCHQ site has exacerbated this situation further.

The development will result in the loss of a large number of mature trees from a wood that was planted for its visual aesthetics in the 1860's. The area has already seen the loss of a huge number of trees through various developments over the past 10 years and these have not been replaced. This development will thin out the wood and change the character of the area forever.

As long as there is a profit in it for them developers will not be satisfied until every last square inch of green space is concreted over. I plan to leave Cheltenham because what was a pleasant area to live in with a real sense of community has now become a traffic clogged ugly sprawl carved up by greedy developers and Council planners that clearly live somewhere else!

Amity
78 Redgrove Park
Cheltenham
Gloucestershire
GL51 6QZ

Comments: 26th January 2017

Yet another planning application to build in an area that is not designed for these type of developments.

Another substantial care home was built round the corner a couple of years ago resulting in loss of woodland and it can be seen for miles.

Since I have lived here they have built the B&Q development, Asda, BMW, Care home, Travelodge with harvester, KFC and hundreds of new homes.

There has been no improvement of the roads or access to the Arle Court roundabout.

Congestion is at breaking point with traffic getting worse and many near accidents around the B&Q and Arle court roundabouts due to narrow lanes and no traffic lights- these roads were not designed for the traffic volumes that now use them.

The paths are narrow and with the increased number of vehicles is the higher risk to pedestrians. Another issue is increasing litter/ noise/ pollution.

Parking is already an issue on Hatherley lane with only some double yellow lanes added on opposing sides causing cars to swerve in and out of the parked vehicles.

These developments should only be considered in areas with more space and adequate road networks not in this suburban residential area.

6 Firgrove Walk
Cheltenham
Gloucestershire
GL51 6PH

Comments: 27th January 2017

Letter attached.

18B Wade Court
Hatherley Lane
Cheltenham
GL51 6NL

Comments: 27th January 2017

Letter attached.

Springfield
The Reddings
Cheltenham
Gloucestershire
GL51 6RY

Comments: 2nd February 2017

Traffic & parking

This plot is currently utilised for ASDA staff parking. When it is not available, the parking & traffic flow problems in the area will be further exacerbated. Residual parking for Film studio/Manor by the Lake & the care home users will also be further squeezed & will overflow onto the streets.

Further local wild life habitat will be lost and many protected species are resident in the woods.

Previous planning applications for a similar development on the adjoining Dowty social club was refused.

Highway safety

Those turning into & out of the development onto the main road will exacerbate traffic flow considerable. There are no crossing points for the elder users on the road.

The density of the buildings and their appearance is out of character for the area.

The JCS is not yet agreed, there is no coherent area plan for development & this is another opportunistic application with no "joined up thinking" at CBC.

Cheltenham Borough Council
Built Environment
Municipal Offices
Promenade
Cheltenham
GL51 0TP

2 Springfield Close
The Reddings
Cheltenham
Glos.

FAO Mrs Emma Pickernell, Planning Officer
via. dcomments@cheltenham.gov.uk

2nd February 2017

Dear Sirs **Care Home – Arle Court Wood- Ref. 16/02302/FUL**

I am writing to object to the proposed application to build a Care Home in the grounds of Arle Court Wood.

This wood has been in existence since at least the 1880's being shown as a fully grown wood on the 1887 Ordnance survey map and is a magnificent feature which provides an unequalled approach to the town.

Being probably the last ex-Dowty employee to walk through the wood on the day of its hand over to Cheltenham Film Studios, I recorded the wealth of plant and animal wildlife and variety of tree species which under the stewardship of the Dowty Group was maintained and sustained for the future.

I recall that it was the intention of the Film Studios to continue to maintain the wood and open it up for the public to enjoy, as they also saw it as a valuable environmental asset.

All the trees in the wood have protected tree orders on them, recognising their importance, and they provide a valued home for the birds and squirrels, and together with the low level shrubs and undergrowth all forms of wild life, which make a wood such as this vital to maintaining a strong ecology, is supported.

The variety of this wild life is an incredible asset for this area and must not be allowed to suffer from an unnecessary development which will start the ultimate demise of this last remaining pocket of natural historic environment in the area.

On the practical side, when the Gloucester Road was altered to build the Arle Court roundabout and the Golden Valley Bypass, an entrance into the Arle Court Estate directly off the A40 was constructed with a bus stop pull-in. This feature has been discounted in the Care Home proposal, preferring instead to choose a route through the woods, probably taking down even more trees than otherwise would be necessary, and feeding vehicles onto Hatherley Lane at a point that is already a bottleneck, exacerbated by the day long parked cars almost opposite the access point.

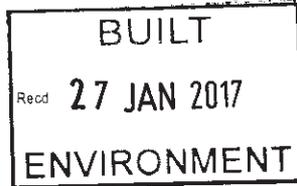
Together with other developments in the area, the whole question of traffic movements, site and road congestion, and impact on the environment this proposal will add, the application must not be considered in isolation but as a part of the area wide sustainability.

For the viability of the local amenity it is imperative that no further development is contemplated until the impact of Cotswold BMW on the local area has been assessed, after it is occupied and operational, and only then should any other developments be considered.

For reference, the attached aerial photo taken circa 1998, shows the wood at that time so that the comparison can be made with how it is today and how developments since that date have invaded what was the green belt frontier which is now subject to further assault.

Yours sincerely





6 Firgrove Walk
Cheltenham
GL51 6PH
Tel 01242 694295
25th January 2017

Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham
GL50 1PP

**For the attention of: Mrs Emma Pickernell
Ref Planning Application 16/2302/Ful – Care Home at Arle Court**

With reference to the above planning application we would like to post our objection as follows:-

Surely enough is enough! A further application for another care/ rest home, the previous application turned down.

Our concerns are more vicious destruction of a well established copse and of course the wildlife therein. Mature trees destroyed casually with no regard for their importance. We have seen the old Dowty park severely diminish over the years. It seems there is no regard for natural spaces in Cheltenham.

The other major concern is the traffic on Hatherley Lane this already a major issue. Already a rat run for those avoiding the A40 at peak times (including the Park and Ride buses) and then the parking which is used as overflow by the various businesses already established. This route will not sustain increased volumes in traffic, firstly construction and the ongoing volumes created by the development itself.

In view of the new BMW premises due to open shortly (more traffic) and outline for further development of that site, who knows where it will end; as there is in place another housing development being asked for.

We believe in the interest of the local community the Arle Court development is a step too far.

Come on; you know it makes sense. ***Say no to this application!***

Yours Sincerely

A solid black rectangular box redacting the signature.

Valid objections to planning aPage 112 ns

- ~~Loss of light or overshadowing~~
- ~~Overlooking/loss of privacy~~
- ~~Visual amenity (but not loss of private view)~~
- ✓ Adequacy of parking/loading/turning
- ✓ Highway safety
- ✓ Traffic generation
- ✓ Noise and disturbance resulting from use
- ~~Hazardous materials~~
- ~~Smells~~
- ✓ Loss of trees
- ~~Effect on listed building and conservation area~~
- ✓ Layout and density of building
- ~~Design, appearance and materials~~
- ~~Landscaping~~
- ✓ Road access
- ~~Local, strategic, regional and national planning policies~~
- ~~Government circulars, orders and statutory instruments~~
- ~~Disabled persons' access~~
- ~~Compensation and awards of costs against the Council at public enquiries~~
- ~~Proposals in the Development Plan~~
- ~~Previous planning decisions (including appeal decisions)~~
- ✓ Nature conservation
- ~~Archaeology~~

BUILT
 Recd 26 JAN 2017
ENVIRONMENT

[REDACTED]
 18b WADE CT
 HATHERLEY LANE
 CHURCHNANT
 GL51 6NL
 01242 [REDACTED]

LANE
 HATHERLEY IS
 ALREADY CONGESTED
 AND IS AT TIMES
 DANGEROUSLY
 CONGESTED. I

don't feel the
 feeder roads or
 Hatherley lane can cope

Considerations that are not taken into account

- The perceived loss of property value
- Private disputes between neighbours
- The loss of a view
- The impact of construction work or competition between firms
- Restrictive covenants
- Ownerships disputes over rights of way
- Fence lines etc
- Personal morals or views about the applicant.

With any more
 traffic which is
 why I am opposing
 the planning application
 16/2302/FUL
 CARF NOT AT ARLE COURT



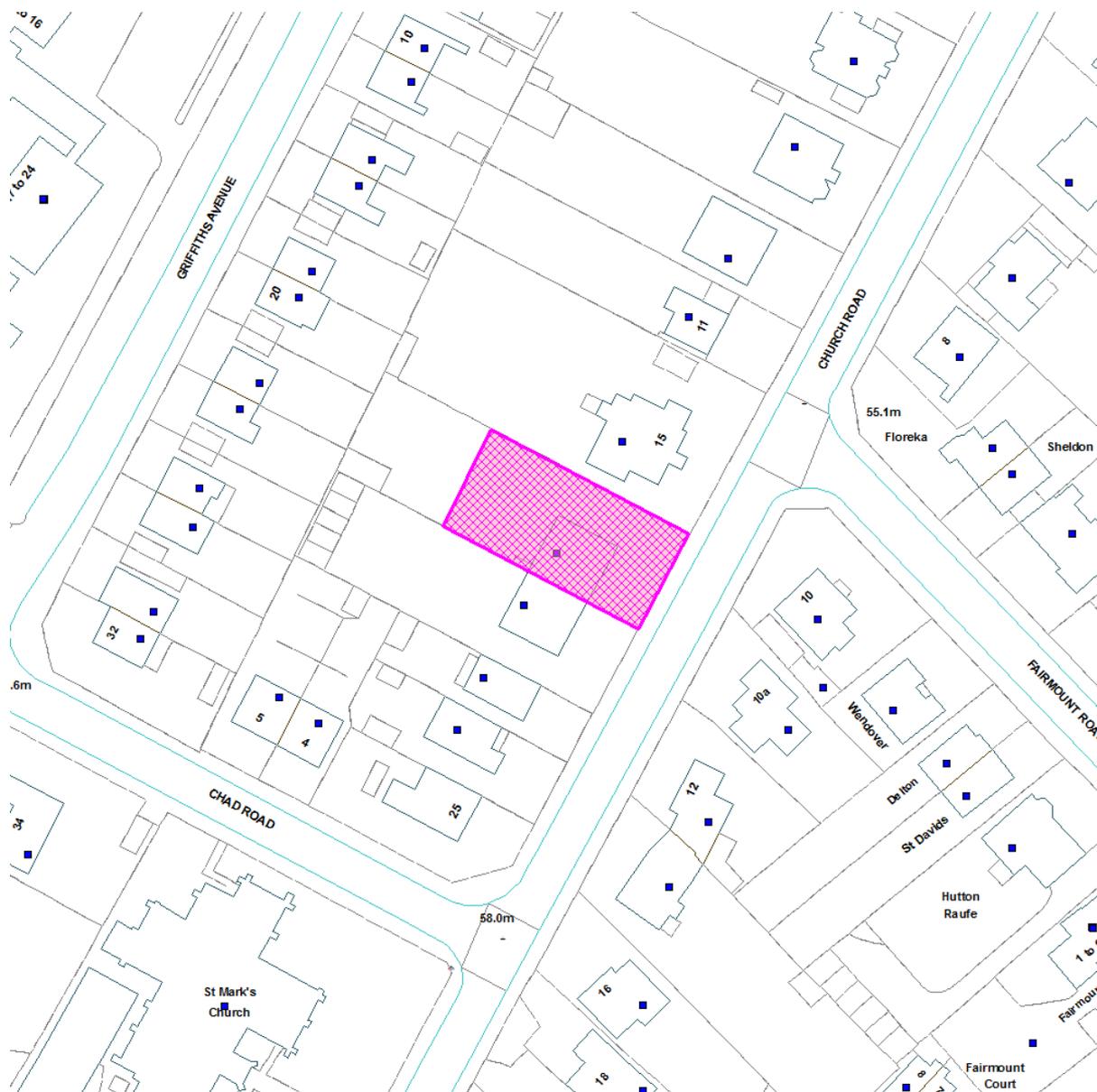
Councillor Simon Wheeler
 20 Castlemaine Drive,
 Cheltenham, GL51 0UA
 saw50@mac.com
 01242 230827



