



CHELtenham

BOROUGH COUNCIL

Notice of a meeting of Planning Committee

**Thursday, 20 April 2017
6.00 pm
Council Chamber - Municipal Offices**

Membership	
Councillors:	Garth Barnes (Chair), Bernard Fisher (Vice-Chair), Paul Baker, Mike Collins, Colin Hay, Karl Hoble, 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 - 24)
6. **PLANNING/LISTED BUILDING/CONSERVATION AREA
CONSENT/ADVERTISEMENT APPLICATIONS,
APPLICATIONS FOR LAWFUL DEVELOPMENT
CERTIFICATE AND TREE RELATED APPLICATIONS –
SEE MAIN SCHEDULE**
 - a) **16/00202/OUT Land off Kidnappers Lane** (Pages 25 - 208)
 - b) **16/01907/FUL Sandford Court, Humphris Place** (Pages 209 - 234)
 - c) **16/02105/FUL Cotswold Grange Hotel, Pittville
Circus Road** (Pages 235 - 268)
 - d) **17/00129/FUL Castle Dream Stud, Mill Lane,
Charlton Kings** (Pages 269 - 296)
 - e) **17/00149/FUL 22 Dagmar Road** (Pages 297 - 304)

- f) **17/00165/FUL 259 Gloucester Road** (Pages 305 - 330)
- g) **17/00218/FUL 1 Hartley Close** (Pages 331 - 338)
- h) **17/00268/LBC Municipal Offices** (Pages 339 - 342)
- i) **17/00291/LBC Cheltenham Town Hall** (Pages 343 - 346)
- j) **17/00395/FUL 24 Leyson Road, The Reddings** (Pages 347 - 354)

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

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

Planning Committee

23rd March 2017

Present:

Members (14)

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

Officers

Tracey Crews, Director of Planning (TC)
Martin Chandler, Team Leader, Development Management (MC)
Emma Pickernell, Senior Planning Officer (EP)
Chloe Smart, Planning Officer (CS)
Ben Hawkes, Planning Officer (BH)
Claire Donnelly, Planning Officer (CD)
Chris Chavasse, Senior Trees Officer (CC)
Annie Holdstock, Trees Officer (AH)
Nick Jonathan, Legal Officer (NJ)

Before the start of the meeting, Councillor Barnes invited those present to stand and observe a minute's silence for the victims of the Westminster attack on Wednesday.

1. Apologies

Councillor Hobley.

2. Declarations of interest

17/00135/FUL Priors Farm, Imjin Road

Councillors Wheeler, Sudbury, Colin Hay and Fisher – personal but not prejudicial if not involved in discussions at county level – all are county councillors and the County is the applicant.

Councillor Colin Hay confirmed that he is no longer a member of CBH board - CBH has objected to this proposal.

16/02105/FUL Cotswold Grange Hotel

Councillor Lillywhite – as owner of a hotel which could be seen as a competing business – will leave the Chamber.

3. Declarations of independent site visits

Councillor Sudbury: **Cotswold Grange Hotel, 68 Sandy Lane, and 3 Church Street**

Councillor Baker: **Cotswold Grange Hotel, 68 Sandy Lane**

Councillor Lillywhite: **68 Sandy Lane.**

4. Public Questions

There were none.

5. Minutes of last meeting

Resolved that the minutes of the meeting held on 16th February 2017 be approved and signed as a correct record *without* corrections.

6. Planning applications

Application Number:	16/02105/FUL and 16/02105/ADV
Location:	Cotswold Grange Hotel, Pittville Circus Road, Cheltenham
Proposal:	16/02105/FUL: Proposed erection of gates and boundary railings, new landscaping scheme and car park reconfiguration.
	16/02105/ADV: Proposed illuminated box sign containing menu board
View:	Yes
Officer Recommendation:	Permit/Grant
Committee Decision:	Defer/Defer
Letters of Rep:	13
Update Report:	Officer Update

CS introduced the applications as above, for work on this locally indexed building, in the conservation area. It is at Committee at the request of Councillor Rowena Hay in view of local residents' concerns about noise, removal of rubbish, and access for commercial vehicles. The application has been amended and officers consider these concerns have been overcome. The recommendation is therefore to approve, subject to conditions. There is an update, regarding tree-related matters

Public Speaking:

None.

Member debate:

PB: to the Trees Officer: he was originally very complimentary about the trees to the rear of the building – the cypress, holly and pine. Why has he subsequently changed his view on their loss?

CH: from the residents' point of view, the main concern is regarding the location of the rubbish bins, and in particular the recycling of glass and the inherent noise this causes. The plans have changed, and this will not be as open as it was going to be, but residents remain concerned. If the bins are located here, the owners will probably undertake to only empty the bins during the day, but a condition cannot be included to ensure this happens – it will be a question of goodwill. This is a small street; refuse is collected once a week for residents, but likely to be more frequent for a commercial property.

CC, in response:

- Visited the site twice; on the first occasion, liked the holly, pine and cypress trees, and had reservations about their removal;
- Visited again with the case officer, met with the owner, and looked at the back of the site. Put the case for the trees as strongly as possible, but the applicant was determined to change them for a different species – a maple;
- The trees are all but invisible in the landscape, and therefore concluded that if the applicant is determined to have a maple, this would be OK.

CS, in response:

- Regarding the bins, the applicant can store them in the proposed place without planning permission, but for the appearance of the area, this is a better scenario. Members will have noted on site that the current bin storage is not much in the way and is quite small scale. This is all set out in the report.

PB: is disappointed with the Trees Officer's response. He acknowledges that these are good trees, and the replacement is not really appropriate, but has still acquiesced with the applicant's wishes. At the back of the building, the existing trees add a lot to the landscape. Can he move for a refusal on the loss of the trees, in the hope of the applicant coming up with an alternative proposal which retains them?

GB: the general view of officers is that yes, he can, but he will need to expand the reasons for this refusal, and the impact the loss of the trees will have on the community.

CC, in response:

- Didn't mean to mislead Members by saying that the maple would be inappropriate in this location. Admits that the three trees are good trees, but does not consider them to be particularly significant in the landscape, and the tree the applicant wants to introduce will be a good tree for the future.

CH: another point to remember here is that the cypress, holly and pine are not deciduous but the maple is. This will have an effect in winter months, when the change of trees will be much more noticeable than it is now. The foliage of trees also goes some way to absorbing noise etc, with evergreens in leaf all year round. Also, regarding the gap in the hedge on the corner, if this was to be moved round, there would be less change of noise issues; the hedge is a good barrier.

PT: also, as the maple is deciduous, it will be a lot messier than the evergreens.

CC, in response:

- It's true that the evergreen trees provide year-round colour and the maple will drop a lot of leaves – though the evergreens also drop needles and seeds at certain times of year.

CH: but as CC has said, they provide year-round colour, in addition to absorbing noise.

PB: would like to move to refuse, on loss of amenity grounds - these trees are a valuable asset. Deferral would be a better solution. Feels that we should not give in so easily – trees make a real contribution to the town. This may be a cul-de-sac with no through-traffic, but it is nonetheless a pleasant road, and the trees add to that. Moves to refuse, on loss of amenity.

MJC, in response:

- Is slightly nervous, as PB has not mentioned any policy reason for refusal. There are policies in the Local Plan which talk about loss of trees. Members have heard the professional advice of the Trees Officer, and as this is a conservation area, the trees have a level of protection. Policy GE5 is concerned with the removal and replacement of trees, and the proposal is to replace the three trees; the Trees Officer has given his judgement as to their amenity value and said that the replacement tree will be suitable for the site. As this is a conservation area, and these trees can be seen they may be eligible for a TPO, but is not sure – CC will advise. However, it is important to focus on policy and set out the value of the trees and why Members are moving away from the Trees Officers' professional advice. Planning decisions should be brought back to policy at all times.

CC, in response:

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- A lot of the thrust of putting a preservation order on a tree is focussed on the visual amenity of the tree from a public perspective. These trees can be seen but are not significant in the landscape. They are in good condition, though it could be said that there are too many trees in a small space;
- A case for TPOs could be made, especially for the pine and the holly. The most important tree on this site – the Thuja at the front – is to be retained. The maple will grow to suit the space; the pine only has foliage at the top and the holly has a lot of small branches at the bottom.

GB: does PB still want to move for refusal?

PB: gets very annoyed when officers want specific policies. The Local Plan is 300 pages long and Members need help; officers know it inside out. Is saying the loss of the three trees will result in loss of amenity; these are three excellent trees, which contribute to the street scene, and cannot see why they have to be taken out. Cheltenham is famous for many things, including its trees. Would therefore move to refuse on the loss of amenity to the local community as a result of the loss of three good trees.

GB: it is difficult for officers to know what individual Members may come up with as reasons for refusing an application. MJC has said that Policy GE5 may be appropriate here as a refusal reason, and is right to put this forward.

CS, in response:

- As CC has said, officers had a very detailed site visit with the applicant. He was very willing when making amendments to the proposal, and would therefore suggest that deferral may be more appropriate here than a refusal. Hopefully, with further negotiation, a solution can be found which Members are happy with, if the loss of the trees is the only concern.

PB: would be happy with that, and also with looking at the possibility of putting TPOs on the trees, as CC has said this could be appropriate.

CC, in response:

- As these trees are in the conservation area, they have a level of protection already, and cannot be removed unless as part of a planning application. A TPO won't make too much difference if the application is back in a month's time.

Vote on PB's move to defer

16/02034/FUL

11 in support

2 in objection

DEFER

16/02034/ADV

13 in support - unanimous

DEFER

Application Number: **16/02197/FUL**

Location: **68 Sandy Lane**

Proposal: **Two-storey side extension, single storey front and rear extension, application of render and timber cladding and replacements windows and doors**

View: **Yes**

Officer Recommendation: **Permit**

Committee Decision: **Defer**

Letters of Rep: **1** Update Report: **None**

BH introduced the application as above, for the remodelling of this property. It is at Committee in the interests of transparency, as the neighbour and only objector is a senior member of CBC staff. The scheme has been revised in line with officer and neighbour concerns, and officers consider the form to be acceptable, with no adverse impact on the neighbouring property. The recommendation is therefore to permit.

Public Speaking:

Mrs Atkins, neighbour, in objection

Owns the only property to be directly affected by this proposal, and would ask Members to consider the officer's use of design guidance when considering the application. The proposed extension will be inconsistent with council policy on side extensions and Local Plan policies CP7 and CP4, suggesting that officers have not followed normal processes and guidelines. Have provided evidence of similar developments in Sandy Lane and other nearby sites, and reviewed over forty two-storey side extensions determined last year. The vast majority required clear set-back and reduction in ridgeline height to comply with design guidance; each report emphasised the need to neither dominate or detract from the original building but to play a supporting role. This requirement is not met at 68 Sandy Lane. In addition, a gap of less than 2m would be maintained between the two buildings, further reduced by the projecting eaves. The house and extension would occupy 88% of the site, a 21m two-storey structure of uniform height, width and massing on a 24m-wide corner site. Consideration has not been given to the siting and design of the balcony, which will be close to the only bathrooms at No. 70, both of which have opening windows. A person of average height standing on the balcony would be directly between both windows, and only 2m away. In this quiet, residential area, bathroom and toilet noises will be clearly heard, and silhouettes of anyone using the bathroom clearly visible through the obscure glass, to the detriment of her family's privacy and enjoyment of their house. This could easily be avoided through good design, and despite the addition of a small obscure glass screen, the proposed balcony remains in conflict with CP7 and CP4. Is keen to see a positive outcome and a more attractive with less impact on her family's amenity. Minor changes could significantly change the appearance of the extension when viewed against the parent house, allowing it to play a supporting role, and a more suitable location for the balcony would be the bedroom in the centre of the house. Asks members to consider deferring their decision to seek such changes.

Councillor Harvey, in objection

Prefaced his comments on this application by apologising for trying to help Councillor Baker with refusal reasons on the previous application – was not trying to exert undue influence. Also thanked GB for observing a minute's silence at the beginning of the meeting.

Is not against this planning application, but is supporting the residents of No. 70 in raising certain issues with the proposal. The neighbour's letter of 18th March is intelligent and policy-driven, explaining their concerns. Notes that the applicants have not spoken to the neighbours about their plans. Plans can be confusing and put people off, but the NPPF is set out in clear, plain English. Sustainable development is a mantra much heard at Planning Committee, and the NPPF sets out a presumption in favour of such development – but a little further on it states that this type of development should be supported unless there are valid planning reasons in the Local Development Plan to say otherwise. The mantra may be that sustainable development always comes with a presumption of approval, but the neighbour has provided valid planning reasons why this application should not be approved today. Amenity covers noise, light and privacy. The obscure glass panel on the balcony won't stop neighbours from being able to see the silhouettes of children in the bathroom. Would ask councillors to consider how they would feel if their neighbours were just 2 metres away and could see their silhouettes in their bathroom. It may not be considered loss of amenity by officers, but

the neighbours' privacy will be taken away from both their downstairs toilet and upstairs bathroom, regardless of any opaque glass. Is not saying that the current owners are likely to observe what is going on next door, but they may move away. Would ask councillors to give serious consideration to deferring their decision, to allow time for proper dialogue, taking into account the Localism Act; the architect has not spoken to the neighbours at No. 70 – there has been no discussion. They have been consulted only in line with statutory requirements, but this is usually too late in the day to suggest any changes. Is asking for deferral rather than refusal.

Member debate:

SW: is sure there have been many other applications where he has been very reluctant to agree to front-facing balconies of this nature – wouldn't want to sit out and have the world drive past – cannot see the point. On the issue of overlooking, would prefer to see a brick wall – something which cannot be seen through at all. Is not happy with the opaque screen as proposed.

PT: may be old-fashioned, but there are such things as curtains to ensure privacy.

PB: may not be the officers' favourite person this evening, but is staggered by this recommendation. It is almost doubling the size of the house – a massive extension – and the photos show that there is nothing else like it in the road - all the houses have space around them. The proposed extension is not subservient, and it will be difficult to tell what is old and what is new. Officers clearly feel they have scored a success by negotiating with the applicant to scale back the original design, but this is not a great achievement if the original design was so extreme, a gross over-development, as this was. The proposal still doesn't respect the street scene or the other houses in the area. We should defer, and give the applicants the chance to expand their home following good discussions with the neighbours. There is clear scope for development to the satisfaction of all parties. The neighbour suggested CP4 and CP7 as refusal reasons. How can this proposal be said to complement neighbouring properties? How does it reflect the character of the area? There is nothing like it in Sandy Lane. Would like to refuse the application, but it should be discussed with the architect, officers and neighbours, in line with the Local Plan, to provide the applicant with a fantastic house.

HM: supports PB; this extension is not subservient. The single storey element at the front extends beyond the current building line, and the ridge height is only minimally less than the existing.

KS: doesn't feel this proposal is subservient. The balcony looks nice but doesn't help with subservience – it is more a design statement. Has sympathy with the applicant but wants the best solution. This is contrary to policy.

BF: the subservience requirement is for guidance, not mandatory, though for a number of years, officers have asked Members to refuse applications for extensions because they are not subservient. Some policies are for guidance only, some are part of national planning law. Is personally not a fan of subservience. Knows Sandy Lane very well – no two houses are the same, and this is a good thing, much better than the uniform little boxes seen in modern estate developments. Would support a move to defer here but not a refusal. There are many areas of Cheltenham which are not uniform.

CN: is uncertain about the subservience issue. There have been a number of cases lately, such as the recent application at Church Lane, which was rejected because the proposed extension was too large and not subservient. Would also ask why only three letters were sent to neighbours asking for comments? Why not more letters to residents along the street to see the overall feeling of local people about the impact of this proposal. If more letters had been sent, there would have been more response.

AL: Sandy Lane can be characterised as houses on large plots with space around them. This proposal which infills the area around the garage, appears as the continuation of the development and has the look of a terrace, which is out of character with the area. If the gaps between the houses are made smaller, this character could ultimately disappear.

BH, in response:

- Regarding the balcony, officers have not suggested that it will have no impact on neighbouring amenity, but do not consider that this will be unacceptable. The privacy screen has been introduced in the revised plans, and officers are happy to recommend approval;
- If Members are concerned about the privacy screen, and this is the only reason for refusal, a condition for a solid rendered wall could be added, which will remove the issue;
- Regarding subservience, the SPD applies more to semi-detached houses, to maintain the space between them. Officers consider that with a set-back of 1m, and a lower ridge height, this proposal achieves subservience;
- Would add that the block plan suggests the extension is bigger than it actually is, as only part of the extension is two-storey.

MJC, in response:

- To CN, regarding neighbour letters, the local authority is required to do one of two things regarding notification of neighbours: to write to neighbours who share boundaries with the application site, or to display a site notice. For this site, only two neighbours share a boundary, with one further neighbour added for completeness. The authority has fulfilled its obligation;
- Ultimately, this is a minor application. The reason why it is at Committee is known, but the approach is no different to the thousands that officers deal with each year, and the publicity undertaken is appropriate;
- if a neighbour or group of neighbours is particularly concerned about an application, they will usually solicit other neighbours to comment. The locality appears to be relaxed about this application. Endorses BH's comments and report – the proposed extension is OK for the area; it will impact on the neighbours, but will fit comfortably in the location;
- regarding the suggestion of deferral, does not consider this will achieve anything, as the applicants have already made several concessions. We have not heard their thoughts on this, and it would be unfair on them to defer – the application should be determined today;. This application started out as a big scheme and has been negotiated down; the local authority needs to determine it.