Councillor Mike Collins
 19 Holst Grove
 Cheltenham, GL51 6GA
 mcollinsjd@yahoo.co.uk
 07875 312803

APPLICATION NO: 17/00087/FUL	OFFICER: Mrs Emma Pickernell
DATE REGISTERED: 18th January 2017	DATE OF EXPIRY: 15th March 2017
WARD: St Marks	PARISH:
APPLICANT:	Mr Mitch Counsell
AGENT:	Evans Jones Ltd
LOCATION:	Atherstone, 17 Church Road, St Marks
PROPOSAL:	Proposed rear and side extension to provide 3 dwelling units (re-submission 16/00375/FUL)

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is a traditional rendered semi-detached dwelling in use as 4 flats on the west side of Church Road. Parking areas are currently provided to the front, side and rear of the building with a shared garden area beyond.
- 1.2 Planning permission is sought for the removal of the external staircase structures and the erection of a three storey flat roof extension wrapping around the northern corner of the building. The extension would provide a 2 bedroom flat on each floor. Parking spaces would be created at the front and rear of the building.
- 1.3 The application is at committee at the request of Cllr Coleman for the following reason:

It is an application which has attracted a good amount of local interest and represents a significant change to an existing and prominent building which may change the character of it and the surrounding properties. I am aware that the application will impact Church Road and neighbours on Griffiths Avenue.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

None

Relevant Planning History:

89/01287/PC 23rd November 1989 PER
Conversion Of Four Flats To Seven Flats

09/00509/FUL 1st June 2009 REF
Erection of a pair of semi-detached dwellings on land to the rear

10/00837/FUL 8th July 2010 WDN
Erection of a detached single storey dwelling with garage

10/01719/FUL 22nd March 2011 REF
Erection of a detached dwelling on land to the rear

16/00375/FUL 10th August 2016 REF
Proposed rear and side extension to provide 3 dwelling units, extension of parking area to rear (revised scheme)

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 4 Safe and sustainable living

CP 7 Design

GE 5 Protection and replacement of trees

GE 6 Trees and development

HS 1 Housing development

TP 1 Development and highway safety

TP 2 Highway Standards

TP 6 Parking provision in development

Supplementary Planning Guidance/Documents

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

Residential Alterations and Extensions (2008)

National Guidance
National Planning Policy Framework

4. CONSULTATIONS

Wales And West Utilities

24th February 2017

Letter and Plan available to view on line.

30th January 2017

Letter and Plan available to view on line.

Gloucestershire Centre For Environmental Records

30th January 2017

Report available to view on line.

Cheltenham Civic Society

10th February 2017

We were happy with the contrast of style with the existing dwelling for the front elevation, but thought the rear elevation heavy and clumsy.

GCC Highways Planning Liaison Officer

7th March 2017

The site is located in a residential area with footways and street lighting. Parking is available on street. There is a bus stop within 300m and if cycle storage is provided there is ample opportunity to use sustainable transport.

While the access is restricted I do not consider it would be unreasonable for it to be widened by the removal of a small section of the wall. There is a section of narrowing at the side of the existing building however if the access is widened then drivers would have the inter visibility to wait until vehicles had cleared the gap.

I refer to the above planning application received on 30th January 2017, with Plan(s) Nos: 1367_300, 1367_301, 1367_302, 1367_303, 1367_304, 1367_305, 1367-306, 1367-307, 1367-308, 1367-309, 1367-310, 1367-311, 1367-312, 1367-313, 1367-314, 1367 Design and Access statement and daylight assessment

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

- i. The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 54m distant in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility 600mm from footway level.
Reason:- To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.
- ii. The development hereby permitted shall not be occupied until details of secure and covered cycle storage facilities for a minimum of 7 bicycles has been made

available in accordance with details to be submitted to and approved in writing by the LPA.

Reason:- To ensure that adequate cycle parking is provided, to promote cycle use and to ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the National Planning Policy Framework.

- iii. The building(s) hereby permitted shall not be occupied until the vehicular parking [and turning] [and loading/unloading] facilities have been provided in accordance with the submitted plan 1367_307, and those facilities shall be maintained available for those purposes thereafter.

Reason:- To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.

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

16th February 2017

The tree section objects to the proposed removal of the three Prunus fruit trees (labelled T4, T5, T6). These trees could be retained if the angle of the parking was rotated 90° so parking perpendicular to the back of the house. This would facilitate sufficient soil around the trees to enable future growth but still allow enough parking. The grass strip in which the Prunus trees (T4, T5 and T6) currently reside needs to be maintained as a 2.5M wide grass strip measured from the centre of the third Prunus trunk (ie the one furthest from the boundary wall) to ensure the root protection area of these trees is preserved, the remainder of the grass strip could then be turned into parking as proposed.

A tree protection plan and method statement for the removal (by hand) of the tarmac footpath which currently runs between the fruit trees needs to be submitted and agreed before determination. There is a tree in the adjacent rear garden. Currently there is hard standing on the site close to this tree. If this hard standing is to be removed and relayed a method statement explaining how this hard standing will be removed and relayed without damaging tree roots which have a diameter greater than 25mm diameter needs to be submitted and agreed before determination. If this hard standing is to be retained, tree protection for this tree is not required.

The tree planting proposal in the front garden are four ash trees. These trees are an unsuitable recommendation due to the current ban on the movement of all ash trees around the country. This species is not available for sale from horticultural nurseries.

Consequently, another species of tree would be more appropriate, upright cherry species (or similar) may be suitable as they would provide privacy to the house but not block too much light into the adjacent property windows.

8th March 2017

The Tree Section is pleased that the three Prunus fruit trees which were to be removed from the rear garden are now being retained. Please could a Tree Protection Plan for these trees along with a method statement for the removal by hand of the footpath which runs between the trees be submitted and agreed before determination.

Please could more details about the proposed new trees to the front of the property be submitted (eg. Species, size, root type etc.).

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	14
Total comments received	5
Number of objections	5
Number of supporting	0
General comment	0

5.1 The application was publicised by way of letters to 14 neighbours. 5 comments have been received. The key points raised are as follows:

- Concerns about size and design, out of keeping with building and area
- Not much changed since refusal
- Insufficient parking resulting in on street parking problems
- Access is unsafe
- Loss of privacy and overbearing impact

6. OFFICER COMMENTS

6.1 Determining Issues

The key issues in determining this application are considered to be (i) design and appearance, (ii) impact on neighbours, (iii) access and highways issues, (iv) trees and planting.

6.2 Background

As paragraph 2 details above, there have been a number of previous attempts to achieve planning permission at this site. Between 2009 – 2011 three separate applications were made for detached dwellings at the rear of the site, all of which were refused or withdrawn.

Last year an application was made for an extension to the dwelling containing three flats. This was refused for the following reasons:

- (1) The proposed extension, by reason of its mass, size and design fails to respect the original dwelling. It is out of keeping with the design and proportions of the original building and serves to overwhelm it. As such the proposed extension would be harmful

to the design and appearance of the existing building and its contribution to the street scene in the locality. Therefore the proposal is not in accordance with Policy CP7 (Design), Development on garden land and infill sites in Cheltenham SPD (2009), Residential Alterations and Extensions SPD (2008) and advice contained in the National Planning Policy Framework, Chapter 7 (requiring good design).

- (2) The proposed extension, by reason of its size and siting on the plot, would result in a loss of light to neighbouring properties and therefore would have a significant, harmful impact upon their residential amenity. As such the proposal is contrary to Policy CP4 (Safe and Sustainable Living), Development on garden land and infill sites in Cheltenham SPD (2009), Residential Alterations and Extensions SPD (2008) and advice contained in the National Planning Policy Framework (Core principle 4).

The current scheme differs from the refused scheme in the following ways:

- Reduction in width at the rear by 0.5m
- Change in position of extension on building, 2m further forward.
- Change in design with primarily glazed front elevation with second floor set back 1.2m from the frontage of the extension
- Revised design to side and rear extensions including break in eaves line, variation in material, rationalisation of fenestration, recessed brick panel and blind windows on side elevation

6.3 The site and its context

The site is within a residential street within the Principal Urban Area (PUA) and as such the principle of further residential accommodation is appropriate. A positive aspect of the proposal is that it would make a contribution of three dwellings towards the housing stock in the area.

In addition the principle of an extension to the existing building is acceptable. The existing building is a large semi-detached house which has been converted into 4 flats. The area is characterised by a variety of housing types, however there are a number of detached and semi-detached villas and houses set in good sized plots giving the area a spacious character.

6.4 Design and layout

As detailed above the refused scheme gave rise to concerns regarding the mass, size and design of the extension. Whilst the revised scheme has not significantly reduced the overall footprint of the extension it is considered that the revisions which have been made overcome the concerns. The rear section of the building has been reduced in scale and the mass of the extension has been broken down by setting the first floor back, adding interest to the side elevation including recessed sections and adding a change of material and break in roof line to the rear of the extension. The design is now a more clear contrast to the original building with a glazed front elevation and the original part of the building is clearly distinguishable from the modern extension, allowing the history of the building to be understood. It is, however set back approx. 2m from the front elevation, allowing the original frontage of the building to take precedence in the street scene.

The civic society support the design approach at the front although they feel that the rear is clumsy and heavy. Officers do not consider this to be the case; the step in the building line and roof line will stop the building looking heavy and the change in materials also help to break up the mass. The fenestration has been amended in order to pick up on the

proportions of the original building and has been simplified from earlier submissions to give a more cohesive appearance to the elevation.

The building is not listed and is not in a conservation area although policy encourages good design outside of these areas also. Officers consider that the changes which have been made to the proposal are positive, overcome the concerns and result in an extension which is an acceptable and appropriate addition to the area. It is therefore considered to be in accordance with policy CP7 of the Local Plan

6.5 Impact on neighbouring property

The previous application was refused due to concerns that the rear part of the extension would block light from the existing flats within 17 Church Road. This part of the building has now been reduced in scale and this has overcome this issue and the proposal now complies with the light tests in respect of all neighbours.

With regards to 19 Church Road: the proposed extension is 6m from the boundary. Although the extension will clearly be visible from the garden of 19 Church Road it is not considered that it would result in an overbearing impact. The fenestration on the side elevations comprises access doors and a hall window and as such would not result in unacceptable overlooking. The existing staircase is in a similar location and as such is not an alien feature in this area.

There are rear facing windows, however these are over 27m from the rear boundary and therefore would not have an adverse impact on the properties at the rear on Griffiths Avenue.

With regards to 15 Church Road, a condition is attached requiring all side facing windows to be obscure glazed. The proposed balcony at second floor level has an integral full height screen. As such it is not considered that the proposal would have an unacceptable impact upon this property.

As such the proposal is considered to be in accordance with policy CP4 of the Local Plan.

6.6 Access and highway issues

The existing property contains 4 flats and parking is provided to the rear.

The current application proposes the addition of two spaces to the front of the property and a significant enlargement of the area at the rear. The site layout indicates 6 cars being positioned within allocated parking spaces although there does appear to be scope to accommodate 1 or 2 additional vehicles within the parking area therefore providing a minimum of 1 space per dwelling.

The highways officer has raised no objections to the proposal subject to conditions which are recommended below.

A number of neighbours have raised concerns that the proposal will result in unacceptable levels of on street parking, however, given the level of parking within the site which is being proposed it is not considered that the proposal is likely to result in a severe impact, sufficient to warrant the refusal of the application.

As such the proposal is considered to be in accordance with policies TP1, TP2 and TP6 of the Local Plan.

6.7 Trees and landscaping

The application has been the subject of amendments within the parking area at the rear with the intention of allowing trees which were originally proposed for removal to be retained. The proposed new trees along the frontage have also been amended from Ash trees to cherry trees following advice from the tree officer.

The proposal is now considered to have an acceptable impact on existing trees and to offer some enhancement to the landscaping at the frontage of the site to the benefit of the street scene.

As such the proposal is considered to be in accordance with policies GE5 and GE6.

7. CONCLUSION AND RECOMMENDATION

The proposal results in the provision of three additional flats through the provision of an extension to this existing building. Whilst the extension is large, it has been carefully designed to overcome previous concerns about size and design and is now considered to be acceptable in terms of design, impact on neighbours, highway safety, trees and landscaping. For these reasons the application is supported and recommended for approval.

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.

- 3 The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 54m distant in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility 600mm from footway level.

Reason:- To reduce potential highway impact by ensuring that adequate visibility is provided and maintained and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.

- 4 The development hereby permitted shall not be occupied until details of secure and covered cycle storage facilities for a minimum of 7 bicycles has been made available in accordance with details to be submitted to and approved in writing by the LPA.

Reason:- To ensure that adequate cycle parking is provided, to promote cycle use and to ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the National Planning Policy Framework.

- 5 The building(s) hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan 1367_307_A, and those facilities shall be maintained available for those purposes thereafter.

Reason:- To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.

- 6 No external facing or roofing materials shall be applied unless in accordance with
a) a written specification of the materials; and
b) physical sample/s of the materials,
The details of which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to Policy CP7 of the Cheltenham Borough Local Plan (adopted 2006).

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and/or re-enacting that order), the north east elevation shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent).

Reason: To safeguard the privacy of adjacent properties having regard to Policies CP4 of the Cheltenham Borough Local Plan (adopted 2006).

- 8 No works shall commence on site (including demolition and site clearance) unless a Tree Protection Plan ("TPP") to BS5837:2012 (or any standard that reproduces or replaces this standard) has been submitted to and approved in writing by the Local Planning Authority. The TPP shall detail the methods of tree/hedge protection and clearly detail the position and specifications for the erection of tree protective fencing and a programme for its implementation. The works shall not be carried out unless in accordance with the approved details and the measures specified by the TPP shall remain in place until the completion of the construction.

Reason: To safeguard existing tree(s) in the interests of visual amenity, having regard to Policies GE5 and GE6 of the Cheltenham Borough Local Plan (2006). Approval is required upfront to ensure that important trees are not permanently damaged or lost.

- 9 All paths, parking areas and other forms of hard landscaping that fall within the Root Protection Area(s) shall be constructed using a no-dig method. Prior to the commencement of development, full details of the proposed no-dig method shall be submitted to and approved in writing by the Local Planning Authority and the development shall be implemented strictly in accordance with the details so approved.

Reason: In the interests of local amenity in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.

- 10 All landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size to be first approved in writing by the Local Planning Authority.

Reason: To ensure that the planting becomes established, having regard to Policies CP1 and CP7 of the Cheltenham Borough Local Plan (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 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: 17/00087/FUL		OFFICER: Mrs Emma Pickernell	
DATE REGISTERED: 18th January 2017		DATE OF EXPIRY : 15th March 2017	
WARD: St Marks		PARISH:	
APPLICANT:	Mr Mitch Counsell		
LOCATION:	Atherstone 17 Church Road St Marks		
PROPOSAL:	Proposed rear and side extension to provide 3 dwelling units (re-submission 16/00375/FUL)		

REPRESENTATIONS

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

14 Church Road
 St Marks
 Cheltenham
 Gloucestershire
 GL51 7AN

Comments: 28th February 2017

I would not support the proposed development as the resubmission varies only in a very minor way from that previously refused by the Council in 2016. The additional three flats would result in an extension that is bulky and out of keeping with the character of the existing building and have a significant adverse effect upon the residential environment. I would see no reason why the Council should take a contrary view to this application.

With regard to the proposed provision of one parking space per dwelling, I note the officer's previous view that the relatively sustainable location would encourage the use of alternatives to private cars. However, in reality, it is likely that a couple occupying a two bedroom flat would own two cars in many cases. There have been significant parking and access difficulties experienced by residents in past years which has resulted in the approval of a controlled parking zone which will be introduced shortly. While I reiterate my opposition to this proposal, should the Council wish to contemplate the approval of any proposals that intensify the pattern of development, I would suggest that in such cases, the Council seeks a legal agreement through section 106 to exclude eligibility to any controlled parking zone to encourage more sustainable travel.

22 Griffiths Avenue
 Cheltenham
 Gloucestershire
 GL51 7BH

Comments: 20th February 2017

Having examined the most recent revised proposal submitted for the extension of 17 Church road, we note the reduction in size of the proposed extension. However, we remain doubtful about the affect of the proposal on the overall character of the street, from a foreword perspective and potential overlook to the rear. Additionally, although the effects of the extension on parking constraints were not raised during the original grounds for refusal of the previous revision, I am

aware that this point (notably potential spill-over onto the street) is also still an issue of concern to local residents.

In summary, whilst we welcome the efforts by the planning consultancy to reduce the mass and footprint of the development, we reiterate our previous objections to the proposal and general concerns regarding the impact it will have on local amenity.

Flat 3
19 Church Road
St Marks
Cheltenham
Gloucestershire
GL51 7AL

Comments: 20th February 2017

Having received notification of the re-submission for planning to build at Atherstone 17 Church Road, St Marks, Cheltenham GL51 7AL, I have studied the proposed plans and see nothing that alters my previous decision to object to this development.

Once again I would formally object on the following grounds:

1. The proposed development, by reason of its sheer size and siting, represents and unneighbourly form of development that would have an adverse impact on the amenity of neighbouring properties by reason of an overbearing effect.
2. The proposed development, by reason of its sheer size and siting, would result in an unacceptable loss of privacy, adversely affecting the amenities enjoyed by the occupiers of the adjacent dwelling houses.
3. The proposed development would be out of keeping with the design and character the adjacent property which was originally the Old Vicarage for the nearby St Mark's Church.

To quote the previous refusal of permission:

The proposed extension, by reason of its mass, size and design fails to respect the original dwelling. It is out of keeping with the design and proportions of the original building and serves to overwhelm it. As such the proposed extension would be harmful to the design and appearance of the existing building and its contribution to the street scene in the locality. Therefore the proposal is not in accordance with Policy CP7 (Design), Development on garden land and infill sites in Cheltenham SPD (2009), Residential Alterations and Extensions SPD (2008) and advice contained in the National Planning Policy Framework, Chapter 7 (requiring good design).'

4. The layout and siting, both in itself and relation to adjoining buildings, spaces and views, is inappropriate and unsympathetic to the appearance and character of the local environment and is entirely out of character with the adjacent and surrounding properties in Church Road.
5. The site access proposals are not acceptable and would lead to potential safety hazards for motorists, cyclists and pedestrians using Church Road.
6. The proposed development will increase the traffic flow on an already busy and overcrowded residential street, Church Road.
7. The proposed development will lead to an overall increase in vehicles in the area and the insufficient on-site parking will result in an overspill onto Church Road. This will exacerbate the current on-street parking issues of which the Council have been made aware of on

numerous occasions, endangering motorists, cyclists and pedestrians alike and causing a potential road blockage for emergency service vehicles responding to a call out.

I would ask that the Planning Department take account of my concerns when considering planning application as submitted.

Flat 2
19 Church Road
St Marks
Cheltenham
Gloucestershire
GL51 7AL

Comments: 21st February 2017

I wish to present my objections to the proposed development to the rear of 17 Church Rd, St Marks.

My objections are on the following grounds:

The revised proposal is still out of keeping with the rest of the building and the rest of properties in the local area. Such an unsympathetic build will detract from the character of the area and is likely to have an adverse effect on the value of other local properties.

Approval of this build, after so many historic refusals (because of the strength of objection of the neighbours on so many previous occasions), will likely encourage others in the area to apply for 'in-fill' development permission, reducing the local vegetation cover, adversely affecting both the human living environment as well as the environment for local bird and wildlife.

The reduction in on-site parking and construction of new dwellings will only exacerbate the existing parking challenges; this will become clearer once the long anticipated parking restrictions in the area take effect later in 2017.

As old, Victorian semi-detached houses, construction on the side of number 17 is extremely likely to exert changes to the structural 'load' on number 19. This is very likely to cause damage to the properties at number 19, both in the immediate and longer term. As a property owner in number 19, I would have serious concerns as to whether this has been properly considered especially in the light of the slope on which the properties are built.

Notwithstanding the adjustments to the plans, this new build, were it to go ahead, will have a serious adverse effect on the privacy of the neighbouring properties, both on Church Road and on Griffiths Avenue.

Per various previous objections to the numerous different planning applications from number 17, I hope that you agree that to grant the application would be out of keeping with the local area, unfairly devaluing the neighbouring properties on both Church Road and Griffiths Avenue. It would also set a precedent for yet more planning applications on an already very developed and congested road; accepting this proposal might make declining future applications more difficult.

19 Church Road
Leckhampton
Cheltenham
Gloucestershire
GL53 0PS

Comments: 21st February 2017

I wish to present my objections to the proposed development to the rear of 17 Church Rd, St Marks.

My objections are on the following grounds:

The revised proposal is still out of keeping with the rest of the building and the rest of properties in the local area. Such an unsympathetic build will detract from the character of the area and is likely to have an adverse effect on the value of other local properties.

Approval of this build, after so many historic refusals (because of the strength of objection of the neighbours on so many previous occasions), will likely encourage others in the area to apply for 'in-fill' development permission, reducing the local vegetation cover, adversely affecting both the human living environment as well as the environment for local bird and wildlife.

The reduction in on-site parking and construction of new dwellings will only exacerbate the existing parking challenges; this will become clearer once the long anticipated parking restrictions in the area take effect later in 2017.