BF: has two further points to make: BH said that a solid screen could be conditioned, but conditions are appealable so this would not necessarily solve the problem. If this is what the applicant wants, the decision should be made, yes or no. Deferral seems the right solution, to give the applicants the opportunity to make changes – although they could have attended tonight. Does not have any problem with the massing, only the privacy issue.

SW: isn't totally happy, but a totally opaque screen or brick wall would make it just about acceptable for him.

CN: is not totally happy with MJC's response about the number of letters sent out in the public consultation process. Is aware of other applications where this issue comes up, and people complain about not receiving any notification of proposals near to them. If three letters is the right number in this case, and a strict approach is taken, it could be said that 33% of those people have objected. In view of the nature of the street – unique, and in a lovely part of town – more letters should have been pushed out. There is not much cost. Is a great believer in public consultation to move things forward.

KS: took exception of the officer's comments about the number of objections and that there are none from anyone else living nearby. The person objecting wants to find a solution, so why would they try to

stir up the neighbours? This is not fair on the neighbour; we cannot guess what the community feels. Deferral is the best option - the objector wants a solution, and the applicant will want to get going with the proposal - but does not consider privacy the biggest issue. The balcony is so large, and faces the road, but it should be subservient. Is content with the scale and massing, but the balcony should not be the key feature. It should be at the back or on another part of the property. Will support the move to defer.

MC: was going to make the same point, and agrees with CN about neighbour letters.

CH: privacy is important, but what changes were made in mitigating that has detracted from the building itself. The more he looks at the design, the more he agrees with BF – the architect has tried to make it subservient, and looking at it again, is not sure it needs to be made to look subservient. A screen may solve one of the problems, but a better design could be achieved. The balcony is unbalanced and unattractive. Subservience makes it look worse.

GB: Members seem to be moving in the direction of a deferral, yet three people are still indicating they wish to speak. Would request that they be brief in their comments.

PT: is not 100% certain why the screen has to be obscure. If it was a side screen, with nothing towards the neighbouring house, it would seem a better idea.

PB: this is an open forum, and Members are here to discuss planning applications – they are all entitled to have their say. Officers don't want a deferral and say a decision would be the fairest outcome for the applicant. Officers recommended the scheme for permit, and had no idea what the opinion of the Committee would be. In view of the groundswell of comments from Members, the proposal could be rejected, but it would be better to take all the comments on board and go back to the applicant. The applicant could have come to Committee to speak – is surprised he is not here, in view of the intelligent opposition to the scheme. Will still move to defer.

MC: does not want to add to that. Is happy to move to the vote.

Vote on PB's move to defer

13 in support

DEFER

Application Number:	16/02302/FUL
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.
View:	Yes
Officer Recommendation:	Permit subject to a 106 Obligation
Committee Decision:	Permit subject to 106 Obligation
Letters of Rep:	15
Update Report:	i. report update
	ii. Cheltenham Film Studios – supporting information
	iii. Additional representation – Reddings Residents Association

EP introduced the application as above, for an L-shaped building, three and four storeys high. It is situated in a TPO'd woodland, and there has been significant negotiation with the Trees Officer, regarding the appropriate work to trees, including a number of removals. A woodland management

plan has been submitted; 71 parking spaces will be provided. Officers consider the scheme complies with policy and is well thought through, and the recommendation is therefore to approve.

Public Speaking:

Mr Paddy Brice, applicant, in support

Introduced himself to Members as the Managing Director, of Richmond Villages, part of BUPA. This proposal started life about two years ago, with the landowner's pre-app discussions with Cheltenham Borough Council. The whole ethos of the scheme has always been landscape led, letting the woodland inform the proposals. Input from officers, consultees, surrounding businesses and the public have been taken into account – for example, the footprint has been amended five times following discussions with officers, the planting and management plan has been improved, and the building will not be any higher than Manor by the Lake. The woodland is known to be failing, and this proposal will preserve the best trees, enhance the wooded approach to Cheltenham from the A40, add approximately 300 new trees, as well as bird and bat boxes. During discussions, it became clear that officers wanted a greater level of certainty, and suggested the landowner find an end user for the site. Richmond BUPA was delighted to be selected to make a full planning application, and for the opportunity to provide a care environment which is a first for Cheltenham, covering a number of separate areas of care, including dementia care. It will provide 111 jobs for Cheltenham people, and give certainty to the rest of the film studios site, which currently supports over 60 small businesses. The development will allow Richmond to continue its track record of regenerating the ecological and botanical value of its land interests, already established in villages at Letcombe near Oxford, Wood Norton near Evesham, and Aston-on-Trent near Derby. They will be extremely pleased to bring Richmond BUPA to this unique site in Cheltenham, helping people to live longer, happier and healthier lives. The work of CBC officers and the Richmond BUPA team has produced a development everyone can be proud of, and one most worthy of Members' support.

Member debate:

SW: until a few days ago, thought he would have to declare and personal and prejudicial interest – was expecting to see an enormous building from his back bedroom – but was pleased on planning view to see how well the trees will screen the building from view. However, has serious concerns about the traffic situation at Hatherley Lane and the Arle Court roundabout. Understands that the Asda development provided money for traffic calming measures, but no solutions seem to have come forward. Where will the traffic from this proposed development go? What amount of coming and going is there likely to be? Also, regarding flood alleviation, there is a significant existing problem, and with all the development in this area – Asda, B&Q, BMW – this is likely to get worse, despite the advice of the so-called experts. If more land is covered with concrete, some sort of flood alleviation measures must be needed.

BF: agrees with the speaker's comments regarding the woodland, which has been neglected for a number of years, and allowed to let go – as a result, many of the trees are sick or dying. The setting is excellent for this type of development, and although the architect has produced something which looks a bit like a Soviet Block spa, this won't be seen from any distance, due to the lay-out and the trees. This is a much-needed development for this type of care, and the site should be developed. Has no problem with it.

MC: is not going to agree with BF's comments. To begin with the map included with the agenda documents is about 20 years old, and does not show the roundabout – this is misleading. Is the existing access going to be used to service the development? SW has referred to flooding issues; parts of the site are in Zone 1 and Zone 2 and issues with flooding are well known to locals. There are also issues with foul water and the local sewers, about which local people are concerned. Is troubled to read the Trees Officer's report; there are TPOs on site, and the report is critical about how the

woodland has been managed, resulting in declining and dying trees. The site has been in different ownership for over a year, who could be seen to be allowing the TPO'd trees to die in order to make it easier to get planning permission. The matter of over- and underground utilities should be addressed and Members cannot agree to granting planning permission without knowing how sewage will be managed. Agrees with the comments of the Civic Society, which considers the mass of the proposed block to be intimidating, and is concerned about the loss of trees. Notes not comment from Highways England, which is also concerning. Understands that every application must be considered on its own merits, but we must also be realistic about the impact on the local area. There is nowhere else in Cheltenham undergoing this level of development – B&Q, Asda, Travelodge, KFC, BMW, 350 houses, shops, proposed offices behind the Nuffield – all feeding onto the existing road network. S106 money was provided for Asda, but there have been no highway improvements to date. Is the TRICS assessment robust? Would say that TRICS is out of date and not fit for purpose. Adding to road infrastructure which can't cope as it is will make matters even worse. If the area is to be burdened with another development, the S106 money should be spent to improve the highways before planning permission is granted. BF talked earlier about little boxes, but this is a dirty big box! Has seen nothing to recommend supporting this scheme so far.

PB: this is a good scheme, though would ask if there are any sanctions against landowners who allow their TPO'd trees to get into such a state of neglect. If not, suggests CBC needs to look at how to enforce proper management of woodlands. Will the proposed development have any impact on the housing number allocations in the JCS and Local Plan in view of the fact it will provide homes for 100 people? Is hugely disappointed with Gloucestershire Highways, for having missed the opportunity to seek S106 money to improve the crossing. Highways officer consider it inappropriate, but rejects their reasoning – there will be 200-250 people living here, the site is suitable and close to Asda. There could be large numbers of people, struggling with mobility scooters etc – this is a strong enough reason to upgrade the crossing, in addition to the significant number of traffic movements. Feels Gloucestershire Highways has let us down here, and CBC should be stronger as a council, demanding S106 contribution. This is a much-needed scheme, the company has a proven track record and will do a good job, but it could be better. It is possible that the developer may even put some money towards a crossing.

BF: Shares PB's concerns, but there is sufficient money to put the crossing in tomorrow, using other funding sources, not S106 money.

PT: this development is proposed on TPO'd woodland, which is supposedly protected. The person who left it in his will wanted it to remain woodland. It has been deliberately neglected, allowed to go to rack and ruin, but there are still some nice trees there which could survive the construction. Feels this application is going to be approved, although it should be refused; if we are going to have TPO'd woodland, it should be protected – let's protect it! Doesn't care how good the applicants are, how wonderful at conserving – this is not the point. Sir George Dowty left the woodland as an asset to the town, and it has been allowed to deteriorate. Used to drive to the Lodge twice a day, and knows how the woodland has been neglected and gradually eroded, how many big, handsome trees have been chopped down. If the woodland was an old property, it would receive automatic protection; do we know how old the woodland actually is? This is a shameful case of sheer neglect, purely and simply to raise money from the land – a lot of money for a lot of share-holders.

EP, in response:

- regarding the traffic access issue, the highways officer has provided comprehensive comments on the proposal, including the anticipated traffic generation. The development is not an office, and people will be coming and going at various times, not just at rush hour but dispersed throughout the day. The impact on local roads will be distributed 24/7, leading highways officers to conclude that the maximum increase in traffic in the locality will be 1.4%. This is the professional

assessment of highways officers – that the scheme will not have a severe impact on the local highway;

- regarding access and MC's comments, apologies for the out-of-date map – this was not submitted by the applicant but is generated by CBC's system. The submitted drawings show the specific access;
- regarding S106 moneys and comments on this from highways officers, S106 is used offset identified impact of the development, yet highways officers consider that the impact will be relatively minor. They consider the proposal will result in improvements to pedestrian access including a walkway through site to bus stops on A40. For this reason, they are not asking for any contribution for this development;
- regarding flood alleviation, a detailed flood risk assessment and sustainable drainage strategy has been provided, and the LLFA comments in the report indicated that officers are satisfied that the site is capable of attenuating any increased flood risk. There are ongoing discussions to pin down the location for two balancing pools, in areas least sensitive to trees;
- regarding foul sewerage, Severn Trent has provided a comment on the application, and this issue is not dealt with through planning – it is for the developer to deal with it at the detailed design stage. Consent will be needed to connect with the network;
- to PB's question about how this development may contribute to JCS housing numbers, policy officers have confirmed that it will do so, but having scrutinised the plans, conclude that the contribution will not be significant – less than 10 units. It is, however, meeting a need for a certain kind of accommodation.

CC, in response:

- regarding Members' concerns about the owners of the woodland deliberately allowing the trees to decline and die, if a tree is in decline, there is little can be done to stop it – they are living organisms, coming and going, having their day. Unless they are deliberately felled without planning permission, the council cannot enforce the planting of new trees when old ones die. There is no woodland management plan at the moment, and so very little that can be done – nature will take its course;
- to the question re who is responsible for the care of TPO'd trees – the owner is;
- would be very pleased if the landowner wanted to restock the woodland without the addition of the care home, but we are where we are – the application is to build a care home with the planting of lots of new trees – this proposal is the best we can hope for;
- the woodland is almost derelict, and the owner cannot be stopped from felling dead trees. It has not been managed well: the shrub layer is dominated by laurel which is full of arsenic and inhibits growth, prevents anything of quality from coming through;
- has visited the site many times in the last 18 months to agree the best solution regarding the footprint of the proposal. The proposal has to be a certain size to be viable, and the footprint proposed is the minimum it can be to achieve this;
- there are 90 trees to fell, including 54 which are already dead. Nine trees of quality will be removed, which is unfortunate but are required to ensure the optimum footprint;
- 300 trees will be planted – they will, of course, be small to begin with but will grow. The smallest trees to be planted will be along the side of the A40 and provide year-round screening. There is no public access to the woodland at the moment;
- Bigger, more exotic trees will be planted further into the site. In general, the majority of the trees will be evergreen, in leaf throughout the year, and providing good screening;
- We cannot force the owner to actively manage the woodland, but if planning permission is granted, we will be able to enforce it, and if any further trees die, new ones will be planted;
- There is a Condition requiring an arborist to be present on site, ensuring that heavy plant won't damage the retained trees and dealing with matters on a day to day basis;
- Is confident overall that if the proposal receives planning permission and is built, it will be of benefit in the long term.

CH: this is an exciting and innovative scheme, even though there are some issues and some disappointments, such as the housing numbers, and Gloucestershire Highways' failure to do work, and sit on money. The scheme itself is fine, however. To MC, it is a fact that the developer can't connect to the sewage system until Severn Trent is happy that it won't impact on them. It is up to the developer to get the money to fund any works – this could be just a big septic tank. Notes that the buildings are rather dark in colour, but this means they won't see between gaps in trees and will have a more subtle presence. Wonders if green roofs were considered, and whether photovoltaic panels would be good in a woodland scene? As other Members have said, the woodland has been left neglected, and there is no money to spend on its upkeep. The applicant has pointed out that the style of buildings have to have nature around them, and this is an inbuilt reason to keep the woodland as good as possible. Also, if this proposal is not built in Cheltenham, it will go elsewhere; the scheme provides valuable care for people who need it – not a posh home, but much-needed nursing and dementia care. It is a good proposal; it will not be seen from outside, will enhance the appearance of the woodland, and provide accommodation for people who need it. There are disappointments, but there are more than enough reasons to permit.

PT: would like to move to refuse. The woodland has not been looked after, and Sir George Dowty would be turning in his grave at these plans. Knows she will be voted down, but will at least have made an effort.

CN: this has been an interesting debate, and is feeling genuinely conflicted. Recognises the need for care homes; through the JCS, and Planning and Liaison Member Working Group, is aware of a lot of studies which have identified the need for more care homes in Cheltenham, even though this is slightly surprising. This proposal will bring jobs to the town, which is also good, and likes the idea of the woodland being reworked, conserved and improved. But has concerns about traffic, and shares other Members' unease about Gloucestershire Highways' comments, especially in view of the BMW site. The building has been described as an 'intimidating block'. PT is concerned about the deliberate neglect of the woodland, and the ignored TPOs – struggles with this, and feels we need to do something about it as we are developing the Cheltenham Plan. For example, once TPOs have been established, there should be ways of encouraging the owners to look after the trees we want to protect. There are many examples of 'deliberate neglect' of trees in Leckhampton, the running down of areas of landscape valued by local people, in order to use this to influence the planning process – a new development is then presented as the only way to introduce improvement to an area. There must be better ways to manage woodland such as this. Remains genuinely conflicted.

SW: is comfortable re drainage – the north-east corner of the site – Severn Trent has a large control system, and will install balancing pools on site which will be covered with trees to help absorb the water. But the issue of traffic remains a concern. 1.4% may not sound a very large increase in traffic, but for a large proportion of the day – around 3pm, and 6.30pm - the roads are gridlocked around the B&Q roundabout and Arle Court roundabout. It isn't possible to access the roundabouts from some roads. 1-1.5% extra traffic represents a lot of cars; the roads are already gridlocked and will get worse.

GB: Members are covering the same ground again. We need to move towards a conclusion and keep to the issues.

BF: to PT, would advise that most of the trees are Victorian, including a few specimen trees. The woodland was established by George Dowty, and the grounds sold to outside investors long after his death, when the Dowty Group fractured.

AL: would ask for clarity of the visibility of the block from the road. If this is lost through road alterations and tree removal, it will change the impression for visitors as one of the principle gateways to the town. Also, a couple a years ago, there was a study of the number of retirement homes in

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Cheltenham; these were classed in four categories. Which category is this proposal, and is it one of those which is short on capacity?

MC: asked a number of questions which have not yet been answered; has not yet heard anything about the overground/underground utilities, and is very disappointed that the proposal will only represent 10 dwellings off the JCS housing numbers. As SW has said, 1.4% additional traffic in a system not able to cope as it represents a serious problem, which will be made worse by BMW, the offices behind the Nuffield, and any future development – this needs to be taken into consideration. The S106 money for highway improvement needs to be spent, and be incorporated in any future development. The system will break down unless we act now and spend money on what it was intended to be spent on. On Page 66 of the report, the officer states that there are no plans for overground or underground utilities – why not? Where will utilities come from? This needs to be incorporated into the scheme before Members decide to give planning permission or not.

EP, in response:

- The comments at Page 66 are from the Trees Officer, who confirms that underground services cannot be provided without jeopardising the trees. These are, in fact, superseded comments;
- Regarding visibility from the A40, 300 new trees are being planted, and the overview suggests that although there may be glimpses of the buildings between the trees, the way it is configured on site – L-shaped, with additional planting – means that it will be barely noticeable to anyone driving past;
- Regarding the need for this type of care, the conclusion is that there is a surplus of accommodation not providing care, but there is a need for care homes providing care packages.