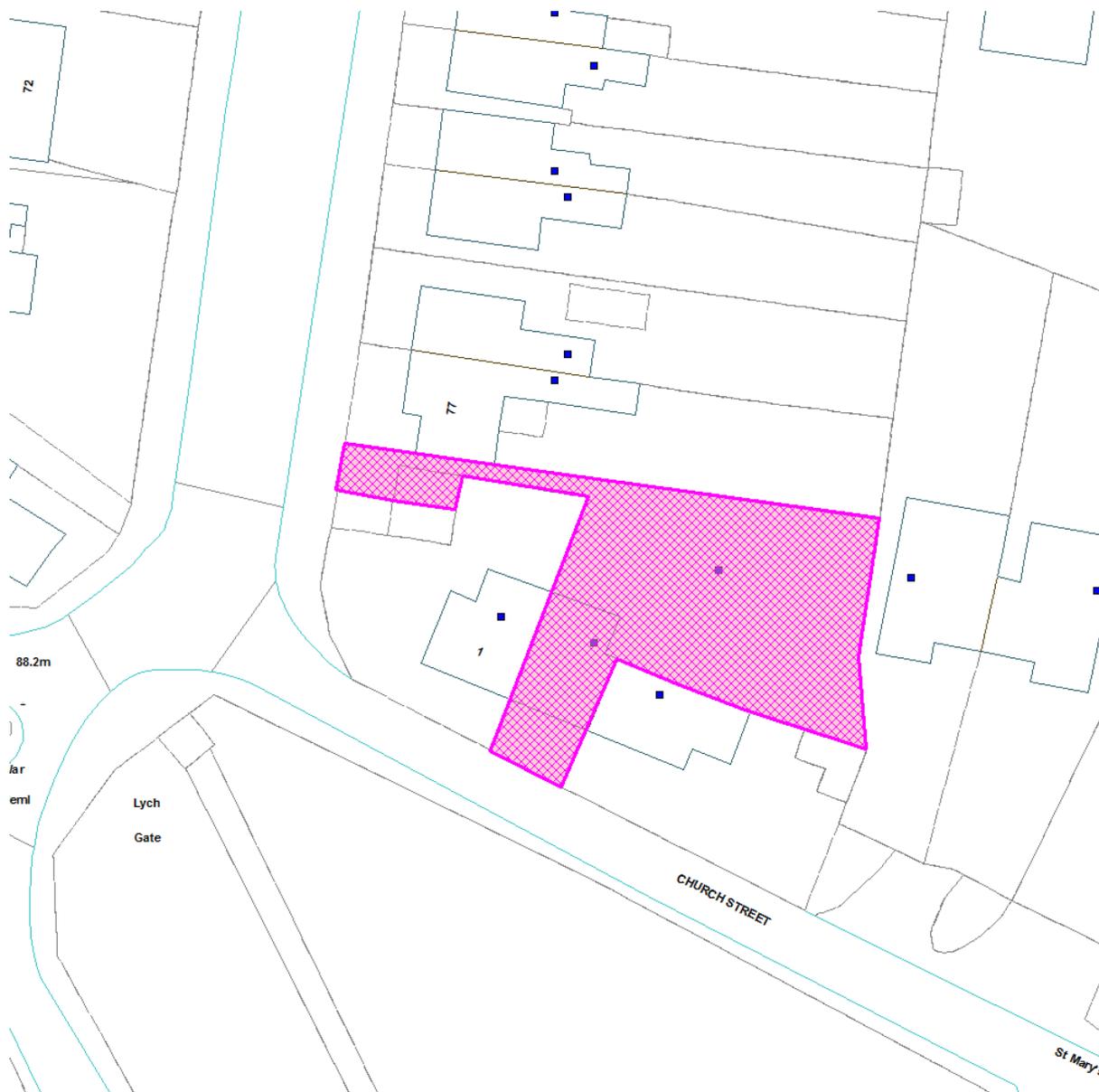
As old, Victorian semi-detached houses, construction on the side of number 17 is extremely likely to exert changes to the structural 'load' on number 19. This is very likely to cause damage to the properties at number 19, both in the immediate and longer term. As a property owner in number 19, I would have serious concerns as to whether this has been properly considered especially in the light of the slope on which the properties are built.

Notwithstanding the adjustments to the plans, this new build, were it to go ahead, will have a serious adverse effect on the privacy of the neighbouring properties, both on Church Road and on Griffiths Avenue.

Per various previous objections to the numerous different planning applications from number 17, I hope that you agree that to grant the application would be out of keeping with the local area, unfairly devaluing the neighbouring properties on both Church Road and Griffiths Avenue. It would also set a precedent for yet more planning applications on an already very developed and congested road; accepting this proposal might make declining future applications more difficult.

APPLICATION NO: 17/00114/FUL		OFFICER: Mr Ben Hawkes	
DATE REGISTERED: 20th January 2017		DATE OF EXPIRY: 17th March 2017	
WARD: Charlton Kings		PARISH: Charlton Kings	
APPLICANT:	Mr L Wilkinson		
AGENT:	Michael Lumley Associates		
LOCATION:	3 Church Street, Charlton Kings, Cheltenham		
PROPOSAL:	Two storey rear extension to form kitchen/dining and living space		

RECOMMENDATION: Refuse



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a mid-terraced residential property on Church Street, located within The St Mary's conservation area.
- 1.2 The applicant is seeking planning permission for the erection of a two storey rear extension to provide further living accommodation.
- 1.3 The application has been called to committee on behalf of the applicant at the request of Councillor Paul McCloskey, who would like members to appreciate the specific features of the plot.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area
Smoke Control Order

Relevant Planning History:

None applicable

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 4 Safe and sustainable living
CP 7 Design

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)
St. Mary's conservation area character appraisal and management plan (June 2009)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Parish Council

7th February 2017

No objection

5. PUBLICITY AND REPRESENTATIONS

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

- 5.1 4 letters were sent to neighbouring properties, a site notice was displayed and an advert was published in the Gloucestershire Echo.

5.2 One letter of objection has been received from the neighbouring property at number 5 Church Street whose concerns relate to the following:

- Impact on the conservation area
- Scale and form
- Design and materials
- Loss of light and over shadowing

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The main considerations of an application of this nature are design, impact on neighbouring amenity and any impact on the character of the conservation area.

6.3 Location and layout

6.4 The application site forms the middle property in a row of 3 traditional cottages on Church Street which front on to St Mary's Church and is centrally located in the St Mary's Conservation area. Within the St Mary's (Charlton Kings) Conservation area character appraisal and management plan 2009, the application site is noted as a positive building.

6.5 The application site has an unusual land allocation. The main private amenity space extends across the rear of the neighbouring property of number 5 Church Street. The proposed extension will sit behind this neighbouring property, but will not be attached to it.

6.6 Design

6.7 The existing property has an existing poor quality conservatory which is in no longer fit for purpose and therefore a replacement extension is being proposed. The existing conservatory is an inappropriate addition to the existing building and therefore its removal is considered to be a positive part of the scheme.

6.8 Local plan policy CP7 (design) requires all new development to be of a high standard of architectural design and to complement and respect neighbouring development and the character of the locality. Additionally, paragraph 58 of the NPPF advises that development should respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. Paragraph 134 states that where a development will lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Finally, Paragraph 137 of the NPPF and section 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990 requires new development within conservation areas to conserve, enhance or better reveal their significance.

6.9 The proposed extension will take the form of a contemporary one and a half storey pitched roof extension, providing first floor accommodation within the roof as a mezzanine level. The principle of extending the property in the proposed location is considered to be acceptable. However, concerns have been raised with regard to the scale, form and overall design of the proposal and its impact on the character of the existing building.

6.10 Officers fully acknowledge the desire of the applicants to include a contemporary design approach. However, the current proposal will appear as an incongruous addition to the

existing building with conflicting roof forms. This results in a contrived design that detracts from the visual appearance of the main dwelling and adjoining properties.

- 6.11** The size and scale of the extension and in particular its height would dominate the rear elevation of these buildings and due to its position on the site would detract from the original form of the application site and a large proportion of the existing terrace. The proposal would not appear subservient to the existing building.
- 6.12** The agent has identified that the objective of this proposal is to achieve additional 'light and airy' ground floor living accommodation. The first floor accommodation at mezzanine level has only been introduced as a result of the pitch roof form being proposed. It is the height and roof form of the extension that is the cause of concern for officers and is resulting in the majority of the harm to the character of the building and its surroundings.
- 6.13** A contemporary proposal with a reduced eaves height and amended roof form could achieve the same level of ground floor accommodation with a 'light and airy' feel without resulting in unnecessary harm to the design and character of the existing building or its surroundings. A proposal of this nature would read clearly as a subservient and honest contemporary addition. Officers have discussed the possibility of a revised scheme with the applicant's agent however the applicant has asked for the application to be determined in its current form.
- 6.14** The view of officers is that the proposal does not bring with it any particular public benefits and is not justified given the concerns which have been highlighted.
- 6.15** The proposal is therefore considered to be contrary to the requirements of policy CP7 and the NPPF.
- 6.16 Impact on the conservation area**
- 6.17** There are views of the open space to the rear of the site from various points in the public realm. Whilst these are somewhat limited, the proposed gable end will be visible from the street and will have an impact on the design and form of its surroundings.
- 6.18** Officers do not consider the impact of the proposal on the character of the conservation area to be substantial. But, the NPPF and section 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990 requires development to either conserve or enhance the character of the conservation area which in the opinion of officers this scheme does not achieve.
- 6.19** The impact on the conservation area is not the primary reason for officer's recommendation. But, it is a contributing factor in the determination of this application.
- 6.20 Impact on neighbouring amenity**
- 6.21** A number of concerns have been raised by the neighbouring property (number 5 Church Street) therefore a site visit to this property has been carried out. There is a single ground floor rear elevation window which serves the dining area to this property. Whilst this window may be affected it is not the only light source to this living space. The open plan kitchen/dining area has additional windows facing the front and side of the property which will remain unaffected. Whilst the impact in terms of loss of light and overbearing impact has been taken into account, it is not considered that the proposal will result in any unacceptable loss of light or overbearing impact to this or any other neighbouring land user.
- 6.22** The extension is not considered to result in any loss of privacy to any neighbouring land user.

6.23 The proposal is considered to be complaint with local plan policy CP4 in terms of protecting neighbouring amenity.

6.24 Other considerations

6.25 The agent has referred to other contemporary proposals within the conservation area across Cheltenham that have relatively recently been approved. Whilst officers acknowledge these examples, this application has been considered on its own merits and within its own context. As previously mentioned a contemporary design approach is not considered to be unreasonable in this location should it be of an appropriate scale and form.

7. CONCLUSION AND RECOMMENDATION

7.1 Whilst the proposal will not result in any unacceptable impact on neighbouring amenity in terms of a loss of light or loss of privacy, the form and design is considered to be unacceptable and therefore officer recommendation is that planning permission be refused.

8. INFORMATIVES / REFUSAL REASONS

- 1 As proposed, the development, by virtue of its form, materials and general design, would be wholly at odds with the character of the existing building and the immediate locality, and would appear as an incongruous addition.

As such, the proposal is contrary to local plan policy CP7 relating to design, additional design advice set out within the adopted 'Residential Alterations and Extensions' SPD, and national guidance set out within the NPPF.

INFORMATIVES

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

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

In this instance, having had regard to all material considerations, the authority cannot provide a solution that will overcome the harm to the design and character of the existing building;

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

APPLICATION NO: 17/00114/FUL		OFFICER: Mr Ben Hawkes	
DATE REGISTERED: 20th January 2017		DATE OF EXPIRY : 17th March 2017	
WARD: Charlton Kings		PARISH: CHARLK	
APPLICANT:	Mr L Wilkinson		
LOCATION:	3 Church Street, Charlton Kings, Cheltenham		
PROPOSAL:	Two storey rear extension to form kitchen/dining and living space		

REPRESENTATIONS

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

5 Church Street
 Charlton Kings
 Cheltenham
 Gloucestershire
 GL53 8AP

Comments: 17th February 2017

Letter attached.

Page 134
Waterloo Cottage
5 Church Street
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AP



[REDACTED]

Built Environment Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham
GL50 9SA

16th February 2017

For the Attention of Mr Ben Hawkes, Case Officer

Dear Sir

Reference: PLANNING APPLICATION NUMBER: 17/00114/FUL

**Proposed: Two storey rear extension to form kitchen/dining and living space
by Mr L Wilkinson of 3 Church Street, Charlton Kings, Cheltenham, Gloucestershire GL53 8AP**

I write in connection with the above planing application. I have examined the plans and I know the site well. **I WISH TO OBJECT STRONGLY TO THE PROPOSED PLANS** for the following reasons:-

ST. MARY'S (CHARLTON KINGS) CONSERVATION AREA

The Conservation Area which was adopted in 1989 stating this particular area is of Historical Interest and specifically mentions Church Street, Copt Elm Road & Lyefield Road East & West. Number 1, 3 & 5 Church Street were built in Circa 1815, the proposed extension does not meet with the character appraisals for this area. This proposed extension will be visible from all of these roads albeit some from the rear, which is in contravention of the legislation to the Conservation Area to Charlton Kings and which was intended to protect and retain the character of these cottages and the immediate area from modern proposed extensions and developments.

DESIGN & MATERIALS

The proposed extension design and form along with materials are inappropriate and lacks the characteristics of the historical cottages. It is not a sympathetic design and will be seen from Church Street, Copt Elm Road and the rear of Lyefield Road East, distorting the roof line of the existing view of the Edwardian houses. The proposed extension, by reason of its scale and bulk, would be out of keeping with the design and character of the existing dwellings and would have an adverse effect on the visual amenity of the area as a whole. The design and form is too contemporary and is not appropriate for the site. The proposed structure does not appear to be sustainable and there will be no means of access to maintain and repair both walls, roof and gulleys in the future.

See attached supporting photographs.

DOMINANCE

The scale and proportion of the proposed extension is not the same size as those that neighbour it, and would not fit in with the scale of surrounding properties.

The proposed extension in particular being of 2 storey high to replace a single storey conservatory will adversely impinge on the immediate aspect and outlook from the adjoining properties in particular 5 Church Street and it will adversely affect my home by a sense of being "hemmed in" by the proposed extension appearing excessively large and overbearing.

See attached supporting photographs

THIRD PARTY WALL ACT

Enviro Search show there is a moderate to high risk of subsidence within 250 meters of the search. My cottage has already suffered from subsidence in the past that is why I have 2 Wall Tie Plates running north to south and east to west in my home this could compromise the integrity of the construction and structurally undermine my cottage. Any damage that resulted in the digging of foundations to the proposed extension could cause enormous damage to my home due to the fact these cottages were built without foundations & that could cause the rear of my house to collapse. I am also concerned that I will be unable to maintain the rear of my cottage and my right of access to do so.

See attached supporting photographs & document

LOSS OF LIGHT & OVERSHADOWING

Plans show the proposed extension will increase the existing footprint and be approximately a meter closer to my rear wall and built right up to the edge of my **ONLY** window to the rear of my cottage. Please note inaccuracies in architects letter states the rear window is made of "obscured glass" in fact the glass is clear. This will cause loss of light and overshadowing to an already dark room and this window albeit secondary is essential. The window is of the original construction C1815. The proposed extension because of its scale will cast shadowing over this window.

See attached supporting photographs

CONCLUSION

The proposed extension with regard to the Third Party Wall Act will be creating a structure which will be almost impossible / difficult to maintain in the future creating a potential hazardous structure which would result in a totally unsafe and unsatisfactory situation. Due to my property already having 2 wall tie plates, no foundations the creation of the structure threatens to undermine my rear wall the loss of which could obviously cause severe damage to the very fabric of my property.

I believe that the proposed extension is in direct contravention of the legislation to St. Mary's (Charlton Kings) Conservation Area, the design and form along with materials is far too contemporary and size too dominating, it does not respect local context and street pattern or, in particular, the scale and proportions of the historical cottages and surrounding buildings. It would be entirely out of the character of the area and would have an adverse effect on the visual amenity of the area as a whole.

Yours faithfully



Enc

Cheltenham's conservation areas

St Mary's (Charlton Kings) conservation area

Designated by Cheltenham Borough Council on 2 October 1989, its boundary was revised on 3 September 2001. The area covers around 12 hectares.

Character summary

Church Street, Charlton Kings

St Mary's has two distinctive character areas within it. The first character area comprises the older part of Charlton Kings, around St Mary's Church which has a strong historic village character. This older part developed substantially in the 16th century. The second character area comprises turn of the 19th - 20th century red brick houses along Copt Elm Road , Lyefield Road East and Lyefield Road West.

St Marys Church, Church Street

The area has retained its village character and qualities through the visual dominance of historically and architecturally important buildings, the retention of their attractive settings and many historic plot boundaries. This character is particularly evident around St Mary's Church. The red brick houses along Copt Elm Road , Lyefield Road East and Lyefield Road West form a visually distinctive group, which contribute to establishing the identity of the conservation area.

Charlton Kings has rich historic and archaeological interest, containing three of Cheltenham's six scheduled ancient monuments. The conservation area itself contains one of these three scheduled ancient monuments, this being the Churchyard cross in St Mary's Churchyard.

A **supplementary planning document (SPD)** has been produced for St Mary's (Charlton Kings)conservation area. It was adopted by the council on 29 June 2009. The SPD outlines the special character that warrants its designation as a conservation area and a management plan provides a framework for future development control and enhancement of this area. The SPD will be used as a

Page 137

material consideration in determining planning and related applications. It replaces supplementary planning guidance produced in 2003.

[View a map](#) of St Mary's (Charlton Kings) conservation area.

[What is a conservation area?](#)

[Cheltenham's conservation area map](#)

[Central conservation area](#)

[Swindon Village conservation area](#)

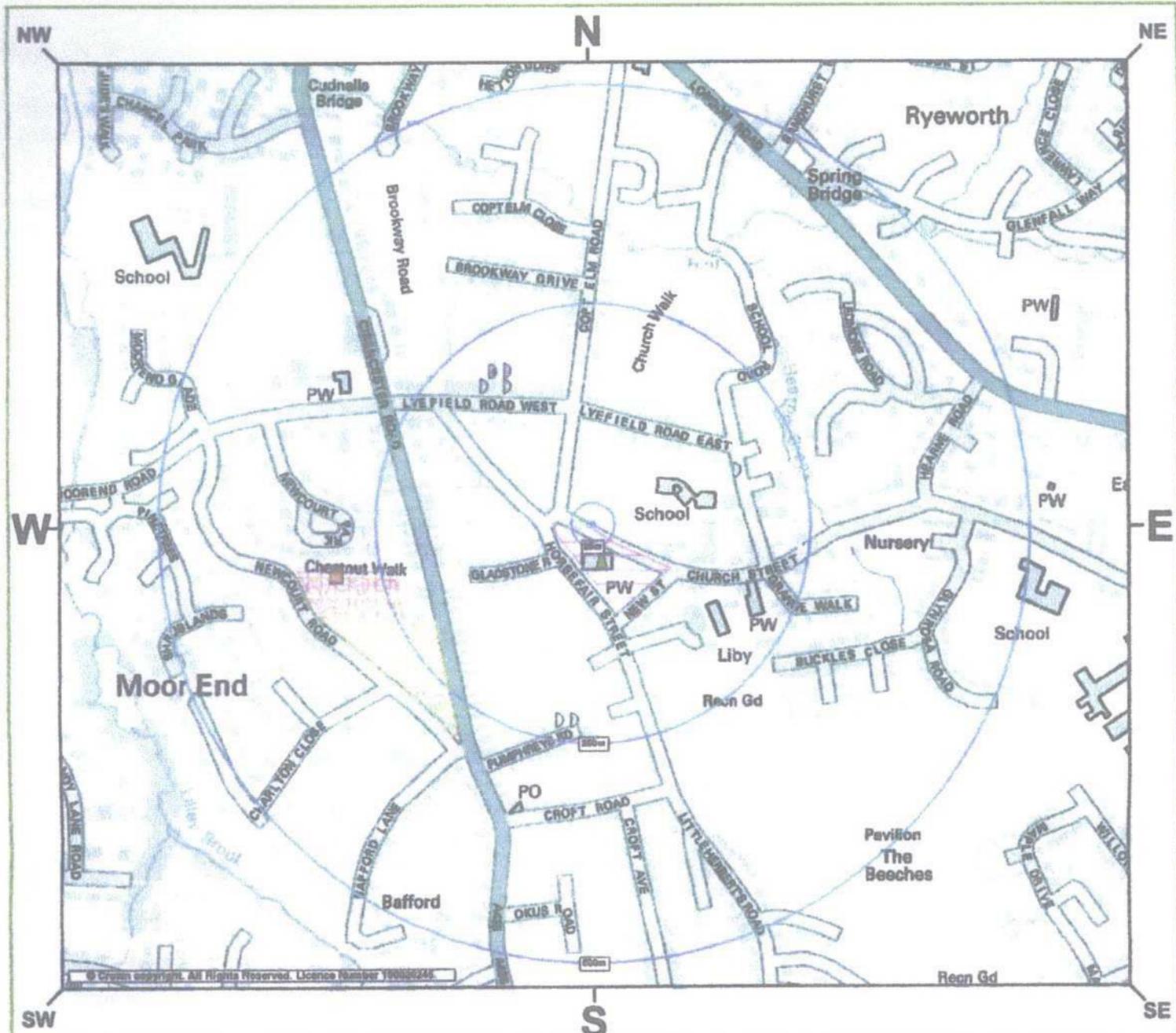
St Mary's (Charlton Kings) conservation area

[Prestbury conservation area](#)

[Cudnall Street \(Charlton Kings\) conservation area](#)

[Bafford \(Charlton Kings\) conservation area](#)

[Poets \(St Mark's\) conservation area](#)



General		Part 1		Part 2	
•	Centre of Search	Q1.2	Waste Transfer, Treatment or Disposal Site	Q2.2	Potentially Contaminative Use (Point Feature)
○	Search Radii	Q1.2	Point Location of Waste Transfer, Treatment or Disposal Site	Q2.2	Potentially Contaminative Use (Line Feature)
Q1.1a	Potential Landfill Buffer	Q1.3a	Discharge Consent	Q2.2	Potentially Contaminative Use (Area Feature)
Q1.1a	Registered Landfill Site	Q1.3b	Radioactive Substance	Q2.3	Potentially Infilled Land (Point Feature)
Q1.1b	BGS Recorded Landfill Site	Q1.3c	Industrial Process	Q2.3	Potentially Infilled Land (Line Feature)
Q1.1b	Point Location of BGS Recorded Landfill Site	Q1.4	Regulated Air Pollution	Q2.3	Potentially Infilled Land (Area Feature)
Q1.1c	Licensed Waste Management Facility (Landfill)	Q1.5	Storage of Hazardous Substance	Q2.4	Historical Tank or Energy Facility
Q1.1c	Licensed Waste Management Facility (Locations)	Q1.6	Enforcement, Prohibition or Prosecution	Part 4	
Q1.1d	Local Authority Recorded Landfill Site	Q1.7	Contaminated Land Register Entry or Notice	Q4.3	Mast or Pylon
Q1.1d	Point Location of Local Authority Recorded Landfill Site	Q1.7	Point Location of Contaminated Land Register Entry or Notice	Q4.3	Overhead Transmission Line
				Q4.4	Telecommunication Base Station

(Please refer to the Useful Information Section)

Part 3- Mining, Subsidence and Radon

- 3.1 Is the area within 25 metres of the centre of the search in an area that may be affected by past, current or proposed underground or surface coal mining activity?

No

Comments
None

- 3.2 What is the risk of ground subsidence relating to shallow mining in the area within 250 metres of the centre of the search?

No Hazard

Comments
The British Geological Survey has assessed the area of search as having no hazard of property damage from subsidence relating to shallow mining. Further action is unlikely to be required. Nevertheless, surveyors should remain aware that locally uncharted mine workings may be present.

- 3.3 What is the risk of natural ground subsidence in the area within 250 metres of the centre of the search?

Moderate-High

Comments
The British Geological Survey has assessed the area of search as having a moderate to high likelihood of property damage from subsidence. The likely risk does not necessarily mean there is cause for concern. Inspection of the site may be required to ascertain the specific ground type on which the property is built. A house buyers survey is advised to test for signs of property damage that may relate to such natural ground conditions. The proximity of trees and areas where trees have been removed should also be considered.

- 3.4 a) Is the area within 25 metres of the centre of the search in a radon affected area?

No

Comments
None

- b) What level of radon protective measures for new dwellings or extensions to existing ones is required for the area within 25 metres of the centre of the search ?

No radon protective measures are necessary

Comments
None



WALL TILE PLATE
TO NO. 5 CHURCH STREET.

WALL TILE PLATE FINISHES NORTH TO SOUTH
TO THE BAR WALL OF
S CHURCH STREET.



WALL TIE RUNNING EAST TO WEST



CLEAR G-USS NOT ABSULOP
G-USS.

PROPOSES EXTENSION TO
NO 3 CARROLL STREET.

NO 5. CARROLL ST.



NO S CHURCH ST.

NO S CHURCH ST.