Vote on officer recommendation to permit

10 in support

2 in objection

1 abstention

PERMIT

Application Number:	17/00087/FUL
Location:	Atherstone, 17 Church Road, St Marks
Proposal:	Proposed rear and side extension to provide 3 dwelling units (re-submission 16/00375/FUL)
View:	Yes
Officer Recommendation:	Permit
Committee Decision:	Permit
Letters of Rep:	5
Update Report:	None

EP introduced the application as above, to develop the rear corner of the property with a flat roofed extension to provide three two-bedroomed flats and car parking. It is a re-submission of a previously refused scheme, with a revised footprint and more contemporary design approach which officers consider acceptable. The impact on neighbouring properties will be reduced, and the recommendation therefore is to permit. It is at Committee at the request of Councillor Coleman, in view of the high level of public interest, and significant change proposed to a prominent building.

Public Speaking:

None.

Member debate:

None.

Vote on officer recommendation to permit

14 in support – unanimous

PERMIT

Application Number:	17/00114/FUL
Location:	3 Church Street, Charlton Kings, Cheltenham
Proposal:	Two-storey rear extension to form kitchen/dining and living space
View:	Yes
Officer Recommendation:	Permit
Committee Decision:	Permit
Letters of Rep:	1
Update Report:	Yes

BH introduced the application as above, at Committee at the request of Councillor Paul McCloskey, in view of the special features of the plot. Officers have concerns about the impact of the proposed extension on the existing building and on the conservation area; revisions have been suggested, but the applicant wants the proposal to be considered as it is. The recommendation is therefore to refuse.

Public Speaking:

Ms Lucinda Mongor, neighbour, in objection

Lives at Waterloo Cottage, one of three linked cottages built around 1815. The application next door is for a 1.5-storey contemporary extension to replace the single storey conservatory. This will impact on the conservation area – St Mary's Charlton Kings was designated in 2009, and the adopted legislation specifically mentions Church Street for its historic buildings and architectural importance. The local authority has a statutory duty to ensure that the future enhancement and preservation of the area is taken into consideration when applications are assessed. If permitted, this application will encourage other contemporary extensions, which will gradually erode the area, making the designation meaningless. The owners of the three cottages were aware of these compliances when they bought their homes, and these should be upheld now. A 1.5-storey extension is inappropriate in size and style, with conflicting roof form and dominance, detracting from the appearance of the historical cottages when it should in fact be blending in with the local character and not of a contemporary design which stands out as too modern – it should complement the existing cottage in material and design. Strongly disagrees with the architect's comment that the extension is insignificant compared to existing buildings, that it improves the general views, and that it will not be visible from the conservation area. If built, its size and differing materials certainly will impact on its surroundings, and will not comply with the conservation mandate to 'enhance and preserve'. It will be clearly visible from Church Street and her own side garden. Has no objection to the replacement of the existing conservatory as a single storey on the original footings. Built of similar materials, it would enhance and preserve the existing buildings, within the guidelines of the conservation area and in line with character appraisals for the area.

Mr Michael Lumley, architect, in support

Has made hundreds of planning and listed building applications over the last 40 years, and this is only the second time has felt the need to address committee, having usually been able to agree design alterations with officers. Feels the planning office has made an extreme and very subjective assessment of this proposal, and is being inappropriately protective of the conservation area – which goes against the planning principal that development should be permitted as long as it causes no substantial harm to the significance of the conservation area and buildings on the site. The site is a barely visible secluded garden. The proposed extension replaces a poor quality existing extension and masks another, using a contemporary design incorporating features of the original cottage, in particular the materials and pitch of the roof. This has been a challenge as the cottage has a large,

wide garden, but most of the rear elevation is occupied by an inappropriate flat-roofed, two-storey extension. Officers have no issues with the plan form, siting, loss of neighbour's amenity, or contemporary design, generally support the use of materials, and agree the removal of the present extension will be an enhancement. They suggest that a high-ceilinged, single-storey, flat-roofed design will suit the applicant's needs, but this is not the case. The report lists a damning array of adjectives to describe the proposal, which basically come down to concern about the height and form of the roof part of the extension, stating the scale and height would dominate the row, detract from the original form, and not be subservient. This is patently inaccurate, as the drawings and elevations show. The pitched roof is hardly higher than the 1980s flat roof extension, and considerably lower than the main room of the row of cottages. The pitched element is barely one fifth of the rear elevation, and the majority of the rear elevation will continue to be dominated by the 1980s flat roofed, two-storey extension.

Councillor Paul McCloskey, ward councillor, in support

The applicants have lives in Charlton Kings since 1994, and in Church Street for 10 years. Their son attends the local infant school, and will be able to walk to the junior school and hopefully Balcarras in due course – proximity to local schools is important. They are not property developers, but undertaking this work because they have to. The wooden structure in the garden is in urgent need of replacement – it is used as a dining room, playroom, social and entertaining room. The current lay-out does not work, making it awkward to keep an eye on people and serve food. From the kitchen, it is necessary to travel through the living room, through the hallway, up three steps and down three steps to reach the garden room. The applicants would like to remove the garden room and add a large room across the back of the house, incorporating a kitchen and dining room, to make it easier to keep an eye on the children and enable easy transit from the kitchen to the dining room. It is not about sightlines and subservience; it is about family life. The applicants have family scattered across the country, and need space for when they come to stay. This proposal includes a much-needed mezzanine sleeping area, which would be less imposing on neighbouring properties than a two-storey extension, and solve the predicament of not having enough sleeping accommodation when friends and family come to stay. They want their extension to be sensitive to what is already there and not affect neighbours any more than can be helped. The main part of the house dates back to the early 19th century, and they would like to keep the old part old and the new part new.

The NPPF states at paragraph 60 that planning decisions should not attempt to impose architectural styles of tastes, and should not stifle innovation and originality, through unsubstantiated requirements to conform to certain styles; it is proper, however, to seek promote or reinforce local distinctiveness. Charlton Kings is not Regency Cheltenham, and its local distinctiveness is the hotchpotch nature of the way the village has evolved – this application is consistent with that. At paragraph 197, the NPPF reminds local planning authorities that the presumption should always be in favour of sustainable development. This application seeks to transform two 19th century cottages, subsequently combined into one and badly renovated in the 1970s, into a sustainable family home. The 3D images provide a helpful view of what is intended.

Finally, Church Street is a one way street – no-one driving by will see anything of the extension. It will not be visible from the church or graveyard.

Member debate:

PB: concerning the party wall act, how is the owner of the cottage going to maintain the wall with the extension right up against it?

BH, in response:

- This is not a planning issue; it is a legal matter between the owners.

BF: likes the proposal; will support it. All that Councillor McCloskey and the agent have said is true. The agent refers to the officer report; notes that the officer states that the proposal won't bring any public benefit – but no-one will be able to see it, it is invisible from the road. It is below the height of the cottage at the front, and there is no high ground around to see it from. Has looked at the 3D drawings – likes the design, which is a barn-type of building, and superior to what is there. The rest of the extension is below the level of the 1980s add-on. The choice of materials is good, and personally prefers the pitch roof to the flat roof. Will support.

PB: is reluctant to extend the debate. Agrees with BF. Doesn't get what officers mean about the incongruous roof, which mirrors the adjacent house – this conclusion is wrong. The objection from the neighbour is not a planning issue. Regarding impact on the conservation area, there is no visible impact; the only real difference will be to the people living in the house. Demolishing the existing extension and rebuilding the proposed will result in a big improvement in their quality of life.

AL: likes the look of this, and the design. Notes the extension is close behind the house next door which could cause maintenance issues, but recognises that this is not a planning issue.

SW: this could cause major problems for No. 5 – if the guttering is overflowing, for example, what would the neighbour do? Realises this is not a planning issue, but maintenance of the neighbour's property will be impossible. How can this be overcome?

MJC, in response:

- Would just say, in light of earlier debates this evening, that officers consider there is a better way of doing this extension which will mean the applicants get the space they require and the officers are happy with the impact on the conservation area. An extension could be added with a better relationship to the existing cottage – for example, by spinning the gable to present to the garden. Would like to have had this discussion, but the applicant and agent were not open to negotiation. Members can hear what he is saying or not hear, but genuinely feels that a better approach could be found.

BF: would just say that neighbours can enter their neighbour's property by arrangement to carry out repairs etc when necessary.

Vote on officer recommendation to refuse

6 in support (including the Chairman's casting vote)

5 in objection

2 abstentions

REFUSE

Application Number:	17/00135/FUL		
Location:	Priors Farm, Imjin Road, Cheltenham		
Proposal:	Two flood storage areas, creating new ditches and installation of new culverts		
View:	Yes		
Officer Recommendation:	Permit		
Committee Decision:	Permit		
Letters of Rep:	2	Update Report:	Yes

CS introduced the application as above, to address the surface water issues in Whaddon, Lynworth and Prestbury, as part of a wider flood alleviation project. The site is divided in two, the north being in Tewkesbury Borough Council jurisdiction, and the south being Priors Farm. The proposed flood

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storage areas will improve flood relief protection to 230 properties. It is at Planning Committee because the applicant is Gloucestershire County Council, and the land is owned by Cheltenham Borough Council. Members will have noticed there is a representation from CBH, concerned because Priors Farm has been identified as a future development site, and the siting of the storage areas may impact on this. These concerns are considered to carry only minimal weight, and the application must be determined tonight. The recommendation is to approve, subject to conditions. The proposal was screened against EI regulations before submission, and did not require any further action.

Member Debate

There was none.

Vote on officer recommendation to permit

13 in support – unanimous

PERMIT

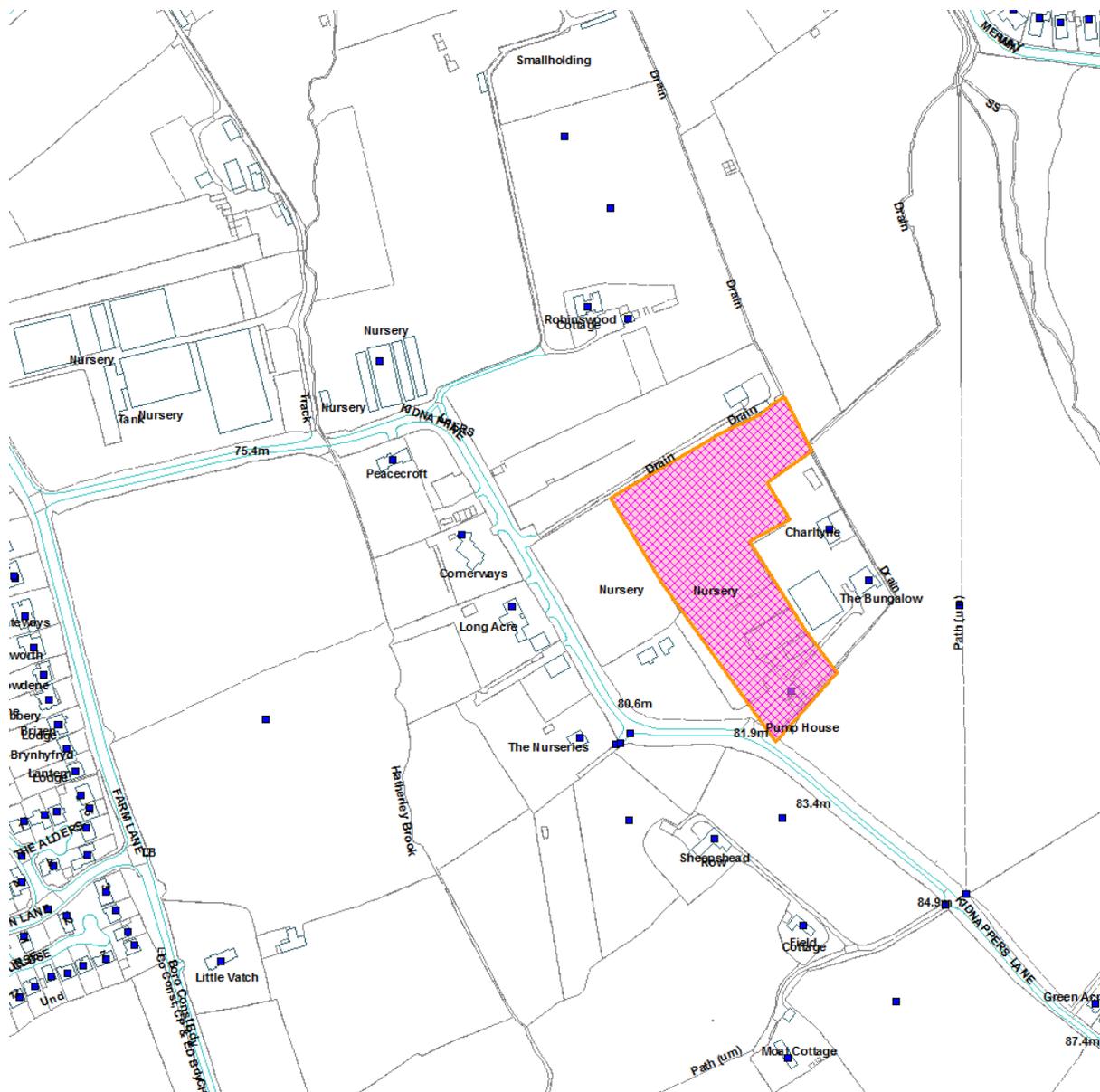
Thanks

As this is Chloe Smart's last Planning Committee before leaving CBC, GB thanked her for all the work she's done, and the lovely way she has presented her applications, always pleasant and with a smile. She has been a credit to CBC and the planning department, and Members wish her well in her future endeavours.

The meeting ended at 8.30pm.

APPLICATION NO: 16/00202/OUT		OFFICER: Mr Craig Hemphill	
DATE REGISTERED: 6th February 2016		DATE OF EXPIRY: 7th May 2016	
WARD: Leckhampton		PARISH: Leckhampton With Warden Hill	
APPLICANT:	Roberts Hitchins Ltd		
AGENT:	n/a		
LOCATION:	Land Off Kidnappers Lane, Cheltenham		
PROPOSAL:	Residential development of up to 45 dwellings, associated infrastructure, open space and landscaping, with creation of new vehicular access from Kidnappers Lane, demolition of existing buildings		

RECOMMENDATION: Refuse



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is situated adjacent to the Cheltenham Urban Area located to the northern side of Kidnappers Lane in the Leckhampton area of the town. The site is located approximately 1.6km from the Up Hatherley District Centre, 2km from the Bath Road District Centre and 3.5km from the town centre.
- 1.2 The application site is a relatively flat area of land measuring 1.3 hectares. The site comprises a semi-rectangular area of a former plant nursery bounded by established hedgerows on its western and southern boundaries with an open field boundary to the north abutting agricultural land beyond. The eastern boundary is formed by an adjacent plant nursery complex which contains a number of horticultural structures of varying construction. Access to the site is directly from Kidnappers Lane to the south which in turn provides access to the A46 Shurdington Road to the north of the site and Church Road to the south.
- 1.3 Further to the south of the site beyond Church Road lies the escarpment of the Cotswold Area of Outstanding Natural Beauty, with the Green Belt land to the west beyond the Lanes and Brizen Lane residential areas. The site is located outside these constraints and is defined as unallocated in the Cheltenham Borough Local Plan (2006).
- 1.4 The current application seeks outline planning permission with all matters being reserved for a residential development of up to 45 dwellings. The illustrative plans submitted show associated infrastructure, open space and landscaping, with creation of new vehicular access from Kidnappers Lane.
- 1.5 Members will recall that an application for up to 650 dwellings on adjacent land was refused as part of an outline application (13/01605/OUT). That application was the subject of an appeal which was called in by the Secretary of State and subsequently dismissed on the 5th May 2016. The current application site formed part of the refused planning application but was withdrawn and not considered as part of the appeal proceedings.
- 1.6 The current application was submitted in February 2016 prior to the planning appeal decision on the 650 dwellings being issued. The applicant has sought extension of time to the application to consider the outcome of the appeal decision and the subsequent legal proceedings. The applicant has now requested that the application is determined as submitted in February 2016. On receipt of this request a further round of consultation has taken place.
- 1.7 This application is submitted in outline with all matters reserved; as such the determination is limited to matters of principle. In support of the application the applicant has submitted:
 - Application forms, site location plan, Illustrative Master Plan and site access plans
 - Planning Statement including draft heads and terms for a S106 agreement
 - Design and access statement
 - Statement of Community Involvement
 - Historic Assessment
 - Baseline Landscape and Visual Appraisal
 - Arboriculture Survey
 - Ecological Assessment

- Transport Statement
- Flood Risk Assessment and Drainage Strategy
- Utilities Statement
- Waste Minimisation Statement
- Topographic Survey

- 1.8** All of the information submitted has been available to view on the Councils web page via public access and at the Planning reception area.
- 1.9** It is worth noting that a significant proportion of the supporting information submitted is out of date being drafted over a year ago before the outcome of the 650 appeal decision and the removal of South Cheltenham as a strategic allocation in the JCS (SD1 allocation A6).
- 1.10** Members will observe during planning view that there are a number of unauthorised activities at the site including the storage of touring caravans and motor homes, along with fly-tipping/waste/debris. These are currently being investigated by the Enforcement team with notices having been served requiring these issues to be cleared within two months, starting on 1st May 2017.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Flood Zone 2
Tree Preservation Order

Relevant Planning History:

06/01119/FUL **12th October 2006** **PER**

Relocation of existing polytunnels

07/01651/COU **28th February 2008** **PER**

Provide a small cafeteria serving snacks and coffee and a small shop selling gifts and garden accessories

13/01605/OUT **31st July 2014** **REF and Appeal Dismissed**

Residential development of up to 650 dwellings; mixed use local centre of up to 1.94ha comprising a local convenience retail unit Class A1 Use (400sqm), additional retail unit Class A1 Use for a potential pharmacy (100sqm), Class D1 Use GP surgery (1,200sqm,) and up to 4,500sqm of additional floorspace to comprise one or more of the following uses, namely Class A Uses, Class B1 offices, Class C2 care home, and Class D1 Uses including a potential dentist practice, childrens nursery and/or cottage hospital; a primary school of up to 1.72ha; strategic open space including allotments; access roads, cycleways, footpaths, open space/landscaping and associated works; details of the principal means of access; with all other matters to be reserved.