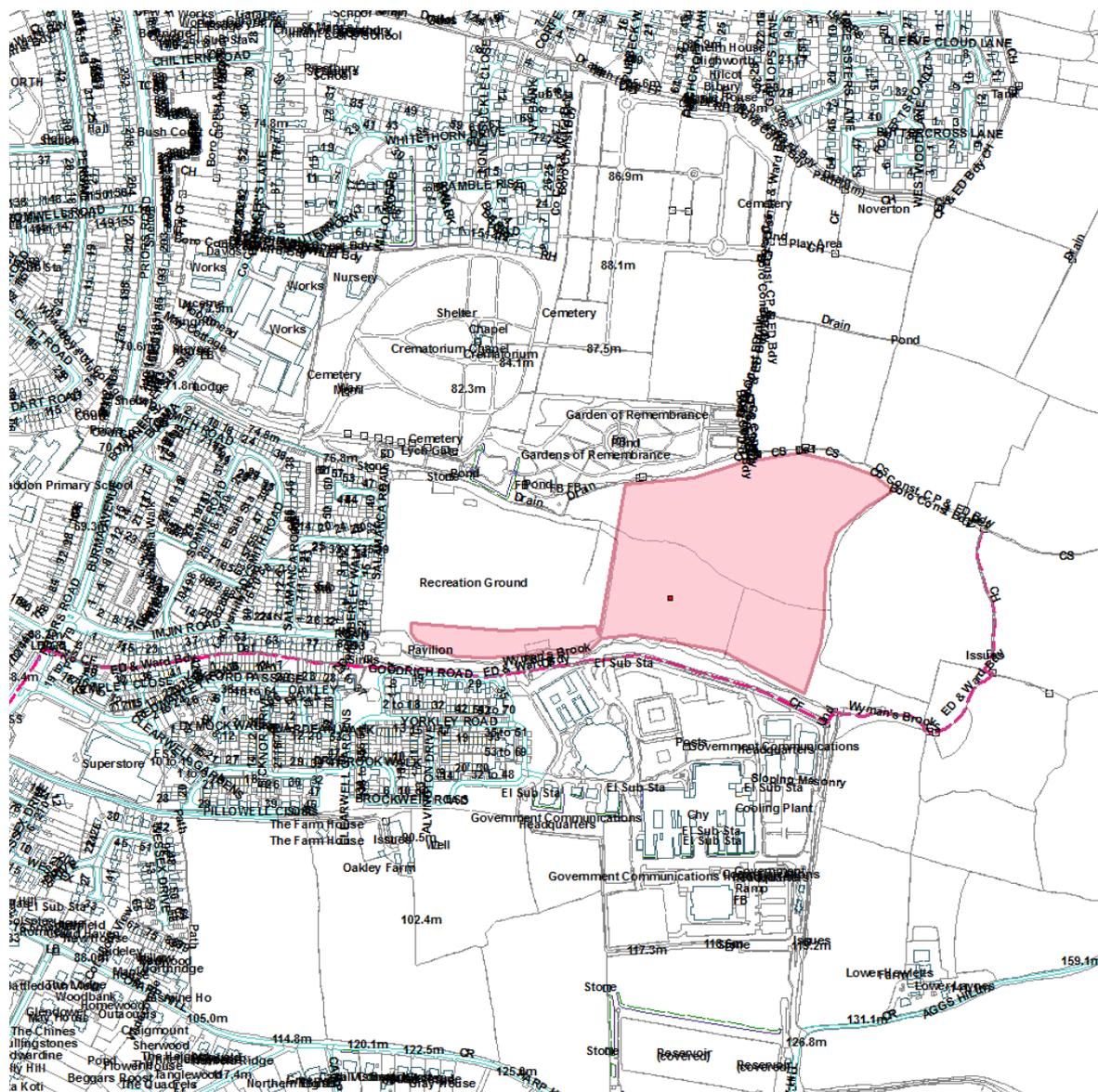


PREFERE EXTENSION TO 2 STOREY
 3 CHURCH ST. WOULD
 BE SEEN FROM CHURCH STREET
 N ST. MATY'S CHURCH.



APPLICATION NO: 17/00135/FUL		OFFICER: Miss Chloe Smart	
DATE REGISTERED: 24th January 2017		DATE OF EXPIRY: 25th April 2017	
WARD: Oakley Ward		PARISH:	
APPLICANT:	Gloucestershire County Council		
AGENT:	CH2M HILL		
LOCATION:	Priors Farm, Imjin Road, Cheltenham		
PROPOSAL:	Two flood storage areas, creating new ditches and installation of new culverts.		

RECOMMENDATION: Recommendation at Committee



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 This application is for a scheme to address surface water flooding issues within Whaddon, Lynworth and Prestbury. The scheme forms part of a wider flood alleviation project, which crosses the boundaries of both Tewkesbury Borough Council and Cheltenham Borough Council. Due to the cross boundary nature of the proposals, planning applications have been submitted to both authorities to consider aspects of the scheme within the relevant administrative areas.
- 1.2 The development as a whole comprises the construction of two flood storage areas, the creation of new ditches and the installation of new culverts. The site to which this report relates is known as 'Priors Farm' and will be the location of one of the proposed flood storage areas.
- 1.3 The application is before planning committee as the applicant is Gloucestershire County Council and the land to which this planning application relates is owned by Cheltenham Borough Council.
- 1.4 Due to the late submission of amendments to the scheme and additional consultation responses, the remainder of this officer report will follow by way of an update.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Smoke Control Order

Relevant Planning History:

N/A

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

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
CO 1 Landscape character
CO 2 Development within or affecting the AONB
CO 10 Agricultural land
NE 1 Habitats of legally protected species
UI 2 Development and flooding
TP 1 Development and highway safety

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

County Archaeology

6th February 2017

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 note that this planning application is supported by reports on a geophysical survey (Stratascan, October 2016 and November 2016), as well as a report on an archaeological evaluation (Cotswold Archaeology, January 2017). I wish to make the following observations regarding the results of these investigations.

I advise that the northernmost (Noverton Farm) flood storage area was the subject of a geophysical survey which was followed by the excavation of trial-trenches. No significant archaeological remains were found during these investigations, and on that evidence I am of the view that there is a low risk that any archaeological remains will be present. Therefore, I recommend that no further archaeological investigation or recording should be required in the northernmost flood scheme area.

I advise that in the southernmost (Priors Farm) flood storage area the geophysical survey located numerous linear and curvi-linear ground anomalies indicative of archaeological remains. The scheme area was then investigated by the excavation of ten trial-trenches, the trenches being placed to investigate ground anomalies predicted by the previous geophysical survey, and also to test areas where no such anomalies were found.

The result of the investigation was positive, in that the southern part of the proposed flood storage area was found to contain part of a Roman settlement. The Roman remains were represented by numerous ditched boundaries, and several enclosures would appear to be present. A deposit of stony rubble and a fragment of clay tile (in Trench 5) may indicate the former presence of a masonry structure. Several pits and a gully allude to further activity within the settlement. Pottery recovered from the Roman features indicates that the settlement was occupied during the 2nd - 4th centuries AD, and possibly earlier.

The archaeological field evaluation has therefore demonstrated that the southern flood storage area contains significant archaeological remains of Roman date. However, the archaeology is not of the first order of preservation, since it has undergone erosion from later ploughing with the result that surfaces formerly associated with the remains have been removed.

For that reason it is my view that the archaeology present on this site is not of the highest archaeological significance, so meriting preservation in situ. Nevertheless, while not of the highest significance, the archaeological remains on this site have the potential to make an important contribution to our understanding of the archaeology of the locality and the wider region.

On that basis I am pleased to confirm that I have no objection in principle to the development of this site, with the proviso that an appropriate programme of work to excavate and record any significant archaeological remains should be undertaken prior to the development of the Priors Farm flood scheme area in order to mitigate the ground impacts of this scheme.

To facilitate the archaeological mitigation 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 a programme of archaeological work in advance of the commencement of development of the Priors Farm flood scheme area, 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.

GCC Highways Planning Liaison Officer

21st February 2017

I refer to the above planning application received on the 13th January 2017, submitted with application form, design and access statement and drawing ref. 652358-DD-002.

Location

Noverton Flood Storage Area is located on private land with no general public access and Priors Farm Storage Area is on Cheltenham Borough Council land with no general public access; however Public Rights of Way pass close to Noverton Farm FSA.

Construction Access

Construction access to Noverton Farm FSA will be via the north of the FSA with a site compound to the east of the FSA. The access route extends south from Noverton Lane across fields to the west of the Noverton Farm entrance and joins the existing track south of the Noverton Farm buildings. A metal track will be laid to form this access. Access to Priors Farm FSA will be through the recreation ground which is accessed via Imjin Road to the west of the site. This will affect the recreation ground during construction and will be reinstated at the end of construction.

Maintenance Access

Access to the Noverton Farm FSA will be via Noverton Lane, through Noverton Farm via the existing agricultural field gate access to the north of the proposed flood embankment.

Access to the Priors Farm

FSA will be via the existing vehicular access to the FSA and control structures are via the recreation ground off Imjin Road. The area will be grazed by sheep meaning that maintenance access for grass cutting will be limited.

The only planned routine inspection and maintenance to each of the FSA will be once per year. However an additional one or two unplanned visits may also occur throughout the year.

Public Rights of Way

PRoW Southam Footpath 91 will be affected in two locations during construction. To ensure the safety of users Southam Footpath 91 will be temporarily diverted to the south along Southam Footpath 90 and then around the development area. Site fencing will provide separation between the development and the diverted footpath during construction to prevent accidental interactions between the public and the construction team. Gloucestershire County Council Public Rights of Way have confirmed that they are satisfied with this proposal.

Construction Works

Construction traffic and the impacts of this are an inevitable consequence of the proposed works and can not be avoided. However the submission of a traffic management plan together with any potential planning conditions which the LPA may deem necessary in terms of works restrictions will mitigate the impact. Largely, the planning system does not consider the impact of the construction phase of a development, except to ensure that authorities look to mitigate the impact as far as possible.

As the required emerging visibility cannot be achieved without passing over 3rd party land, I do not deem it unreasonable to attach a traffic management plan condition to ensure that

construction vehicles leaving the site are able to do so safely during the short period of re-grading works.

The Highway Authority recommends that no highway objection be raised subject to the following conditions being attached to any permission granted:

Condition #1 Traffic Management Plan

Details of a traffic management plan shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out in accordance with the approved plans.

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, cyclists and pedestrians.

Condition #2 Wheel Washing Facilities

Wheel washing facilities shall be provided no less than 20m from the connecting public highway with the intervening area constructed out of a bound material, details to be agreed in writing with the Local Planning Authority prior to the development being constructed. The approved details shall be fully implemented and shall be maintained for the duration of the construction thereafter.

Reason: - To reduce loose debris being carried out on to the public highway and accommodate the efficient delivery of goods and supplies in accordance with paragraph 35 of the National Planning Policy Framework.

Informatives:

- i. The applicant/ developer is required to obtain a road space permit for the proposed temporary traffic lights. This can be obtained from Gloucestershire County Council Streetworks Team on streetworks@gloucestershire.gov.uk before commencing any works.
- ii. The proposed development will require the provision of a formal temporary footpath closure and the Applicant/Developer is required to obtain the permission of the County Council and cover any associated costs before commencing any works on the highway.

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.

Environmental Health

10th February 2017

With regard to this application I have no adverse comment to make.

However, I would be pleased if you would bring the applicant's attention to our standard hours of work with regard to demolition and construction, which are:

0730 hrs to 1800 hrs Monday to Friday
0800 hrs to 1300 hrs Saturday
No work on Sundays and Bank Holidays

County Ecologist

7th February 2017

Thank you for consulting me but I do not intend to make any comments on application 17/00135/FUL. However I can inform you that I have briefly looked at the Ecological Appraisal and follow up Great Crested Newt report submitted with this County Council application to Cheltenham Borough Council.

Tree Officer

13th March 2017

The Tree Section does not object to this plan providing various new plans can be submitted and agreed as well as several minor adjustments can be made to existing drawings.