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development
CP 3 Sustainable environment
CP 4 Safe and sustainable living

CP 5 Sustainable transport
CP 7 Design
CP 8 Provision of necessary infrastructure and facilities
PR 1 Land allocated for housing development
PR 2 Land allocated for mixed use development
CO 1 Landscape character
CO 2 Development within or affecting the AONB
CO 14 Development abutting the countryside
HS 1 Housing development
HS 2 Housing Density
HS 4 Affordable Housing
GE 6 Trees and development
NE 1 Habitats of legally protected species
RC 2 Youth and adult outdoor playing facilities
RC 3 Outdoor playing facilities in educational use
RC 5 Development of amenity space
RC 6 Play space in residential development
RC 7 Amenity space in housing developments
TP 1 Development and highway safety
TP 2 Highway Standards
TP 6 Parking provision in development

Supplementary Planning Guidance/Documents

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

National Guidance

National Planning Policy Framework NPPF
National Planning Practice Guidance nPPG

Other

Joint Core Strategy - Proposed Main Modifications

4. CONSULTATIONS

Highways Agency

19th February 2016

Referring to the planning application 16/00202/OUT the Highways Agency offer no objection.

Gloucestershire Highways Planning Liaison Officer

5th January 2017

We are happy with the proposed access location and detail and agree that the 24 vehicle movements in the morning peak period and 27 movements in the afternoon peak period

generated by and attracted to the proposed development will not have a severe impact on the transport network.

The main issues are:-

1. Whether the opportunities for sustainable transport modes have been taken up as required by bullet point 1 of paragraph 32 of the National Planning Policy Framework; and
2. Whether the residual cumulative impacts of the proposed development and any other committed development (as defined in the Planning Practice Guidance - Travel Plans, Transport Assessments and Statements, being 'development that is consented or allocated where there is a reasonable degree of certainty will proceed within the next 3 years') would be severe and is so whether that impact can be cost effectively mitigated bullet point 3 of paragraph 32 of the National Planning Policy Framework.

Opportunities for sustainable transport modes

The Developer has agreed to provide a new footway between the proposed site access and Vineries Close and the LHA is content that this is sufficient to make walking a viable modal choice. This can be secured by a suitably worded planning condition

The Developer has agreed to provide a financial contribution of £35,280 towards enhanced public transport services and the LHA is content that this is sufficient to make public transport a viable modal choice. This can be secured under sc106.

Residual Cumulative Impact

Since April, the committed development that should be taken into account has significantly changed (the emerging strategic sites in the deposit JCS are not considered committed for these purposes). I think there is a reasonable degree of certainty that the consented Farm Lane site (ref 14/00838/FUL) will come forward in the next three years so the traffic from this site should be taken into account when assessing impact. The traffic from the dismissed Leckhampton site appeal should not be taken into account.

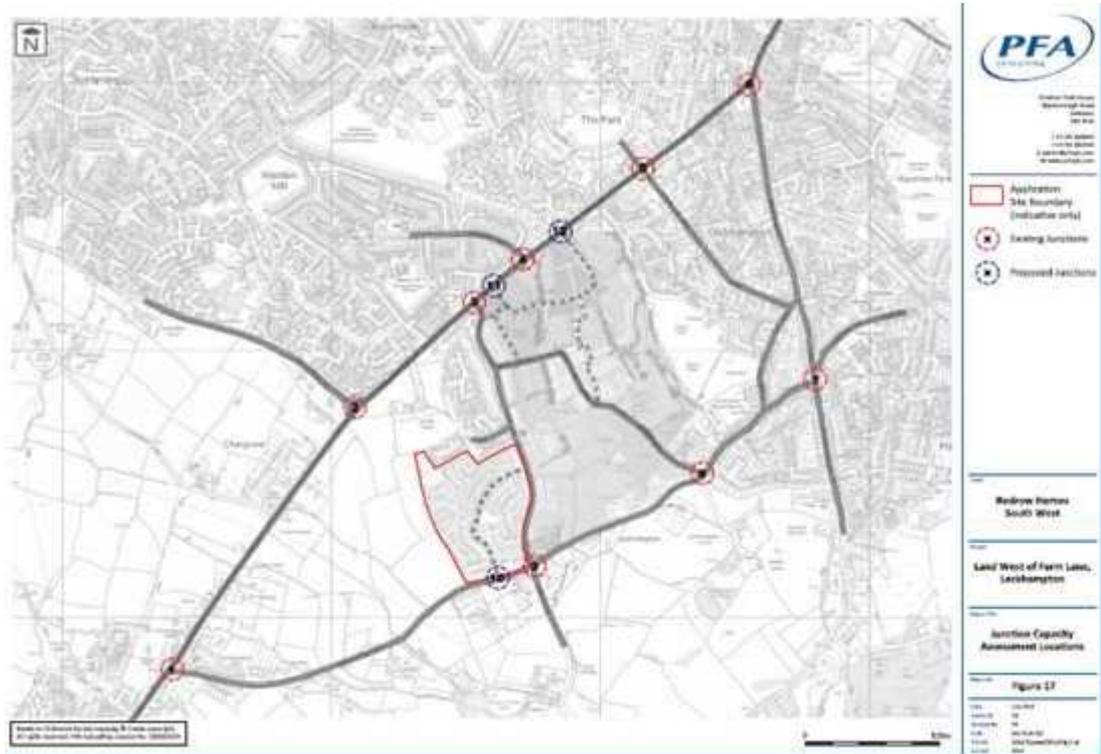
The Developer has relied on assessment work by others to assess the impact of this development but the assumptions scenarios used in respect of development quantum are no longer valid. The Developer has also relied on the mitigation being provided by others which is also no longer valid.

It would appear appropriate to assume that a total of 455 new dwellings will be constructed off Farm Lane during the review period (377 at Farm Lane and 45 at this site). It is also appropriate to assume that the mitigation proposed as part of the Farm Lane site will be provided during the review period.

The Farm Lane development will:-

- Contribute £124,600 towards the South West Cheltenham Transport Strategy;
- Upgrade the existing "Kidnappers Lane" and "Farmfield Road" bus stops on the A46, including the provision of shelters, cycle parking;
- Provide new bus stops on the new Spine Road and Church Road (Condition 19);
- Contribute £32,198 towards Real Time Passenger Information (RTPI);
- Contribute £295,568 towards enhanced public transport services;
- Provide new footways on Leckhampton Lane and Farm Lane (Condition 21);
- Provide improvements on Leckhampton Lane (Condition 17);
- Provide improvements on Church Road (Condition 18);
- Introduce a scheme to prevent parking on Church Road (Condition 20); and

- Provide improvements to the A46 / Moored Park Road junction (Condition 16). 12 junctions were assessed in the Transport Assessment supporting the Farm Lane planning application under 7 scenarios. However, the last three junctions were proposed changes as part of the Leckhampton development proposal so are no longer relevant. The key scenarios for consideration are scenario 4 '2020 forecast year with no development' and scenario 5 '2020 forecast year with Farm Lane development'.



Junction 1 – A46 / Leckhampton Lane

AM Peak

4	2020 Forecast Year (No Development)	B-AC	2.47	24.48	0.72
		C-AB	25.76	80.45	0.99
5	2020 Forecast Year With Farm Lane Proposed Development	B-AC	4.57	39.94	0.84
		C-AB	27.66	86.93	0.99

PM Peak

4	2020 Forecast Year (No Development)	B-AC	4.45	46.61	0.84
		C-AB	38.18	118.42	1.03
5	2020 Forecast Year With Farm Lane Proposed Development	B-AC	5.42	56.11	0.87
		C-AB	73.34	221.31	1.12

Junction 2 – A46 / Up Hatherley Way

AM peak

4	2020 Forecast Year (No Development)	A	1.43	5.37	0.59
		B	1.12	5.17	0.53
		C	0.61	3.48	0.38
5	2020 Forecast Year With Farm Lane Proposed Development	A	1.60	5.77	0.62
		B	1.17	5.41	0.54
		C	0.65	3.57	0.39

PM Peak

4	2020 Forecast Year (No Development)	A	2.01	6.52	0.67
		B	1.16	5.22	0.54
		C	0.57	3.32	0.36
5	2020 Forecast Year With Farm Lane Proposed Development	A	2.15	6.82	0.68
		B	1.19	5.35	0.54
		C	0.65	3.48	0.39

Junction 3 – A46 / Kidnappers Lane

AM peak

4	2020 Forecast Year (No Development)	B-C	0.50	10.52	0.33
		B-A	0.21	25.39	0.17
		C-AB	0.54	11.15	0.35
5	2020 Forecast Year With Farm Lane Proposed Development	B-C	0.89	14.91	0.47
		B-A	0.77	38.73	0.43
		C-AB	0.69	12.39	0.41

PM Peak

4	2020 Forecast Year (No Development)	B-C	0.47	11.40	0.32
		B-A	0.21	30.94	0.18
		C-AB	0.49	11.88	0.33
5	2020 Forecast Year With Farm Lane Proposed Development	B-C	0.86	18.33	0.47
		B-A	1.35	70.42	0.60
		C-AB	0.85	15.15	0.46

Junction 4 – A46 / Woodlands Road

AM Peak

4	2020 Forecast Year (No Development)	B-C	0.92	13.80	0.48
		B-A	0.20	22.68	0.17
		C-AB	0.21	8.43	0.17
5	2020 Forecast Year With Farm Lane Proposed Development	B-C	1.13	17.06	0.54
		B-A	0.54	31.73	0.36
		C-AB	0.21	8.68	0.18

PM Peak

4	2020 Forecast Year (No Development)	B-C	0.26	8.59	0.21
		B-A	0.10	21.62	0.10
		C-AB	0.51	10.41	0.34
5	2020 Forecast Year With Farm Lane Proposed Development	B-C	0.29	9.59	0.23
		B-A	0.35	29.33	0.26
		C-AB	0.53	10.81	0.35

Junction 5 – A46 / Moorend Park Road – with GCC scheme

AM Peak

4	2020 Forecast Year (No Development)	A	68.0	33.3	15.7	32.4
		B	61.4	42.5	10.7	
		C	48.0	28.4	8.8	
		D	56.4	31.3	11.6	
		E	67.9	43.4	7.3	
5	2020 Forecast Year With Farm Lane Proposed Development	A	68.1	33.4	15.8	31.1
		B	61.5	45.0	13.2	
		C	50.7	29.0	9.5	
		D	58.0	31.6	12.1	
		E	68.7	48.3	13.3	

PM Peak

4	2020 Forecast Year (No Development)	A	77.1	37.2	19.4	16.8
		B	47.7	40.4	9.1	
		C	26.1	24.4	4.2	
		D	62.3	34.9	13.2	
		E	77.0	53.1	17.2	
5	2020 Forecast Year With Farm Lane Proposed Development	A	79.6	38.1	20.7	13.0
		B	49.0	39.8	8.0	
		C	28.7	24.2	4.7	
		D	63.0	34.7	13.6	
		E	79.6	53.0	14.7	

Junction 6 – A46 / Leckhampton Road

AM Peak

4	2020 Forecast Year (No Development)	A	0.76	4.18	0.43
		B	1.66	8.95	0.63
		C	1.59	12.44	0.62
		D	0.48	9.15	0.33
5	2020 Forecast Year With Farm Lane Proposed Development	A	0.76	4.18	0.43
		B	1.66	8.96	0.63
		C	1.71	12.99	0.64

PM Peak

4	2020 Forecast Year (No Development)	A	1.01	4.91	0.50
		B	1.07	7.26	0.52
		C	1.57	11.22	0.62
		D	0.76	10.28	0.44
5	2020 Forecast Year With Farm Lane Proposed Development	A	1.11	5.16	0.53
		B	1.11	7.55	0.53
		C	1.71	11.83	0.63

Junction 7 – Leckhampton Road / Charlton Lane and Leckhampton Road / Church Road

AM Peak

4	2020 Forecast Year (No Development)	1 – A	1.81	11.47	0.65
		1 – B	5.52	24.11	0.86
		1 – C	1.90	12.79	0.66
		2 – A	1.49	9.34	0.60
		2 – B	1.97	13.11	0.67
		2 – C	2.32	11.29	0.70
5	2020 Forecast Year With Farm Lane Proposed Development	1 – A	1.82	11.51	0.65
		1 – B	5.84	25.27	0.87
		1 – C	1.93	12.98	0.66
		2 – A	2.77	17.36	0.75
		2 – B	4.16	26.76	0.83

PM Peak

4	2020 Forecast Year (No Development)	1 – A	1.52	10.13	0.61
		1 – B	1.44	8.43	0.59
		1 – C	1.92	12.38	0.66
		2 – A	0.58	5.81	0.37
		2 – B	0.75	6.83	0.43
		2 – C	1.92	9.45	0.66
5	2020 Forecast Year With Farm Lane Proposed Development	1 – A	1.57	10.32	0.61
		1 – B	1.56	8.88	0.61
		1 – C	1.98	12.79	0.67
		2 – A	0.60	5.87	0.38
		2 – B	0.83	7.14	0.46
		2 – C	1.98	9.63	0.67

Junction 8 – Church Road / Kidnappers Lane

AM Peak

4	2020 Forecast Year (No Development)	B-AC	0.49	9.82	0.33
		C-AB	0.60	5.87	0.27
5	2020 Forecast Year With Farm Lane Proposed Development	B-AC	0.50	9.97	0.33
		C-AB	0.61	5.92	0.27

PM Peak

4	2020 Forecast Year (No Development)	B-AC	0.25	7.73	0.20
		C-AB	0.53	5.88	0.26
5	2020 Forecast Year With Farm Lane Proposed Development	B-AC	0.25	7.83	0.20
		C-AB	0.55	5.90	0.26

Junction 9 – Leckhampton Lane / Farm Lane

AM Peak

4	2020 Forecast Year (No Development)	B-ACD	0.03	8.87	0.03
		A-BCD	0.07	5.05	0.05
		D-ABC	0.17	7.73	0.15
		C-ABD	0.00	4.86	0.00
5	2020 Forecast Year With Farm Lane Proposed Development	B-ACD	0.03	8.26	0.03
		A-BCD	0.00	0.00	0.00
		D-ABC	0.00	0.00	0.00

PM Peak

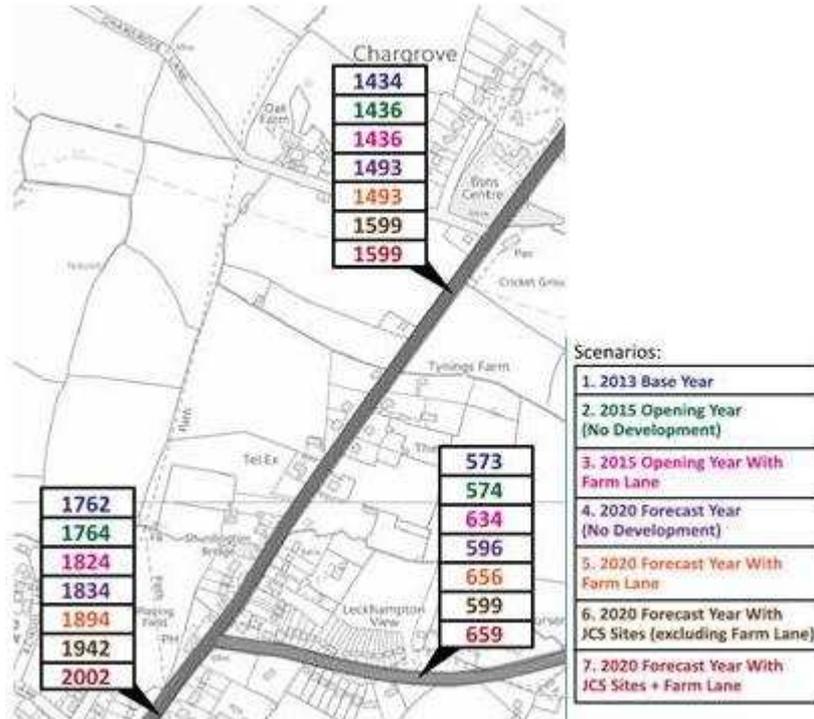
4	2020 Forecast Year (No Development)	B-ACD	0.01	7.80	0.01
		A-BCD	0.10	5.02	0.06
		D-ABC	0.05	6.91	0.05
		C-ABD	0.00	0.00	0.00
5	2020 Forecast Year With Farm Lane Proposed Development	B-ACD	0.01	6.92	0.01
		A-BCD	0.00	0.00	0.00
		D-ABC	0.00	0.00	0.00

The final column on each assessment indicates the level of spare capacity either a RFC (ratio of flow to capacity) or PRC (practical reserve capacity) depending on the model being used. All of the junction assessed apart from Junction 1 (A46 / Leckhampton Lane) and Junction 5 (the existing A46 / Moorend Park Road) retained spare capacity when taking into account the impact of the Farm Lane proposal. When the proposed GCC improvement works to the A46 / Moorend Park Road were assessed, the improved junction was shown to operate with spare capacity after taking into account the Farm Lane impact.