Noverton Farm FSA-Outline landscape masterplan of 15.04.16 shows a whole hedgerow to be removed and replanted with a new hedgerow to the south. Whilst the existing hedgerow does not contain any trees of extra-special merit, the amenity provided by this whole hedge line and the trees within it, is significant. It is recommended that the as much of the easterly end of this hedge is retained.

A Tree Protection Plan needs to be submitted and agreed describing such protection (which should be to BS5837 (2012)). There are several significant trees to the east behind the proposed site compound as well as the hedge line from the north. Given the wet nature of the ground, it is recommended that ground protection suitable for heavy goods vehicles is laid adjacent to this hedge line (Trackway) which will reduce the degree of ground erosion adjacent.

Priors farm FSA-The proposed access route will necessitate the removal of many young birch, alder, hawthorn, dog rose etc along the side of Wymans Brook. These trees are well established and are beginning to have an impact on the adjacent area. Similarly there are several young oak trees within the proposed storage area which could be removed and replanted adjacent. However, the biggest arboricultural impact will be from the removal of many self-sown willow. One of these trees earmarked for removal is a very significant (visual amenity-wise), old willow pollard. However the cumulative impact on the proposed willow removals, whilst significant, can be mitigated with proposed new tree planting which is being shown as new hedge row to the north as well as other planting areas throughout. Note 3 of the Outline Landscape Plan states that a hedgerow survey 'will be undertaken to determine which hedge are important under the 1997 Hedgerow Regulations. It is not clear if this survey has been undertaken.

The suggested mitigative species planting list contains a selection of native tree types to be planted. Ash (*Fraxinus excelsior*) needs to be removed off this list-due to current plant movement restrictions, it is not possible to transport live ash material. Please could field maple (*Acer campestre*) be added to this list of trees to be planted as hedgerow species. No other details of planting density, size, protection from deer, rabbits is given. Such details need to be submitted and agreed. Please also submit details of any specimen tree planting.

Local Lead Flood Authority

7th February 2017

I refer to your communication received on 6th February 2017 regarding the above application and your request for the Lead Local Flood Authority (LLFA) to provide advice on the proposals for the management of surface water and associated flood risk.

Please note that the LLFA is the applicant for this development and it is necessary therefore to declare an interest in the proposal. The LLFA is promoting a flood alleviation scheme designed to reduce flood risk for 213 properties at Priors and Oakley estates. The LLFA has appointed CH2mHill as the design engineer and has been consulted at all stages in the preparation of the scheme. The development will improve the level of flood risk protection for 213 properties at the 1:100 year flood event. The flood storage areas are designed to store and slowly release the 100 year plus climate change event.

For the worst case, where either of the embankments fail, a breach scenario has been carried out in accordance with the Environment Agency's Reservoir Flood Map Guidance. With the development in place there is a reduced peak flow of water going past the flood storage areas into the downstream end of Wyman's Brook and Noverton Brook during all significant rainfall events.

Due to the capture and release of the stored water the total volume taken along Wyman's Brook is increased but at a reduced flow, this is to be expected as the short-duration peak overland flows which previously caused surface water flooding in the area are now being contained for a steady return.

The proposed development will not increase the impermeable area within the development and consequently, there is no need to mitigate against an increase in runoff rates. The attenuation structures are designed to provide a free board of 600mm above the probable maximum flood level and will be subject to a regime of inspection by qualified panel engineers together with a system of regular maintenance.

It is proposed that, after completion, the scheme will be designated by the LLFA as a flood risk management asset using powers under the Flood and Water Management Act 2010 and will therefore be the responsibility of the LLFA for maintenance and management.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	2
Total comments received	0
Number of objections	0
Number of supporting	0
General comment	0

- 5.1 Four notices have been posted in various locations within close proximity of the application site. An advertisement has also been placed within a local newspaper to draw attention to the proposal. Two letters of representation have been received.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2 Due to the late submission of amendments to the scheme and additional representations, the remainder of this officer report and recommendation will follow by way of an update.

APPLICATION NO: 17/00135/FUL	OFFICER: Miss Chloe Smart
DATE REGISTERED: 24th January 2017	DATE OF EXPIRY : 25th April 2017
WARD: Oakley Ward	PARISH:
APPLICANT:	Gloucestershire County Council
LOCATION:	Priors Farm, Imjin Road, Cheltenham
PROPOSAL:	Two flood storage areas, creating new ditches and installation of new culverts.

REPRESENTATIONS

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

Cheltenham Borough Homes
 Cheltenham House
 Clarence Street
 Cheltenham
 Gloucestershire
 GL50 3PA

Comments: 15th March 2017
 Letter attached.

Councillor Peter Jeffries
 Councillor For Springbank
 Cabinet Member For Housing

Comments: 15th March 2017

I write with reference to planning application 17/00135/FUL. I would be grateful if this email could be treated as a submission for the planning committee's attention.

Flood alleviation schemes and the development of flood storage areas for protecting residents and communities I suspect receive widespread support. Having said that I would like to take this opportunity to draw the planning committee members attention to the submission by Cheltenham Borough homes.

Asking members to defer or reject this application could result in the flood alleviation scheme not progressing, as delays could divert funding earmarked for this project elsewhere, clearly this could have a detrimental impact for local residents. Equally if this scheme were to proceed in the location currently this would have a detrimental effect on the potential for this site to deliver the maximum amount of much needed housing.

There have been a lot of demands placed on this site over a number of years, from sports pitches to local green space, a road for the Cemetery and crematorium, flood alleviation works and housing. The latter being reduced in number again and again, it would be such a shame if there were an opportunity for some more additional housing, which members know is in such short supply.

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I believe there are solutions to all the points raised by Cheltenham borough homes there just needs to be some further discussion & representations, with a dash of pragmatism thrown in as well

I would respectfully request that if planning permission is granted that planning members request for the attachment of a condition relating to the final layout and positioning of the attenuation pond, This condition could also be subject to sign off by officers and the Planning Chair as others have in the past.



Miss Chloe Smart,
 Planning Services,
 Municipal Offices,
 Promenade,
 Cheltenham,
 Gloucestershire,
 GL50 9SA

ask for: Alison Salter
 phone: 01242 774612
 email: Alison.Salter@cheltborohomes.org
 date: 14th March 2017

Dear Miss Smart,

PLANNING APPLICATION 17/00135/FUL FOR FLOOD STORAGE AREAS AT LAND AT PRIORS FARM

I write with reference to planning application 17/00135/FUL. The principle of the development of flood storage areas in the locality is supported. However, we raise concern over the siting of the proposed pond located at Priors Farm, based on its impact on the future development potential of the site.

The National Planning Policy Framework (NPPF) states at paragraph 14 that at the heart of the Framework is a presumption in favour of sustainable development. For plan-making this means that local planning authorities should positively seek opportunities to meet the development needs of their area.

The NPPF also requires at paragraph 47 that Local Plans meet their objectively assessed need for housing, and identify land sufficient for development in order to meet this need. The local planning authority are currently undertaking consultation on their emerging Cheltenham Plan (Part 1) 2011 – 2031 Preferred Options Document (the Plan), one of the main aims of which is to ensure that the Council maintains a healthy supply of land for housing. The consultation document identifies a need for 10,915 new homes within Cheltenham over the period 2011 to 2031.

The site on which the flood storage area at Priors Farm has been located has been identified for a mixture of uses including sports pitches, the flood alleviation pond, allotments and housing within the Preferred Options Consultation documents. A Masterplanning exercise has been undertaken in response to the consultation for the Plan, which explores the capacity of the site for these uses. The outputs from this process are due to be submitted with formal representations on the Plan next week.

According to this Masterplanning exercise, the location of the pond as proposed in application 17/00135/FUL has a significant impact on the number of houses which could be allocated to the site. If the pond was relocated to another part of the site, for example towards the eastern boundary, the capacity of the site for housing could be increased significantly. This would allow for an increase in

Cheltenham Borough Homes
 Cheltenham House
 Clarence Street
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 Gloucestershire
 GL50 3JR
 Telephone 01242 775310
 Fax 01242 264308
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the number of the houses required by the Plan to be located in a sustainable location, on the edge of the built-up area, with good access to a range of local shops, services and transport links. Failure to maximise the use of sites of this nature will only serve to increase the pressure to develop land for housing in less sustainable locations.

As a result, the location of the proposed development impinges upon a number of the core planning principles underpinning the NPPF, as outlined at Paragraph 17, most notably promoting mixed use developments, and encouraging multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions. The proposed layout and location of the attenuation pond would conflict with this objective, through restricting the amount of land left over for much-needed housing.

As such, it is considered that the location of the proposed flood storage pond as set out in application 17/00135/FUL jeopardises the local planning authority's ability to maximise the site's capacity potential, and is therefore in conflict with the NPPF's overall aim to positively seek opportunities to meet development needs in the area.

CBH and Nash Partnership, who carried out the Masterplanning exercise, would welcome the opportunity to discuss an amended location with the applicant.

Yours Sincerely,



Alison Salter
CBH Development Manager

APPLICATION NO: 17/00135/FUL	OFFICER: Miss Chloe Smart
DATE REGISTERED: 24th January 2017	DATE OF EXPIRY: 25th April 2017
WARD: Oakley Ward	PARISH:
APPLICANT:	Gloucestershire County Council
AGENT:	Mr Shauket Khan
LOCATION:	Priors Farm, Imjin Road, Cheltenham
PROPOSAL:	Two flood storage areas, creating new ditches and installation of new culverts.

Update to Officer Report

Recommendation: Permit

1. OFFICER COMMENTS

1.1. Determining Issues

1.2. The main considerations in relation to an application of this nature are as follows;

- Principle of development
- Landscape Considerations
- Trees and Landscaping
- Highways and Access
- Impact on neighbouring amenity
- Ecology
- Archaeology
- Other considerations

1.3. Principle of development

1.3.1. The Cheltenham Surface Water Management Plan (SWMP) identified Whaddon, Lynworth and Prestbury as high risk flood areas which have experienced frequent surface water flooding over many years. In June and July 2007, the area experienced extreme flooding events and over 300 properties were known to have experienced flooding.

1.3.2. The Local Lead Flood Authority (LLFA) is promoting a flood alleviation scheme designed to reduce flood risk to 213 properties at Priors and Oakley estates, at the 1 to 100 year flood event. The flood storage area is designed to store and slowly release the flow into the existing water network when capacity returns. The Council's Land Drainage Officer has been fully involved in the submitted scheme, as has the LLFA. As such, officers do not consider there would be any reason to question their conclusions from a flooding perspective.

1.3.3. Given the existence of surface water flooding concerns in this area the principle of flood relief works is considered to be acceptable. There are no specific policy reasons which would prevent the development of this site for these purposes.

1.4. Landscape Considerations

- 1.4.1. Cheltenham Borough Council has recently published a review of the AONB within the administrative boundary of Cheltenham Borough, titled, Landscape Character, Sensitivity and Capacity Assessment of the Cotswold's AONB within the Cheltenham Administrative Area. This document has been produced in order to support the preparation of the emerging Local Plan; however officers consider it is a material consideration when assessing landscape matters.
- 1.4.2. The physical development itself does not lie within the Cotswold Area of Outstanding Natural Beauty, but a small part of the red line area to the east is within the AONB. Given the sites sensitive location, it is important to consider the wider landscape impact of the proposal.
- 1.4.3. The site forms part of an area known as 'Oakley Pasture Slopes' (site ref: LCA 7.3). The report sets out that the area as a whole has high landscape sensitivity and a high landscape value. That said, the report acknowledges that the area to the west of the Oakley Pasture Slopes, which lies outside of the AONB and is the proposed location for the embankment structure, is more visually contained.
- 1.4.4. The surrounding landscape character is principally pastoral and scrub land use, with field boundaries denoted by mature hedging. The flood alleviation scheme will comprise of an embankment which will be fully grassed when completed. Some ancillary structures such as fencing will be present, but these represent a small part of the scheme. The general appearance will be one of a landscaped area, which at certain times, will hold water.
- 1.4.5. Cotswold Conservation Board have been consulted on the proposal, however a response has not been received. Given the largely soft appearance of the proposal and the assessment which identifies this area as more visually contained, the works are not considered to have any unacceptable impact on the character of the site and the wider Cotswold Area of Outstanding Natural Beauty and are considered entirely appropriate in this context.