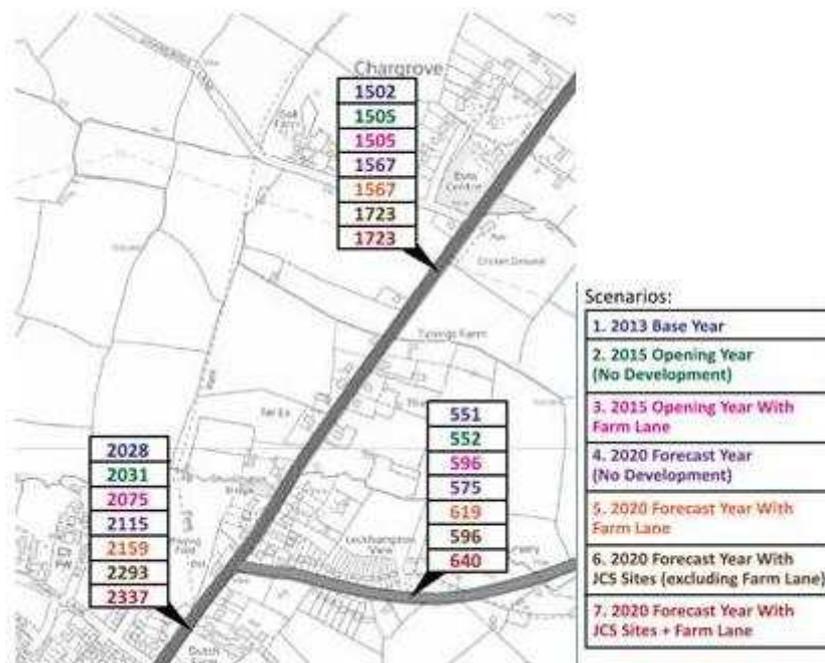
Given the limited amount of additional traffic likely to be generated by this proposed development (an average of 1 additional movement in every 2 minutes during the peak periods) and the levels of spare capacity in 2020, I am satisfied that the existing network, apart from Junction 1 (A46 / Leckhampton Lane), can accommodate the additional traffic generated by the 45 dwellings proposed as part of the application.

I have checked the agreed assignment for Farm Lane which puts an additional 60 movements on Leckhampton Lane in the morning peak period and 44 in the afternoon peak period. Based on a total traffic generation of 318 movements in the morning peak and 315 movements in the afternoon peak period, this would equate to 19% of Farm Lane traffic entering Junction 1 in the morning and 14% in the afternoon. Assuming a similar assignment for this development, would result in 5 additional movements at Junction 1 in the morning and 4 additional movements in the afternoon. I am content that this is not a severe impact (it should be noted that it was accepted that Farm Lane would not have a severe impact at the same junction and the traffic generated by the development was significantly greater).

AM Peak



PM Peak



Recommendation

The National Planning Policy Framework states at paragraph 32 that "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe". The Highway Authority considers that this development will not have a severe impact on the local highway network. The NPPF states that "safe and suitable access to the site can be achieved for all people", and that "opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure." It is considered that the development proposals will meet these criteria. It is recommended that no highway objection be raised to this application, subject to the following conditions being attached to any permission granted:

Conditions

Condition 1

Prior to commencement of development engineering of a new footway between the site access off Farm Lane and the existing footway on Farm Lane near to the junction of Vineries Close shall be submitted to and approved in writing by the Local Planning Authority and the approved footway shall be provided prior to first occupation and maintained as such thereafter unless and until adopted as highway maintainable at public expense.

Reason: To reduce potential highway impact, in accordance with paragraph 32 and 35 of The Framework.

Condition 2

Prior to the access roads serving the site being brought into use, the first 20m of the proposed access roads which provide access to the site from Farm Lane including the junction with the existing public road and associated visibility splays, has been completed to at least binder course level and the works shall be maintained as such thereafter unless and until adopted as highway maintainable at public expense.

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

Condition 3

Prior to first occupation a scheme shall be submitted to, and agreed in writing by the Council, for the provision of fire hydrants (served by mains water supply) and no dwelling shall be occupied until the hydrant serving that property has been provided to the satisfaction of the Council.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

Condition 4

Prior to first occupation of any dwelling details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as either a dedication agreement has been entered into or a private management and maintenance company has been established.

Reason: To ensure that safe, suitable and secure access is achieved and maintained for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with paragraph 32 and 35 of The Framework, and to establish and maintain a strong sense of place to create attractive and comfortable places to live, work and visit as required by paragraph 58 of the Framework.

Condition 5

Prior to occupation of the proposed dwellings the vehicular parking and turning facilities which relate to that dwelling shall be provided 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.

Condition 6

No dwelling shall be occupied until the carriageway(s) (including surface water drainage/disposal, vehicular turning head(s) and street lighting) providing access from the

nearest public highway to that dwelling have been completed to at least binder course level and the footway(s) to surface course level.

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

Condition 7

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 in accordance with paragraph 32 and 35 of the National Planning Policy Framework.

Obligations

Planning permission cannot be granted until a sc106 agreement for the following planning obligations has been completed:

- £35,280 towards enhanced public transport services; and
- £14,900 towards the South West Cheltenham Transport Strategy.

Joint Waste Team

19th February 2016

The road surfaces particularly the ones in a shaded colour on the illustrative masterplan need to be adequate to accommodate a 26 tonne refuse vehicle which usually precludes block paving.

In addition, pavements have to be wide enough to accommodate the waste and recycling receptacles when presented on collection day and not pose any obstructions to pedestrians.

Plus it should be recognised that with that many properties there is likely to be a great deal of roadside parking and so the roads themselves have to be wide enough to allow waste and recycling collection vehicles to gain access past parked cars and heads of cul-de-sacks should be designed in such a way so that they can be used even when cars are in situ.

Finally, with this many properties being built, there will be a phased approach and so the developer has to take account of the need for waste and recycling collections from

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residents having moved onto the site to take place whilst building is still underway. With this in mind, the road surfaces will need to be ready to accept large waste and recycling vehicles using them during this time.

28th November 2016 - I wish to add that during the building phase Ubico may require all residents to present their waste at the entrance to the development. This will change to kerbside as soon as reliable access is available for our collection vehicles.

22nd November 2016 - The road surfaces within the development particularly need to be adequate to accommodate a 26 tonne refuse vehicle which usually precludes block paving.

In addition, pavements have to be wide enough to accommodate the waste and recycling receptacles when presented on collection day and not pose any obstructions to pedestrians.

It should be recognised that with that many properties there is likely to be some roadside parking and so the roads themselves have to be wide enough to allow waste and recycling collection vehicles to gain access past parked cars and heads of cul-de-sacks should be designed in such a way so that they can be used even when cars are in situ. I can see a main cul-de-sack at the end of the development where the presence of parked cars could cause issues for the collections teams.

Finally, with this many properties being built, there will be a phased approach and so the developer has to take account of the need for waste and recycling collections from residents having moved onto the site to take place whilst building is still underway. With this in mind, the road surfaces will need to be ready to accept large waste and recycling vehicles using them during this time and have a clear and safe route for the collection teams to gain access when required.

Tree Officer

2nd March 2016

The Tree Section does not object in principle to this application but there are a number of changes and modifications to the proposal which should be made prior to any permission being granted.

Oak Tree (T2) of Tree King Dec 2015 survey appears to be outside the site but its root protection area extends to within the site where there is a proposed SUD's pond. This area of site was very wet on the day Trees Officers visited and there appeared to be wetland related grasses/sedges indicating that this area is naturally waterlogged or has a very high water table. It is marked as 'marsh' on the BS5837 (2012) drawing. There is a ditch between the tree trunk and the proposed SUD's pond. To the north (away from the site) there is an area grass land and as such it is not anticipated that there will be a significant proportion of roots within the proposed SUDs footprint. However given the status of this tree with its many veteran features and reduced vitality, it is recommended that the footprint is modified so that there area within the RPA of this tree is reduced or amended as appropriate. It is recommended that a specialist survey is undertaken to confirm the presence (or not) of bats within this tree.

Few other trees within this site appear to be worthy of retention. However, despite its girdling root, it is recommended to retain T8 'Bhutan pine within the open space. This is a relatively young tree whose genus are generally wind firm and as such, given its exotic species, overall high amenity and useful life potential is considered to be worthy of retention. On the other hand, it appears that other poplar and the other maple species adjacent (T's 9,10,11) have little long term retention value due to their condition (canker, weak forks etc). Other new appropriate trees should be planted on this open space and details should be submitted as a part of any full application.

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T1 recorded on the BS survey as an ash (but is a maple species). This tree is a young, and a tree of good form. However it is growing from a small area of raised ground. Nevertheless, it is recommended that the design of garages, dwellings and rear gardens is amended so as to be able to retain this tree into the future.

All trees to be retained must be protected during site preparation and construction. As such an appropriate BS5837 (2012) tree protection plan must be submitted as a part of any full application.

The hedge line to the east of this site is outside the adjacent fence line. It is marked as 'retained'. It would not be possible to remove this hedge without the owner's permission. However this hedge is Leland cypress species and it is strongly recommended that this whole hedge is removed. Unless this hedge is regularly maintained it will very quickly become very large and would cast much shade on the proposed gardens and dwellings adjacent. It would be beyond the control of the owners to maintain the height of this potential 100 ft high (non-native) hedge as it appears to be situated outside the site boundary.

Similarly the hedge line to the south east (right hand side) of the entrance is of an unclear nature. Much of it is behind existing buildings and ownership and species is unclear. This needs to be clarified and amended as appropriate.

Similarly, detailed species composition of the proposed new hedge line should be submitted as a part of any full application. It would be anticipated that the species composition should be of a mixed native species in line with this rural landscape.

Further comments

21st December 2016

Since comment of 2.3.16, T8-Bhutan pine originally retained for retention has been removed. This was the best tree on the site and it is unclear why this tree has been felled. The adjacent Norway maple and poplar should not be retained within this open space either because of their poor form or by virtue of being an inappropriate species. However other comments regarding trees on and adjacent to this application site from this previous comment still apply.

Contaminated Land Officer

13th December 2016

The application seeks to develop a site that has until recently been a commercial plant nursery. Previous uses have included a "pump house". I would therefore recommend that conditions on the following lines are added to any permission for development:

1. Site investigation, risk assessment and remediation scheme

Prior to the commencement of development a site investigation and risk assessment shall be carried out to assess the potential nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11 and shall include:

- a) a survey of the extent, scale and nature of contamination
- b) an assessment of the potential risks to:
 - human health
 - property (including buildings, crops, livestock, pets, woodland and service lines and pipes)
 - adjoining land
 - ecological systems

- groundwaters and surface water
- archaeological sites and ancient monuments
- c) an appraisal of remedial options to mitigate against any potentially significant risks identified from the risk assessment.

Where remediation is required, a detailed remediation scheme to bring the site to a condition suitable for the intended use shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2a of the Environmental Protection Act (1990) in relation to the intended use of the land after remediation.

The site investigation, risk assessment report, and proposed remediation scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development.

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.

2. Implementation of remediation scheme

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.

3. Unexpected contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority and development shall be halted on that part of the site affected by the unexpected contamination. An investigation and risk assessment must then be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11 and a remediation scheme, where necessary, also submitted. Following completion of measures identified in the approved remediation scheme, a verification report shall be submitted to and approved in writing by the Local Planning Authority before development can recommence on the part of the site identified as having unexpected contamination.

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.

4. Monitoring and maintenance

A monitoring and maintenance scheme to include monitoring the long term effectiveness of the proposed remediation over a period of [x] years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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.

Environment Agency

11th January 2017

Due to workloads, I've looked into the planning application referenced. We appear to have returned the consultation dated 22nd November 2016. Consultation on the application is not required. Based on the information submitted I would concur that this is the case in this instance.

I trust that the above confirms our position.

GCC Local Flood Authority (LLFA)

I have reviewed the above outline planning application and can comment as follows:-

The proposed development is on an existing site of a garden nursery and is situated in flood zone 1. The Lead local Flood Authority (LLFA) is not aware of any flood reports on the site from surface water.

The applicant states that it is unlikely that infiltration will be unsuccessful as a means of draining surface water from the site but will carry out ground investigations and infiltration tests. The applicant proposes an option to attenuate surface water up to and including the 1 in 100 year storm event plus climate change in an attenuation pond in the NE of the site. The surface water would be discharged to an existing ditch system to the north of the proposed development which then discharges to the Hatherley Brook. The proposed surface water discharge rate from the attenuation pond is a maximum of 5 l/s for all events up to and including the 1 in 100 year plus climate change .

The LLFA has no objection in principle to the proposed drainage strategy but recommends that the below conditions are applied to any subsequent permission. Infiltration testing to BRE 365 should be carried to ascertain whether this is a feasible drainage strategy.

Condition

No development approved by the permission shall be commenced until a detailed Drainage Strategy has been submitted to and approved in writing by the Local Planning Authority. The Strategy should be supported by evidence of ground conditions and modelling of the scheme to demonstrate it is technically feasible; and where applicable adheres to the NPPF, Non-statutory Technical Standards for Sustainable Drainage, Building Regulation H

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and local policy. The drainage scheme shall be carried out in accordance with the approved details. Where surface water requires disposal off site (i.e. not infiltrated) the applicant must provide evidence of consent to discharge/connect through 3rd party land or to their network/system/watercourse.

Reason: To ensure the development is provided with a satisfactory means of drainage and thereby preventing the 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 soakaway tests have been carried out in accordance with BRE Digest 365, or such other guidance as may be agreed in writing by the Local Planning Authority (LPA). The results of the tests shall be submitted to and agreed in writing by the LPA. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied.

Reason: To ensure that the site can be adequately drained. 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 be put in to use/occupied until a SUDS maintenance plan for all SuDS/attenuation features and associated pipework 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.

Please note that the 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 for the Environment Agency.

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 Lead Local Flood Authority.

Natural England

29th November 2016

Thank you for your consultation.

Natural England has previously commented on this proposal and made comments to the authority in our letter dated 07 March 2016.

The advice provided in our previous response applies equally to this amendment although we made no objection to the original proposal.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

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7th March 2016

Planning consultation: Residential development of up to 45 dwellings, associated infrastructure, open space and landscaping, with creation of new vehicular access from Kidnappers Lane, demolition of existing buildings.

Location: Waoku Nurseries Ltd Kidnappers Lane Cheltenham.

Thank you for your consultation on the above dated 15 February 2016 which was received by Natural England on 15 February 2016.

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.

The Wildlife and Countryside Act 1981 (as amended)

The Conservation of Habitats and Species Regulations 2010 (as amended)

The National Park and Access to the Countryside Act 1949

Natural England's comments in relation to this application are provided in the following sections.

Statutory nature conservation sites - no objection

Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites.

Protected landscapes

Having reviewed the application Natural England does not wish to comment on this development proposal.

The development, however, relates to the Cotswolds AONB. We therefore advise you to seek the advice of the AONB Conservation Board. Their knowledge of the location and wider landscape setting of the development should help to confirm whether or not it would impact significantly on the purposes of the designation. They will also be able to advise whether the development accords with the aims and policies set out in the AONB management plan.

Protected species

We have not assessed this application and associated documents for impacts on protected species.

Natural England has published Standing Advice on protected species. You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect

the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence is needed (which is the developer's responsibility) or may be granted.

If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us with details at consultations@naturalengland.org.uk.

Local sites

If the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.

Biodiversity enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

Housing Enabling Officer

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

This outline application is likely to comprise of up to 45 residential units therefore at 40% we will be seeking 18 affordable housing units.

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

Dwelling Mix

Having regard to local needs and a mix of 75:25 rented to intermediate housing, we would seek the following mix of affordable dwellings on a policy compliant site:

40%	Affordable Rented	Shared Ownership	Total	%
1B 2P Flat	4	0	4	22
2B 4P House	4	2	6	33
3B 5P House	2	1	3	17
3B 6P House	2	1	3	17
4B 7P House	2	0	2	11
Total	14	4	18	100

Viability

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

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

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

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

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

Dwelling Mix/Tenure

The majority of affordable homes provided in Cheltenham Town Centre in recent years comprise of smaller 1 and 2 bedroom flats. With regard to site specific recommendations the development of this site is located just outside the main town centre area in Leckhampton and is an opportunity for the delivery of a greater proportion of larger family sized accommodation whilst including a broad mix of property types and sizes on site. In view of this 1, 2, 3 and 4 bedroom dwellings have been included in the mix for affordable housing.