1.5. Design and Layout

- 1.5.1. Local Plan Policy CP7 requires development to be of a high standard of architectural design and to complement and respect surrounding development.
- 1.5.2. The proposal is very technical in terms of its engineering requirements and the scale and location of the storage areas have been chosen to optimise the reduction in flood risk, but also with the requirement of minimising the visual impact of the earth embankment in mind. The location of the structures is such that there is minimal engineering work required to create contained areas, utilising the layout of the existing ground where possible.
- 1.5.3. The flood storage area will be created through the construction a new grassed earth embankment with associated control structures and connections to existing watercourses. The proposed works consist of an embankment which will be no higher than 2.8 metres above the surrounding existing ground levels and will reflect the current ground levels of the adjacent field to the east.
- 1.5.4. There will be additional ancillary structures forming part of the development which will include some fencing. This will be post and wire stock fencing and some timber post and rail fencing to reflect similar existing fencing in the area.

1.5.5. When considering the proposal in terms of it having an acceptable impact on the landscape character, alongside the design and layout aspects of the scheme, the proposal is respectful to its surroundings and is therefore in accordance with Local Plan Policy CP7.

1.6. Trees and Landscaping

1.6.1. The Council's Tree Officer has been consulted on the application and has made a detailed representation. No objection is raised in principle to the proposal providing various new plans can be submitted and agreed as well as minor adjustments being made to some of the drawings. In addition, a Tree Protection Plan will need to be submitted and agreed.

1.6.2. Officers have sought clarification in relation to the stage at which the above information is required. Given there is no objection in principle, the Tree Officer considers the additional information and assessment required can be done through suitably worded conditions, but this information would be required prior to development commencing.

1.6.3. With regards to landscaping, the proposal itself will be grassed over, but in order to ensure any loss of trees or landscaping is suitably mitigated, a detailed landscaping plan will also be required.

1.7. Highways and Access

1.7.1. Gloucestershire County Council Highways has been consulted in relation to this application. A detailed consultation response has been received setting out construction access, maintenance access, public rights of way and construction work. The main aspect of the works from a highway perspective relates to construction works. Vehicles will be temporarily taken around the edge of Priors Farm recreation ground during the period of construction. No development is required in relation to this aspect of the proposal.

1.7.2. On all matters assessed in relation to highway safety, GCC Highways has confirmed that no objection has been raised, however conditions have been suggested which have been attached to this recommendation.

1.8. Impact on neighbouring amenity

1.8.1. Local Plan Policy CP4 requires development to protect the existing amenity of neighbouring land users and the locality.

1.8.2. The proposal itself will not have any unacceptable impact on neighbouring amenity; there are no neighbouring dwellings within the immediate vicinity. It is likely that there will be some noise and disturbance during construction works as a result of vehicular movements to and from the site. For this reason the Council's Environmental Health Officer has drawn the applicant's attention to the standard hours of construction work.

1.9. Ecology

- 1.9.1. Paragraph 118 of the NPPF advises that local planning authorities should aim to conserve or enhance biodiversity by applying various principles. One of these principles is to ensure adequate mitigation within development proposals.
- 1.9.2. The submitted information has been reviewed by the County Council's Principal Ecologist who has not made any specific recommendations in relation to the application. The application is accompanied by an Ecological Appraisal and a Great Crested Newt Report. The submitted reports conclude that subject to implementation of the measures recommended, the proposed development could be implemented without significant adverse ecological impacts and be in accordance with the relevant legislation and policy guidance. In light of this, officers have attached a condition ensuring that the measures set out within the report are fully implemented. With the addition of this condition, the proposal is considered in accordance with paragraph 118 of the NPPF.

1.10. Archaeology

- 1.10.1. The application is accompanied by both a geophysical survey and an archaeological evaluation report. Gloucestershire County Council's Archaeologist has been consulted and has provided a detailed response based on the information provided.
- 1.10.2. In summary, no objection has been raised to the principle of the development subject an appropriate programme of work to excavate and record any significant archaeological remains being undertaken prior to the development of the Priors Farm flood scheme area in order to mitigate the ground impacts of this scheme. In order to facilitate this, a condition has been suggested to ensure the necessary works to take place.

1.11. Other considerations

- 1.11.1. Members will note that the application site is owned by Cheltenham Borough Council. There are aspirations for potential mixed use development within the site and the surrounding Priors Farm area which could include sports pitches, a flood alleviation pond, allotments and residential development. This forms part of the preferred options consultation for the emerging Cheltenham Local Plan that is ongoing.
- 1.11.2. Cheltenham Borough Homes have made a formal representation raising concerns regarding the development and consider the attenuation pond will have a significant impact on the number of houses which could potentially be delivered within this site, should it be allocated for some residential development.
- 1.11.3. Officers recognise these aspirations for the wider Priors Farm area which could include securing much needed additional housing within the Borough. Whilst this may be the case, as set out in section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004, decisions made in respect of planning applications must be taken in accordance with the development plan unless there are material considerations which would indicate otherwise.

- 1.11.4. The representations from Cheltenham Borough Homes are relevant for the Local Plan consultation but hold very limited weight as a material consideration in the assessment of this application. Residential development of the wider parcel of land remains an aspiration for the land owner and the local plan process will fully scrutinise all representations in relation to this point. Whilst the efficient use of land is a fundamental principle of good planning, and officers understand why CBH allude to this in their representations, it is important to stress that the proposed flood alleviation scheme does not in itself prevent additional land uses coming forward. Clearly, it will represent an additional constraint for any future proposed housing to successfully respond to but in no way does it sterilise the future use of land.
- 1.11.5. Members are advised that in local plan terms, the site has no allocation or designation. The suggested allocation in the current consultation document includes the provision of this flood alleviation scheme and the representations from CBH should be scrutinised through the preparation of the Cheltenham Plan. This application should be determined against the provisions of the current local plan against which it is an acceptable form of development that brings with it inherent value to a number of existing houses.
- 1.11.6. The application site also lies to the south of an area which has been identified for a new crematorium building. As part of this project a new access road will be required and it is anticipated that this will be constructed along the south of the Cemetery and Crematorium boundary, a part of which is within this application site.
- 1.11.7. Concerns have been raised by the Council's Property Team that the proposed alleviation scheme would encroach upon an access road in this location. It may be that the proposal does impact upon an access road in this location; however, for similar reasons to those set out with regards to future aspirations on within the area for housing, officers are unable to attach weight to this concern. The proposed scheme would be a constraint that any potential access road would need to take account of and it seems unlikely that it would preclude the construction of such an access road.

2. CONCLUSION AND RECOMMENDATION

- 2.1.1. The principle of the proposed development is acceptable. The proposal is designed to reduce flood risk to a significant number of residential properties and there are no policy reasons this type of development should not be located on this particular site.
- 2.1.2. Given the largely soft appearance of the proposal and a landscape assessment which identifies this area as more visually contained, the works are not considered to have any unacceptable impact on the character of the site and the wider Cotswold Area of Outstanding Natural Beauty and are considered entirely appropriate in this context. In addition, the design and layout of the scheme is respectful to its surroundings and is therefore in accordance with Local Plan Policy CP7.
- 2.1.3. The Council's Tree Officer raises no objection to the scheme; however additional information is required in relation to trees and landscaping which can be secured by way of the conditions.
- 2.1.4. On all matters assessed in relation to highway safety, GCC Highways has confirmed that no objection has been raised, however conditions have been suggested which have been attached to this recommendation.

- 2.1.5. Both the archaeological and ecological impact of the proposal is considered to be acceptable, subject to conditions. In relation to ecology, this condition ensures the development is carried out in accordance with the submitted Ecological Appraisal. In the case of archaeology, an appropriate programme of work to excavate and record any significant archaeological remains will need to be undertaken prior to the commencement of works.
- 2.1.6. Finally, whilst representations in respect of the wider aspirations for the site have been considered, these hold minimal weight. In local plan terms, the site has no allocation or designation. This application should be determined against the provisions of the current local plan against which it is an acceptable form of development that brings with it inherent value to a number of existing houses.
- 2.1.7. With all of the above in mind, the proposed flood alleviation scheme is considered acceptable when considered against relevant Local Plan Policies and the guidance set out within the National Planning Policy Framework.
- 2.1.8. The recommendation is therefore to approve this application subject to the conditions set out below.

3. CONDITIONS/INFORMATIVES

- 1 The development hereby permitted shall be begun before the expiration of 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 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 a programme of archaeological work in advance of the commencement of development of the Priors Farm flood scheme area, 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
- 4 Details of a traffic management plan shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out in accordance with the approved plans.
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, cyclists and pedestrians.
- 5 Wheel washing facilities shall be provided no less than 20m from the connecting public highway with the intervening area constructed out of a bound material, details to be agreed in writing with the Local Planning Authority prior to the development being

constructed. The approved details shall be fully implemented and shall be maintained for the duration of the construction thereafter.

Reason: - To reduce loose debris being carried out on to the public highway and accommodate the efficient delivery of goods and supplies in accordance paragraph 35 of the National Planning Policy Framework.

- 6 No works shall commence on site (including demolition and site clearance) unless a Tree Protection Plan ("TPP") and a Hedge Protection Plan to BS5837:2012 (or any standard that reproduces or replaces this standard) has been submitted to and approved in writing by the Local Planning Authority. The TPP shall detail the methods of tree/hedge protection and clearly detail the position and specifications for the erection of tree protective fencing and a programme for its implementation, together with ground protection where appropriate. The works shall not be carried out unless in accordance with the approved details and the measures specified by the TPP shall remain in place until the completion of the construction.

Reason: To safeguard existing tree(s) in the interests of visual amenity, having regard to Policies GE5 and GE6 of the Cheltenham Borough Local Plan (2006). Approval is required upfront to ensure that important trees are not permanently damaged or lost.

- 7 Notwithstanding the submitted information, prior to commencement of development, full details of a hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all walls, fences, trees, hedgerows and other planting which are to be retained; details of all new walls, fences, other boundary treatment and finished ground levels; a planting specification to include [species, size, position and method of planting of all new trees and shrubs]; and a programme of implementation.

All hard and/or soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority.

Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size to be first approved in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details [delete if not appropriate].

Reason: In the interests of the character and appearance of the area, having regard to Policies CP1 and CP7 of the Cheltenham Borough Local Plan (adopted 2006). Approval is required upfront because the landscaping is an integral part of the development and its acceptability and there are important trees scheduled for removal which should be adequately mitigated.

- 8 The development hereby approved shall be implemented in full accordance with the measures set out within Section 5.0 of the submitted Ecological Appraisal.

Reason: To safeguard ecological species, having regard to Policies NE1 and NE3 of the Cheltenham Borough Local Plan (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

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problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

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

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

- 2 The applicant/developer is required to obtain a road space permit for the proposed temporary traffic lights. This can be obtained from Gloucestershire County Council Streetworks Team on streetworks@gloucestershire.gov.uk before commencing any works.
 - ii. The proposed development will require the provision of a formal temporary footpath closure and the Applicant/Developer is required to obtain the permission of the County Council and cover any associated costs before commencing any works on the highway.
- 3 The applicant's attention is drawn to the Council's standard hours of operation for construction works which are as follows;

0730 hrs to 1800 hrs Monday to Friday

0800 hrs to 1300 hrs Saturday

No work on Sundays and Bank Holidays