The 75:25 split between affordable rent and intermediate housing is required on this site for the affordable housing provision. The intermediate housing should be shared ownership and we have proposed this for 2 and 3 bedroom houses to reflect the needs of a broader range of family sizes and would help create a more balanced community.

We would expect the affordable housing to be "pepper-potted" in small clusters throughout the development and indistinguishable from other market dwellings. In order to support this we would ask for a Clustering and Distribution Strategy to be submitted to the council for approval. This should set out how the affordable housing will be distributed throughout the development on the basis that there will be no more than 16 flats or 12 houses within any group of affordable housing units. It should also ensure that no group of affordable housing units will be located contiguously to any other group of affordable housing units.

Rents

Affordable rents must not exceed the Local Housing Allowance.

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

Service Charges

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

Shared Ownership

We would expect that the shared ownership units will be let at a level that is affordable in accordance with the Council's SPG and having regard to local incomes and house prices.

Car Parking

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

Affordable Housing Standards

We would expect all the affordable housing to meet minimum gross internal floor area size measurements, space, design and quality standards as described by the Homes and Communities Agency.

Amendments to M4(1), M4(2) and M4(3) of Schedule 1 to the Building Regulations 2010 took effect on 1st October 2015 therefore we would seek the following:

All general needs accommodation should be designed to meet the 2015 amendments of M4 (1) Building Regulations 2010. All ground-floor flats or a proportion of dwellings (to be agreed) should be designed to meet the 2015 amendments of M4 (2) Building Regulations 2010.

Any wheelchair user dwellings would be required to be designed to meet the 2015 amendments of M4 (3) Building Regulations. As the gross internal areas in this standard will not be adequate for wheelchair housing, additional internal area would be required to accommodate increased circulation and functionality to meet the needs of wheelchair households.

There is no longer a requirement for a specific level of Code for Sustainable Homes Standard to be achieved to meet HCA standards for new affordable homes. This is therefore to be negotiated with the developer.

Full Planning Application

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

Registered Providers

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

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

National Planning Casework Unit

12th December 2016

We acknowledge receipt of your council's email dated 22nd November, 2016, regarding the above Environmental Statement.

We have no further comments to make.

County Archaeology

24th May 2016

Results of archaeological field evaluation

Thank you for consulting me regarding the new details submitted in support of the above planning application.

I note that this planning application is now supported by a report on an archaeological evaluation (Rubicon Heritage, April 2016). The area of proposed development was investigated by the excavation of nine trial-trenches which revealed no evidence for any significant archaeological remains.

On the evidence of the evaluation it is my view that the proposed development area has low potential to contain any significant archaeological remains, and I therefore recommend that no further archaeological investigation or recording should be required in connection with this planning application.

I have no further observations.

15th February 2016

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

I advise that I have checked the proposed development area against the County Historic Environment Record, and there is no evidence for any previous archaeological investigation there. However, the wider locality is known to contain extensive archaeological remains relating to prehistoric and Roman activity and settlement. Such archaeological remains are often covered, and so masked from view, by medieval and later soils.

Against that background I have a concern that significant archaeological remains relating to prehistoric and Roman activity and settlement may be present within the proposed development area, and that any such remains would be adversely affected by construction ground works required for this scheme.

I note that this planning application is supported by a Heritage Desk-Based Assessment (CgMs Consulting, report dated January 2016) which confirms the potential presence of prehistoric and Roman remains on this site.

Therefore, in accordance with the NPPF, paragraph 128, I recommend that in advance of the determination of this planning application the applicant should provide the results of an archaeological field evaluation which describes the significance of any archaeological remains contained within the site and how these would be affected by the proposed development.

I look forward to advising you further when this information is made available.

Severn Trent Water Ltd

22nd February 2016

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

1. 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.
2. 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 the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.
3. We do advise that there may be a public sewer located within the application site and encourage the applicant to investigate this. Please note that public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. If there are sewers which will come into close proximity of the works, the applicant is advised to contact Severn Trent Water to discuss the proposals and we will seek to assist with obtaining a solution which protects both the public sewer and the building.
4. 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. In many cases under the provisions of Building Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval.

Historic England

29th November 2016

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

Recommendation

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

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

1st March 2016

Thank you for your letter of 15 February 2016 notifying Historic England of the scheme for planning permission relating to the above site. Our specialist staff have considered the information received and we do not wish to offer any comments on this occasion.

Recommendation

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

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

Environmental Health

19th April 2016

The application seeks to develop a site that has until recently been a commercial plant nursery. Previous uses have included a "pump house". I would therefore recommend that conditions on the following lines are added to any permission for development:

1. Site investigation, risk assessment and remediation scheme

Prior to the commencement of development a site investigation and risk assessment shall be carried out to assess the potential nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11 and shall include:

- a) a survey of the extent, scale and nature of contamination
- b) an assessment of the potential risks to:
 - human health
 - property (including buildings, crops, livestock, pets, woodland and service lines and pipes)
 - adjoining land
 - ecological systems
 - groundwaters and surface water
 - archaeological sites and ancient monuments
- c) an appraisal of remedial options to mitigate against any potentially significant risks identified from the risk assessment.

Where remediation is required, a detailed remediation scheme to bring the site to a condition suitable for the intended use shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2a of the Environmental Protection Act (1990) in relation to the intended use of the land after remediation.

The site investigation, risk assessment report, and proposed remediation scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development.

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.

2. Implementation of remediation scheme

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.

3. Unexpected contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority and development shall be halted on that part of the site affected by the unexpected contamination. An investigation and risk assessment must then be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11 and a remediation scheme, where necessary, also submitted. Following completion of measures identified in the approved remediation scheme, a verification report shall be submitted to and approved in writing by the Local Planning Authority before development can recommence on the part of the site identified as having unexpected contamination.

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.

4. Monitoring and maintenance

A monitoring and maintenance scheme to include monitoring the long term effectiveness of the proposed remediation over a period of [x] years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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.

Cheltenham Civic Society

21st March 2016

We accept that this is an appropriate site for housing, though we would have preferred a more imaginative layout

GCC Community Infrastructure Team
 14th December 2016

Thank you for consulting GCC Infrastructure on the above application.

The scheme has been assessed for impact on various GCC infrastructure in accordance with the "Local Developer Guide" adopted 2014.

The Developer Guide is considered as a material consideration in determination of the impact of development schemes on infrastructure.

The assessment also takes account of CIL Regulations 2010 (as amended).

[LOCAL DEVELOPER GUIDE](#)

The scheme comprises the following number of dwellings:

Of these:	Houses:	45
	Flats:	0

The scheme will generate the need for
 There is no additional capacity. Therefore a contribution
 is required:

3.27 additional pre-school places

£43,160

The scheme will generate the need for
 There is no additional forecast capacity. Therefore a
 contribution is required:

12.02 additional primary school places

£158,804

The scheme will generate the need for
 There is no additional forecast capacity. Therefore a
 contribution is required:

6.29 additional secondary school places

£126,677

The scheme will generate additional need for library resources. A contribution is therefore required, in accordance with the GCC Local Developer Guide.

The Library Contribution required is:

£8,820

Education Contribution: Justification

A full explanation is provided within the GCC publication "Local Developer Guide".

Paragraphs 65-78 provide further detail (available from www.gloucestershire.gov.uk)

[LOCAL DEVELOPER GUIDE](#)

Pupil yields are calculated in accordance with research published by GCC in "Child Yields in New Developments".

The cost per place (from 2016) is as follows:

Pre-school and Primary places:

£13,211.00

Secondary and 6th Form places:
Multipliers are reviewed annually.

£20,148.00

Where there is no identified surplus capacity in the forecast, a contribution is sought.

Where there is an identified surplus of places within the forecast this will reduce the contribution, or remove the need for a contribution entirely.

Pre-school Contributions:

The assessment identified no capacity in the sector available. In accordance with the GCC Local Developer Guide, a contribution is justified as outlined above.

Specific Infrastructure: Local pre-school places

Purpose(s): Towards additional pre-school places arising from the impact of the development.

Primary School Contributions:

The assessment identified no capacity in the sector available. In accordance with the GCC Local Developer Guide, a contribution is justified.

Specific Infrastructure: Leckhampton/ New school

Purpose(s): Towards the provision of additional places at the named school(s).

Secondary School Contributions:

The assessment identified no capacity in the sector available. In accordance with the GCC Local Developer Guide, a contribution is justified.

Specific Infrastructure: Bourneside Science Labs/New provision

Purpose(s): Towards provision of additional places at the named school(s).

Library Contribution: Justification

A full explanation is provided within the GCC publication "Local Developer Guide".

[LOCAL DEVELOPER GUIDE](#)

Paragraphs 93 to 97 explain the principles for securing contributions towards libraries, and the specific purposes to which they will be put.

In this case, the proposed development and increase in population will have an impact on resources at the local library, as explained in the GCC Local Developer Guide.

Specific Infrastructure: 0

Purpose(s): Towards additional library resources at the named library(ies)

Notes

1. Where the resulting number of dwellings varies from the number assessed, the contribution will be increased or decreased to reflect this:

Pre School	Per house	£959.00	Per flat	£293.00
	Primary School	Per house	£3,529.00	Per flat
Secondary School	Per house	£2,815.00	Per flat	£55.00
	Libraries	Per house	£196.00	Per flat

2. The total expected child yield from this scheme is

Pre-school	10.9
Primary School	12.9
Secondary School	6.1
16-17	1.9
	31.8

3. Age-restricted dwellings are not included in calculations (e.g. developments for people aged 55+)

4. Pupil Yields reflect the total child yield, and are adjusted downwards to take account of:

- a proportion of children will not attend the local school (e.g. due to private school attendance)
- a proportion of students will not stay on to 6th Form (staying on rates)
- take up of nursery places is based on local data.

6. The infrastructure items identified are those which are most likely to serve the development.

In the case of schools, these are the nearest schools within reasonable distance.

Library services contributions will relate to the nearest local library.

7. Phasing of payments will be by agreement. It will be expected to be paid in advance of the impact arising, to allow sufficient time for expenditure.

Payments will relate to identifiable triggers. The number of triggers/phases will depend on the scale of the development.

OTHER INFORMATIVES IF APPLICABLE:

Further information is available from the GCC Community Infrastructure Team

Email: community.infrastructure@gloucestershire.gov.uk

5. PUBLICITY AND REPRESENTATIONS

- 5.1** The application as originally submitted in February 2016 was advertised by way of letters being sent to adjacent neighbouring residential areas, site notices being displayed and an advert placed in the Echo. After considering their position and the subsequent request from the applicant that for the application is determined as originally submitted a further round of consultation took place in November 2016 again by way of letters being sent to neighbouring properties, site notices being displayed and an advert placed in the Echo.
- 5.2** In response 91 letters of objection have been received. Given that the application has been subject to two consultations there is some duplication in the comments received.
- 5.3** The objections received to this application, which can be read in full at the end of this report, have been reviewed in order to ascertain the key concerns and points made in each objection which are summarised as follows:
- Premature on JCS
 - Should be a full application not outline
 - Impact on local green space
 - Site has been turned into an eyesore deliberately
 - Traffic, congestions and Highway safety concerns
 - Loss of locally valued land
 - Site is isolated from amenities access via a narrow road which is not suitable for this level of traffic and will not work
 - Not a sustainable location
 - Local amenities are full, (schools and health services)
 - Air pollution
 - Loss of wildlife
 - Flooding and drainage
 - Site in not allocated
 - Harm to the existing character visual amenity and landscape of this semi-rural area
 - Loss of green buffer and proximity to the Area of Outstanding Natural Beauty
 - Impact on views to and from the Area of Outstanding Natural Beauty

- Could lead to further housing and piecemeal development in this area
- Needs to provide low cost housing
- Cumulative impacts need to be considered

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.1.1** As set out above the application is submitted in outline with all matters reserved, therefore the main consideration is the principle of the development. Other considerations include landscape and visual impact, design and layout, transport and highway safety, flood risk and drainage, archaeological and cultural history, affordable housing, ecology, community facilities and open space, outdoor recreation and education and library provision and any other material considerations. Following the consideration of these topics the report will then provide the balancing considerations as required by paragraph 14 of the NPPF (where the development plan is absent, silent or relevant policies are out of date, granting permission unless: any advantages of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF taken as a whole.)

6.2 Principle of the development

- 6.2.1** Relevant material considerations for this application include the National Planning Policy Framework (NPPF), National Planning Practice Guidance (nPPG), The emerging JCS and its evidence base, The emerging Cheltenham Draft Plan and its evidence base, Cheltenham Borough Local Plan Second Review (2006).

National Planning Policy Framework

- 6.2.2** The NPPF has a presumption in favour of sustainable development, paragraph 14 sets out what this means for decision taking as:
- approving development proposals that accord with the development plan without delay; and
 - where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.
- 6.2.3** Paragraph 109 of the NPPF states that 'the planning system should contribute to and enhance the natural and local environment by (amongst others):
- protecting and enhancing valued landscapes, geological conservation interests.
- 6.2.4** The NPPF also requires Councils to demonstrate a 5-year housing land supply incorporating a 5% buffer, or a 20% buffer where there has been a record of persistent under delivery of housing. In accordance with section 49 of the NPPF, 'relevant policies for

the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.'

- 6.2.5** Based on development within the Cheltenham boundary alone, the Council cannot currently demonstrate an ongoing 5-year housing land supply. Adopted Local Plan Policies relating to housing supply may therefore be considered out of date.
- 6.2.6** However, the development of the JCS is well progressed through examination and is currently out for consultation on proposed modifications with further hearings on the proposed modifications taking place from June and potential adoption towards the end of 2017. On adoption of the JCS Cheltenham Borough will be able to demonstrate an ongoing 5 year supply and will address its objectively assessed need within the plan period.
- 6.2.7** Even if the Council is not currently able to demonstrate a 5 year housing land supply this does not mean that planning permission for residential development should be granted if any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Other policies in the Local Plan and NPPF remain material considerations in the determination of this balance.

Cheltenham Local Plan 2006

- 6.2.8** Chapter 4 of the Cheltenham Borough Local Plan 2006 contains Core Policies and Proposals including land allocations. Whilst Land at Leckhampton is not allocated, the plan as adopted contained a statement in supporting text, page 62, which set out the Council's position in relation to this unallocated land. In the statement, which reflected the views of the Inspector presiding at the Local Plan Inquiry, the council recognised the intrinsic value of the land as a resource for its recreational, landscape, wildlife and archaeological interest, but said that the land would be reassessed through cross-boundary working as a potential development site within the context of the RSS. Saved policies in the Local Plan relevant to the consideration of the principle of development on this site include:
- Sustainable Development (CP1, CP3); which seek, amongst other matters, to conserve and enhance Cheltenham's natural resources and environmental assets and not cause harm to its setting or landscape character.
 - Housing Development (PR1, PR2, HS1); which direct development within the Principal Urban Area to allocated sites and previously developed land.
 - Landscape Protection and Design (CP3, CO1, CO2, CO14); which seek to avoid harm to landscape character and to consider the design of developments which abut the countryside.
 - Travel Transport and Accessibility (CP5, CP7); which seek developments which minimise the need to travel and adequately allows for methods of travel other than by private car. CP7 seeks to ensure development is of a high standard of design.
 - Provision of necessary infrastructure and facilities (CP8); which seeks developments to provide the necessary infrastructure, services and facilities to the meet the needs arising from the development.
- 6.2.9** In considering the application of these policies to the proposal it is important to have regard to section 215 of the NPPF. This says that 'due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.

6.2.10 Whilst some of the policies in the adopted Cheltenham Local Plan remain relevant, given the end date of the plan as 2011, it is acknowledged that the housing needs evidence base underpinning the Local Plan is out of date. The evidence base for the JCS now takes precedence and addresses the Objectively Assessed Need (OAN) for growth, a requirement of paragraph 14 of the NPPF.

The Joint Core Strategy Proposed Modifications

6.2.11 The JCS sets out, in policy SP2, the “Distribution of New Development”. This policy incorporates the objective of focusing development at Gloucester and Cheltenham including through the allocation of urban extensions.

6.2.12 The Leckhampton Strategic Allocation formed part of the JCS Pre-Submission Document in 2014. However, the Inspector indicated at paragraph 123 of her Interim Findings that, in her judgement, *“a limited amount of development could be supported towards the north of the site where public transport is more accessible, subject to the avoidance of land of high landscape and visual sensitivity. Therefore, for reasons of landscape/visual amenity and highways impacts, I recommend that the Cheltenham part of the site be allocated for a modest level of built development”*

6.2.13 Whilst the proposed site is not within the Green Belt or the Cotswold Area of Outstanding Natural Beauty, it is close to the AONB. The JCS Inspector agrees with Natural England’s comments that this area forms part of the setting of the AONB and contributes positively to its special qualities. Therefore any impact upon the landscape is a significant consideration.

6.2.14 The Inspector clarified her position further in her Note of Recommendations made at the hearing session on 21 July 2016; *“I therefore recommend that built development be contained within the green, less sensitive areas of the Landscape and Visual Sensitivity plan towards the north.”*

6.2.15 The Inspector has also acknowledged the validity of a local desire to designate some of the site as Local Green Space. The current application site is located in an area which remains a matter of dispute over where development should be located and where should be Local Green Space. JCS Policy INF4 requires that development proposals contribute to green infrastructure including the wider landscape context. The current application does not indicate how it will integrate into the landscape or green infrastructure. The Cheltenham Plan will look to resolve these issues through consultation and careful planning by looking at the wider area.

6.2.16 Given the advanced stage of the JCS the Inspector’s reports should be accorded some weight in planning decisions despite the fact that they are interim statements only. The Inspector is of the opinion that development at the former Leckhampton Strategic Allocation should be restricted to the northern part of the site which excludes the area covered by the current planning application.

6.2.17 The JCS itself is at an advanced stage of preparation and has been through numerous rounds of consultation and examination hearings. So it can therefore be accorded weight in accordance with paragraph 216 of the NPPF.

6.2.18 The JCS Proposed Modifications document has now been accepted by all three authorities. The Modifications have taken the Inspector’s reports into account and the Leckhampton site is no longer being put forward as a Strategic Allocation. The intention is for a non-strategic site to be allocated for development and Local Green Space to be designated in this area through the Cheltenham Plan.

- 6.2.19** It is therefore important that any development in this area is part of the plan-led process. This will ensure that the most sustainable use of land is achieved and the impacts on landscape and the surrounding area are minimised. It would preferable for the site to be considered as part of an area wide masterplan which would form part of the emerging Cheltenham Plan.
- 6.2.20** The development management policies in the emerging JCS are also of relevance to this case. Policy SD5 sets out design requirements for proposed developments. It emphasises the need for context, character, a sense of place and movement and connectivity. Part 2 of the policy also allows the Council to request masterplans or design briefs.
- 6.2.21** Policy INF7 reinforces the need for infrastructure requirements of a site should be thought of in terms of cumulative impact. The application site's proximity to an emerging local plan site means that it cannot be considered in isolation in terms of its impact on the surrounding area.
- 6.2.22** As it stands, the current application site is within a predominantly agricultural area and is located a significant distance from the Principal Urban Area. It would create an incongruous, isolated development within an otherwise rural setting.

Principle conclusions

- 6.2.23** Whilst the adopted Cheltenham Local Plan Policies on housing may be considered out of date due to a lack of 5 year supply of housing, the JCS will address the issue of housing supply. The provision of a 45 dwellings would not outweigh the harm to the site and the sensitive landscape value in this area. Furthermore the site is not within the proposed "green" indicative development area supported by the JCS Inspector in her interim findings. There is also no indication as to how the proposal would contribute to the comprehensive development of the Cheltenham Plan allocation, with the site is also being located outside of the Principal Urban Area and remote from the existing built form of the town.
- 6.2.24** The principle of the development proposal is therefore something which weighs against the proposal and must be assessed against the benefits of the development in the overall planning balance.

6.3 Landscape

- 6.3.1** One of the planning principles of the NPPF is that the planning system should recognise the intrinsic character and beauty of the countryside. Sections 11 of the NPPF sets out that the planning system should contribute to and enhance the local environment by, inter alia, protecting and enhancing valued landscapes. Policy CO1 of the Local Plan sets out that in considering landscape character development will only be permitted where it would not harm; (a) the attributes and feature which make a significant contribution to the character, distinctiveness, quality and amenity value of the landscape; and (b) visual amenity of the landscape. It is considered that policy CO1 is consistent with the NPPF. Policy CO2 seeks to resist development which would harm the natural beauty of the landscape within the AONB.
- 6.3.2** Policy SD8 of the JCS Proposed Modifications seeks to ensure that where development proposals in or within the setting of the AONB that proposals will be required to conserve and where appropriate enhance its landscape, scenic beauty, wildlife, cultural history and other special qualities.

6.3.3 The NPPF focuses on resisting development in the AONB not outside of it. As previously noted however, the proximity of the site to the AONB means that matters of design, layout and landscaping are very important factors to be considered in assessing the acceptability and planning balance for the proposal.

6.3.4 The Council has employed a Landscape consultant Ryder Landscape (RL) to consider the details of the application including the submitted illustrative masterplan and the baseline landscape visual appraisal. RL has produced an extensive note on the landscape impact considerations.

6.3.5 The RL note concludes:

The proposals as they stand would fundamentally change the character of the former nursery to a residential area of suburban character given its density and arrangement.

The residential settlement given the nature of the architectural mass and layout as proposed would appear out of keeping within the landscape setting that is predominately open and rural around the site.

The development would appear as an isolated suburban area in the otherwise rural area with no connectivity to other housing areas.

There would be a degrading of the visual amenity of Lotts Meadow which is relatively free of housing development on its boundaries.

The proposals would reduce the quality of views to the Cotswold AONB from the footpath to the south of the site.

6.3.6 The illustrative layout and baseline visual impact assessment, given the conclusions of the RL assessment, are not considered to satisfactorily mitigate the impact of the proposed development in landscape grounds and therefore conflicts with the objective of the NPPF, policies CO1 and CO2 of the Local Plan and SD8 of the emerging JCS.

6.3.7 The submitted details do not satisfactorily mitigate the impact of the proposed development, is something which weighs against the proposal and must be assessed against the benefits of the development in the overall planning balance.

6.4 Design and layout

6.4.1 The NPPF sets out that Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people and create a sense of place. The NPPF also advises that the planning system can play an important role in facilitating social interaction and create healthy, inclusive communities. Policy CP7 of the local plan seeks to achieve good design, with policy CP4 requiring no harm to the amenity of adjacent land users. Both these policies are considered to be in accordance with the NPPF.

6.4.2 Matters relating to access, appearance, landscaping, layout and scale are reserved for further consideration, should the principle of the development be considered acceptable. There is therefore little substantive information provided at this stage to allow considered recommendations to be provided on these points. The application has been supported with a design and access statement and an illustrative master plan. These plans provide only an indication as to how the site could be developed. The aim of urban design intervention relates to place making with a view to helping create a pleasant and sustainable place to

live, a place that links well with and respects its immediate neighbours and wider setting, a place that makes a positive contribution to quality of the area.

- 6.4.3** The illustrative layout in itself may seem appropriate to deliver up to 45 dwellings with associated access, layout and green infrastructure. This layout was however drafted at a time when the site formed part of a strategic allocation located immediately adjacent to the 650 appeal site. Given that the strategic allocation has been deleted from the JCS (proposed modifications) and that the 650 appeal has been dismissed, this application now must be considered on its own merits, that being in the context of a remote and isolated site, located outside the Principal Urban Area. With these alterations to the emerging JCS and dismissed appeal the proposal must now be considered to create an individual and remote parcel of development, one which is of a very urban layout and of a high density. The illustrative layout in this location therefore is not considered to follow the objectives of good urban design in that it would not respond to the need to achieving place making with a view to helping create a pleasant and sustainable place to live, or provide for a place which links well with and respects its immediate neighbours and wider setting, or provide for a place that makes a positive contribution to quality and character of the area.
- 6.4.4** The proposal is therefore considered not to comply with the objectives of the NPPF or policy CP7 of the Local Plan.
- 6.4.5** The illustrative layout showing a development of up to 45 units is something which weighs against the proposal and must be assessed against the benefits of the development in the overall planning balance.

6.5 Access and highway issues

- 6.5.1** Gloucestershire County Council as the local highways authority (LHA) has assessed this application in light of the NPPF, local plan and the emerging JCS along with materials considerations. Comments provided on this application are set out in full above.
- 6.5.2** LHA sets out that the main issues for the application are: Whether the opportunities for sustainable transport modes have been taken up as required by bullet point 1 of paragraph 32 of the National Planning Policy Framework; and Whether the residual cumulative impacts of the proposed development and any other committed development (as defined in the Planning Practice Guidance - Travel Plans, Transport Assessments and Statements, being 'development that is consented or allocated where there is a reasonable degree of certainty will proceed within the next 3 years') would be severe and is so whether that impact can be cost effectively mitigated bullet point 3 of paragraph 32 of the National Planning Policy Framework.
- 6.5.3** The Developer has agreed to provide a new footway between the proposed site access and Vineries Close and the LHA is content that this is sufficient to make walking a viable modal choice. This can be secured by a suitably worded planning condition
- 6.5.4** The Developer has agreed to provide a financial contribution of £35,280 towards enhanced public transport services and the LHA is content that this is sufficient to make public transport a viable modal choice. This can be secured under sc106.
- 6.5.5** The LHA in considering the residential cumulative impact set out that this has been done by considering the impact of the Tewkesbury Farm Lane consented site (TBC ref 14/00838/FUL) as a development commitment and this proposed application site for 45 dwellings. Consideration of this impact at AM and PM at different junctions (A46/Leckhampton Lane; A46/Up Hatherley Way; A46/Kidnappers Lane; A46/Woodlands Road; A46/Moorend Park Road; A46/Leckhampton Road; Leckhampton Road/Charlton

Lane and Leckhampton Road/Church Road; Church Road/Kidnappers Lane; and Leckhampton Lane/Farm Lane) is set out in full in the LHA comments above.

- 6.5.6** The LHA concludes that *given the limited amount of traffic likely to be generated by this proposed development and the levels of space capacity in 2020 the LHA are satisfied that the existing network, apart from Junction 1, can accommodate the additional traffic generated by the 45 dwellings proposed as part of this application.*
- 6.5.7** The LHA recommends: *The National Planning Policy Framework states at paragraph 32 that "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe". The Highway Authority considers that this development will not have a severe impact on the local highway network. The NPPF states that "safe and suitable access to the site can be achieved for all people", and that "opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure." It is considered that the development proposals will meet these criteria. It is recommended that no highway objection be raised to this application, subject to the following conditions being attached to any permission granted:*
- 6.5.8** In addition to the comments from GCC the Highways Agency has commented on the application providing no objection. Given these comments on the application, the matter of highway safety and access is something which does not weigh against the proposal and must be assessed in the overall planning balance.

6.6 Flooding

- 6.6.1** The NPPF aims to direct development away from areas at high risk of flooding. Development should be safe and should not increase flood risk elsewhere. Local Plan Policies CP3, UI1 and UI2 reflect this advice with Policy UI3 requiring that development proposals include the incorporation of Sustainable Drainage Systems (SUDS). These Local Plan policies are considered to be consistent with the objectives of the NPPF.
- 6.6.2** The application has been accompanied with a Flood Risk assessment (FRA) and drainage strategy.
- 6.6.3** The Environment Agency maps indicate that the suite is located within flood zone 1 (low risk, less than 1:1000 annual probability of flooding).
- 6.6.4** The application has been accompanied with a Flood Risk assessment (FRA) and drainage strategy. This strategy incorporates SUDS and sets out that it will ensure that flood risk resulting from pluvial events (rainfall) will be managed on site and that flood risk will not be increased elsewhere as a result of the development. The strategy also incorporates a plus 30% allowance for climate change to take account of the predicted increase in rainfall intensity over the lifetime of the development.
- 6.6.5** The Local Flood Risk Authority and the Borough Land drainage Officer have considered the application. In conclusions neither have objection in principle to the proposed drainage strategy but recommend that conditions are applied to any subsequent permission.
- 6.6.6** The Environment Agency have responded to the application providing no comment as the site is located in flood zone 1. The EA confirm that we should consult with the Local Flood Risk Authority who are the statutory consultees on these matters.
- 6.6.7** It is on note that the Lead Flood Risk Authority has fully considered the flood risk assessment and has not raised any objections to the principle of the proposed development. The LFRA does note that some additional information is required however

these can be picked up at reserved matters stage and controlled through conditions which they have recommended.

- 6.6.8** The details submitted on flood risk and mitigation is considered to demonstrate that the proposal would not give rise to increase any flooding or drainage concerns. Given this the application on this matter is something which does not weigh against the proposal and must be assessed in the overall planning balance.

6.7 Other considerations

6.7.1 Affordable housing

- 6.7.2** Local Plan policy HS4 provides that the Council will seek to negotiate with developers to provide 40% of the total number of dwellings proposed for affordable housing. It is considered that this policy is consistent with the objectives of the NPPF which encourages local planning authorities to identify the size type, tenure and range of housing that is required.
- 6.7.3** Policy SD13 of the proposed modifications to the JCS deals with affordable housing and requires sites outside the strategic allocation in excess of 11 units a minimum of 40% affordable will be sought within Cheltenham Borough Council.
- 6.7.4** The application sets out in their submitted draft heads of terms a commitment to provide 40% affordable housing. The Councils Housing Enabling Officer has set out above the required size, type, tenure and range of affordable range required. Should the application be granted this could be secured through a suitable worded S106 agreement.
- 6.7.5** Affordable housing provision is therefore a matter which falls in favour of the application, but must be considered in the overall balance.

6.8 Community facilities and open space

- 6.9** The NPPF sets out that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Access to open spaces and opportunities for sport and recreation can make an important contribution to the health and wellbeing of communities. Policy CP8 of the Local Plan seeks to ensure that developments provide the necessary infrastructure and facilities required, which is consistent with the NPPF. Local Plan policies RC5, RC6 and RC7 relate to development on amenity space and the provisions of play space and amenity space in new developments. Policy RC1 sets out the specific requirements. The JCS at Policy INF5 requires social and community infrastructure to be provided.

- 6.10** The draft heads and terms submitted with the application sets out that the development will provide the levels of community facilities and open space required to ensure that the application is policy compliant will be secured via the signing of S106 agreement. Should the application be permitted these matter could therefore be resolved through the agreements of a suitably worded S106.

- 6.11** Community facilities and open space are therefore matters which fall in favour of the application, but must be considered in the overall balance.

6.12 Education and Library provision

- 6.13** The NPPF states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Policy CP8 of the Local Plan seeks to ensure that development will only be

permitted where adequate provision is made for necessary infrastructure and facilities. The JCS at Policy INF5 requires social and community infrastructure to be provided.

6.14 Gloucestershire County Council is the relevant authority for education and libraries. GCC have commented on the application setting out the contribution and requirements required to mitigate the impact of the proposed 45 dwellings.

6.15 The draft heads and terms submitted with the application sets out that the development will provide the levels of education and library provision required to ensure that the application is policy compliant will be secured via the signing of S106 agreement. Should the application be permitted these matter could therefore be resolved through the agreements of a suitably worded S106.

6.16 Education and library provision are therefore matters which fall in favour of the application, but must be considered in the overall balance.

6.17 Ecology

6.18 The NPPF sets out that when determining planning applications local planning authorities should aim to conserve and enhance biodiversity by encouraging opportunities to incorporate biodiversity in and around developments. Furthermore planning permission should be refused for development resulting in the loss of deterioration of irreplaceable habitats. Local Plan policy GE7 of the local plan seeks to accommodate and protect natural features with NE1, NE2 and NE3 seeking to protect habitats of legally protected species, designated conservation sites and to resist development which would harm biodiversity and geodiversity of local importance. Policy SD10 of the JCS proposed modifications picks up the need to protect and enhance biodiversity.

6.19 The application is accompanied by a detailed ecological assessment of the site. The application site was surveyed based around extended phase 1 survey methodology as recommended by Natural England with additional survey work undertaken in respect of bats, badgers and birds.

6.20 Given the relatively small size of the site the ecological assessment sets out that given the small scale nature of the site, the fact that the application site and nearby designated sites are separated by agricultural land and roads their distance it is not considered that there will be any adverse impacts (direct or indirect) as a consequence of the proposed development.

6.21 The report also concludes that there are not considered to be any significant adverse effects on any other statutory and non-statutory of nature conservation interest from the development proposals. The report makes recommendation to safeguard protected and notable species present within the application site and to achieve ecological enhancements wherever possible. These recommendations could be secured through conditions.

6.22 Subject to conditions ecology and bio diversity mitigation and requirements are therefore not considered to be unacceptable and does not weight against the proposed development in the planning balance.

6.23 Archaeology and Cultural History

6.24 At paragraph 128 of the NPPF it sets out that great weight should be given to the conservation of heritage assets. The more important the assets, the greater the weight should be. The site is not located with a conservation area with there being no listed building on or adjacent to the site. In considering archaeology implication the applicant has submitted an updated evaluation. In considering this document Gloucestershire

County Council Archaeological Officer concludes that the development area has low potential to contain any significant archaeological remains the recommends that no further archaeological investigation of recording is required.

6.25 Archaeology and cultural history impacts are considered to be acceptable and therefore does not weight against the proposed development in the planning balance.

6.26 Trees

6.27 The Tree Officer has provided detailed comments on the application specifically in respect of T2 (Oak Tree). The application is in outline and therefore considerations in the main relate to the principle of the development of the site for up to 45 dwellings. It is considered that if the recommendation was for permission, the comments provided by the Tree Officer on detail could be resolved in conditions, and at the reserved matters stage. The Tree Officer has confirmed this would be an appropriate way to deal with the comments provided.

7. CONCLUSION AND RECOMMENDATION

7.1 The NPPF at paragraph 14 sets out a presumption in favour of sustainable development, unless material considerations indicate otherwise. The NPPF identifies at paragraph 7 three dimensions to sustainable development which are economic, social and environmental.

7.2 It is recognised that the development would provide for; new housing and jobs directly and indirectly; the proposal would have an acceptable impact upon safety and satisfactory operation of the highway network' that through a S106 agreement would deliver affordable housing, open space and recreation along with education and library contribution to mitigate the developments impact. The proposal would not have a harmful impact on Flooding, Archaeology and Cultural History or ecology.

7.3 Whilst the adopted Cheltenham Local Plan Policies on housing may be considered out of date due to a lack of 5 year supply of housing, the JCS will address the issue of housing supply. The provision of a 45 dwellings would not outweigh the harm to the site and the sensitive landscape value in this area. Furthermore the site is not within the proposed "green" indicative development area supported by the JCS Inspector in her interim findings. There is also no indication as to how the proposal would contribute to the comprehensive development of the Cheltenham Plan allocation, with the site is also being located outside of the Principal Urban Area and remote from the existing built form of the town.

7.4 The illustrative layout in itself may seem appropriate to deliver up to 45 dwellings with associated access, layout and green infrastructure. This layout was however drafted at a time when the site formed part of a strategic allocation located immediately adjacent to the 650 appeal site. Given that the strategic allocation has been deleted from the JCS (proposed modifications) and that the 650 appeal has been dismissed, this application now must be considered on its own merits, that being in the context of a remote and isolated site, located outside the Principal Urban Area. The illustrative layout and baseline visual impact assessment are not considered to satisfactorily mitigate the impact of the proposed development in landscape grounds and therefore conflicts with the objective of the NPPF, policies CO1, CO2 and CP7 of the Local Plan and SD8 of the emerging JCS.

7.5 The report above sets out points of consideration on the planning balance as required by paragraph 14 of the NPPF. In considering the planning balance, Officers are not of the view that the points in favour of the application outweigh the resulting harm of the development. The recommendation is to refuse the application on matters of the principle

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of the proposed development as submitted; the harmful impact on the landscape that the proposed development would have; along with being out of context with its surroundings, as set out in detail at sections 6.2, 6.3 and 6.4 of this report.

- 7.6** As the recommendation is for refusal the S106 has not been advanced. For this reason a further reason of refusal is recommended on the grounds that the contributions as set out in the report have not been secured in a signed S106 agreement.

8. REFUSAL REASONS

- 8.1** To follow as an update.

APPLICATION NO: 16/00202/OUT		OFFICER: Mr Craig Hemphill	
DATE REGISTERED: 6th February 2016		DATE OF EXPIRY : 7th May 2016	
WARD: Leckhampton		PARISH: LECKH	
APPLICANT:	Roberts Hitchins Ltd		
LOCATION:	Land off Kidnappers Lane, Cheltenham		
PROPOSAL:	Residential development of up to 45 dwellings, associated infrastructure, open space and landscaping, with creation of new vehicular access from Kidnappers Lane, demolition of existing buildings		

REPRESENTATIONS

Number of contributors	91
Number of objections	90
Number of representations	1
Number of supporting	0

11 Arden Road
Cheltenham
Gloucestershire
GL53 0HG

Comments: 6th March 2016

This application is premature. No decision on such an application should be given prior to Inspector Clark's report on the 650 Appeal, or Inspector Ord's recommendation within the JCS later in the year. This should be considered within a Master Plan for the area.

Any application should be made as a FULL application, for consideration. It should take into account the sensitivity of the area, and emphasis should be on additional green space and more spaced out housing.

The proposed layout shown has been done straight from a lap top configuration, with scant regard to various facts, such as cutting off part of the other section of the Berry's land - and the road junctions would cause chaos.

Finally, I take the Council strongly to task for allowing the devastation of the area, felling trees and hedges, and setting alight the area, months and possibly years before building is agreed. I consider it totally irresponsible action and done with total disregard for the residents and neighbours who now pass by a derelict site, which has been needlessly vandalised.

Finally, the application heading was incorrect. Hopefully, it will be corrected to "Berry's should a further application be submitted.

298 Old Bath Road
Cheltenham
Gloucestershire
GL53 9AP

Comments: 29th February 2016

We strongly object to this proposal for the following reasons:

TRAFFIC

Church Road, Kidnappers Lane, Farm Lane and Shurdington Road are already heavily congested with traffic. We regularly use these routes to visit family and find the journey very daunting. With the exception of Shurdington Road the roads are far too narrow for the amount of traffic using them. In winter months we like to walk these roads (instead of the hills) but the ever increasing traffic and associated risks is taking this beautiful walk away from us.

Local Amenities

Pre Schools, Schools, Doctors Surgeries, Hospitals, Dentists in this area are seemingly full. Any request to see our doctor is met with an appointment the following week. Another 45 households expecting to use local services will only make matters worse.

We walk along Kidnappers Lane to look at green fields and hedgerows not houses and parked cars.

Comments: 8th December 2016

We wish to register our objection to the above application for 45 dwellings. Currently, Church Road is already congested. Any further building will make this situation even worse. What used to be a pleasant walk is now becoming increasingly dangerous. All surrounding roads are at their limits.

Doctors, schools, shops or hospitals are stretched enough as it is. Another 45 households is the last thing this area needs.

We tried to place our objections on line but the system did not allow us to do it.

58 Collum End Rise
Leckhampton
Cheltenham
Gloucestershire
GL53 0PB

Comments: 28th November 2016

I strongly object to the planning application. 45 new dwellings will be likely to have in the region of 90 additional vehicles which will add to the mayhem in Church Road and to Shurdington Road in rush hour and school times. As there is no pavement on Kidnappers Lane and it is already dangerous to walk along at busy times, children from these new homes will need to be taken to either Leckhampton or Warden Hill schools by car. This will drastically increase the amount of traffic along these routes causing delays and increase pollution.

105 Church Road
Leckhampton
Cheltenham
Gloucestershire
GL53 0PF

Comments: 26th February 2016

I strongly object to the proposed plans for 45 new homes on Kidnappers Lane.

Firstly, this area forms part of the larger JCS site, so until a conclusion is reached on this, there should be no further developments approved.

Secondly, the road itself is not currently suitable for the level of traffic and pedestrian users using it today. An additional 45 dwellings with their associated cars can only add to the number of

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vehicles on Kidnappers lane, which is too narrow for volume traffic, with no areas to pass. It would also impact surrounding roads. I live on Church Road and at peak time, traffic is at a standstill. There is no capacity for more vehicles.

In terms of pedestrian access, I see from the plans that the developer has included pavements and lighting so that there is pedestrian access from the site to Church Road. However the (new) school and bus links/shops mentioned as being the closest amenities are accessed from the other end of Kidnappers Lane where no pedestrian access exists. This means the site is not suitable and would be unsafe for those travelling by foot.

Comments: 7th December 2016

I am firmly against this development. The number of cars currently using Kidnapper's Lane is already too many for the type of road. There are a number of parts throughout the length of the road where it's impossible for two vehicles to pass and the inevitable 45+ cars this development will bring will bring more chaos, particularly during the rush hour. A number of those additional cars will be coming on to Church Road which is already at a standstill during peak times. We need to be resolving traffic flow, not adding to it.

In addition, how are the new residents expected to walk anywhere? Unless there are plans to widen the entire road and have pavement along the full length, we can't expect pedestrians to walk either up the road to Church Road (for church, schools, shop, park, allotments etc) or down the road to Shurdington Road for buses, etc. These types of properties will appeal to families - I would not walk the length Kidnapper's Lane with my two year old as it currently stands as it's simply not safe.

Finally, I believe a decision is still to be made on the Joint Core Strategy so development of this size should not be considered until the JCS situation is clear.

The Vineries
Kidnappers Lane
Cheltenham
Gloucestershire
GL53 0NP

Comments: 6th May 2016

I live in Kidnappers Lane, along the narrowest part. I believe that to allow more traffic along this country lane is madness.

Talking and walking on the pavement is dangerous as cars seem to think it their right to mount the pavement at speed if facing oncoming traffic.

I understand that money is to be made by developing the area but it is thoughtless and dangerous to allow access onto the lane let alone on a BEND. Any further development along this lane should NOT have access onto Kidnappers Lane which leads to yet another extremely dangerously congested road, ie Church Road. Throughout the area there is very high pollution and danger already from speeding vehicles to pedestrians, cyclists and persons pursuing any other form of leisurely activity. The beautiful wildlife we once enjoyed is becoming less and less and the whole area is becoming totally spoiled, to the extent of people not wanting to live here. I believe that more building encouraging more vehicles of any description along the narrow Kidnappers lane may lead to human fatalities in the near future.

Comments: 23rd November 2016

I live in Kidnappers Lane and the traffic using the lane causes anxiety. Church Road is a car park at times in the day and pollution is extremely high. Additional traffic will simply add to already existing problems and 45 houses could bring another 80 cars to leave and enter the site, and this does not include visitors just residents. If this site goes ahead, which I strongly oppose, then the

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entrance to Church Road should be blocked so that all traffic from the new site is forced onto the Shurdington Road, unfortunately another over used road.

The school serving the area is already oversubscribed so cars will be needed to ferry any children out of the area.

Kidnappers Lane floods and the brook flowing through the area regularly overflows, with more and more concrete where will this water go? Also the Lane is frequently awash with floodwater.

With the Redrow development under consideration this application should be put on hold until all other decisions have been made.

Hall House
50 Hall Road
Cheltenham
Gloucestershire
GL53 0HE

Comments: 23rd February 2016

I object to this application for a number of valid planning reasons:

1. The Application Site is not allocated for residential development and does not form part of a previously developed area and as such is contrary to Policy HS1.
2. Policy TP1 provides the overarching requirements in respect of highway safety stating that Development will not be permitted where it would endanger highway safety. At least 45- 90 cars and therefore at least 90- 180 journeys per day will be using Kidnappers land which is a single lane road with no areas for passing and no pedestrian path or pavement. This is clearly extremely dangerous. Further the noise and pollution created by this many journeys per day is significantly detrimental to the amenity of this semi-rural area.
3. Policy CO1 states that development will only be permitted where it would not harm(a) attributes and features which make a significant contribution to the character, distinctiveness, quality and amenity value of the landscape; and (b) the visual amenity of the landscape. This development WILL harm the character, visual amenity and landscape of this semi-rural area which if developed will be destroyed for ever as this semi- rural area creates a 'buffer' of green space between Cheltenham and Gloucester.

For these reasons the application should be refused.

149 Salisbury Avenue
Cheltenham
Gloucestershire
GL51 3DG

Comments: 23rd February 2016

I live on Warden Hill and use Kidnappers Lane at least twice a day to go to and from my mother's home. I am surprised that you would even consider an application of housing on that level with access to and from it via Kidnappers Lane. This lane has no infrastructure to take a small housing estate of this kind which will have at least 90 cars coming on to it from the 45 houses. Have you thought about where all the water is going to go once houses have been built and how are these extra cars going to get either on to Church Road or on to Shurdington Road.

Where will all the wildlife go. You are saying in documents on your website about people people having to obtain planning to concrete their drives because of flooding, wildlife and pollution - what

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will this do? Has anyone considered the effects of the 2007 flooding. My road was flooded and people had to leave their homes. We have had to put a complete drainage system in our garden

If we need more housing which the council obviously think we do. Perhaps we need to look at the number of people living in Council on their own particularly the elderly in 3 bedroom houses and give these to families and also send back the migrants which are evading our towns and countryside and taking our housing.

Can you also add that where is the infrastructure coming from for schooling.

Comments: 6th December 2016

I am concerned about the infrastructure requirements for yet more housing. Kidnappers Lane is not able to take all these cars off this development. Church Road is gridlocked most days and Shurdington Road is nose to tail particularly in the morning and I am unable to turn right out of my road onto Shurdington Road.

As Salisbury Avenue is already classed as a flood plain and we already have had the flooding of 2007 and in recent months houses have flooded again where is the water going to go once the housing is built. Surely we need to think about wildlife etc.

Fairfield House
11 The Lanes
Cheltenham
Gloucestershire
GL53 0PU

Comments: 29th February 2016

Letter attached.

76 Church Road
Leckhampton
Cheltenham
Gloucestershire
GL53 0PD

Comments: 29th February 2016

Letter attached.

Comments: 28th November 2016

Letter attached.

15 Vineries Close
Cheltenham
Gloucestershire
GL53 0NU

Comments: 9th December 2016

My husband and I wish to register our objection to this proposed development. We object on the grounds of traffic on both Kidnappers Lane, Church Road and onto the A46. The roads are already at capacity and cannot cope with further traffic. The Lane is exactly that, a narrow country lane and is not suitable for a further 45 dwellings (at least 45 if not 90 extra cars). Living in Vineries Close we walk down Kidnappers Lane every day. It is already dangerous due to the speeds people drive and the volume of traffic. It concerns us in particular when we are daily walking our children to and from school. The same goes for Church Road.

The area is rural in nature. This development will detract from the area's character therefore we also object on this basis. Many of the local residents walk through this area and benefit from its natural beauty and wildlife (e.g., wild deer), including us as a family. The development will significantly detract from this. Further development in this area should be discouraged as otherwise it paves the way for further developments on neighbouring sites.

65A Moorend Crescent
Cheltenham
Gloucestershire
GL53 0EW

Comments: 22nd February 2016
Letter attached.

2 Halland Road
Cheltenham
Gloucestershire
GL53 0DJ

Comments: 22nd February 2016

Any decision on this site should be delayed until a decision has been made on the JCS. This is an attempt to bypass the JCS and should be rejected.

The additional traffic generated by the development, not to mention the demand for school places and health services locally must be taken account of properly before a decision can be made on this development. The additional rush-hour local air pollution created by this development will cause health problems for local residents.

Whilst this may count as a brown-field site I am concerned that housing development here will likely lead to further housing applications in the surrounding area. This will destroy the open spaces in the Leckhampton area which are important for local wildlife and recreation, and which are key to the character of the local area.

Comments: 28th November 2016

I strongly object to the development proposed on this site. The surrounding roads cannot cope with the extra traffic, and air pollution will be damaging to the health of local people. There will be damage to the local wildlife populations. The view from Leckhampton Hill will be damaged and the rural characteristics of the area will be further destroyed. There will be increased pressure on local schooling and health services which are already struggling to cope with the number of local residents. In addition, the hard landscaping associated with the development will add to flooding risk in the area.

85 Church Road
Leckhampton
Cheltenham
Gloucestershire
GL53 0PF

Comments: 28th November 2016

I strongly object to this proposal for many reasons.

The land is not suitable for building numerous homes on as it floods frequently and a development of this kind would ruin the natural beauty of the area.

The local infrastructure simply cannot take any more traffic. I live on Church Road and there are already far too many cars driving along the road and parked on the road, any further development would add to the congestion and pollution on this road and on Shurdington Road. The local primary school is already over-subscribed and secondary school places in the south of Cheltenham are already limited with no plans to build a new school in the south of Cheltenham.

Furthermore, it would seem nonsensical to approve any building in this area until JCS has been finalised.

Hazelwell
Undercliff Terrace
Cheltenham
Gloucestershire
GL53 9AE

Comments: 10th December 2016

I strongly object to the building of 45 new houses on the rural edge of Leckhampton. This is on 3 main grounds:

Traffic congestion in Church Road is already very severe at peak times, and the combination of children walking to and from the local Primary School and cars trying to negotiate very narrow, congested roads already creates hazardous situations and stress for parents and drivers alike. This will be made so much worse by the addition of new housing so close to Church Road.

Local facilities, such as GP surgeries, Primary and Secondary schools etc. are already oversubscribed. Extra pressure on these services will badly affect everyone who currently lives in this neighbourhood.

This rural area, with its footpaths and country lanes is highly valued by local people as an oasis of peace and visual beauty. If we are not vigilant about protecting our countryside, together with the wildlife it supports, we will find that creeping urbanisation and development will eat up these valued landscapes piece by piece, leaving us all the poorer.

12 Moorend Road
Cheltenham
Gloucestershire
GL53 0EU

Comments: 24th November 2016

I strongly object to the proposal to build dwellings on the land off Kidnappers Lane.

The local roads are already very badly congested and in very poor condition. It often takes 30 minutes to drive 5 miles up or down Shurdington road at peak times due to the number of roads and amount of traffic linking in, adding volume and also disturbing the traffic flow. The local schools are also badly oversubscribed.

There have been and continue to be many planning applications in this area of Cheltenham, no doubt due to the high land value. However, the value for the developers does not justify the significant deterioration in living conditions for the much greater number of existing residents that would result if this application were successful.

Robinswood Cottage
Kidnappers Lane
Cheltenham
Gloucestershire
GL53 0NP

Comments: 21st March 2016
Letter attached.

7 The Spindles
Cheltenham
Gloucestershire
GL53 0QD

Comments: 18th February 2016
I object to this planning application proposal.

With the controversy over recent JCS proposals to build on designated green belt land I feel it is wrong to allow this planning proposal to proceed to grant.

3 Silverthorn Close
Cheltenham
Gloucestershire
GL53 0JF

Comments: 10th December 2016
Owing to the lack of viable infrastructure, environmental and safety proposals, I (amongst many others) object to this development. Since the area of proposed development is included within the JCS, why not simply wait for the result of this? At least there would then be the possibility of a "joined up" approach to development.

103 Charlton Lane
Cheltenham
Gloucestershire
GL53 9EE

Comments: 29th December 2016
I write to object to the building of so many houses on this place of such beauty with many plants and areas of rare species. The wildlife will be disturbed.

The road access is very small and will cause traffic jams.

The schools are all full, so no room for any more.

There are no shops anywhere near.

4 Chestnut Place
Cheltenham
Gloucestershire
GL53 0QE

Comments: 16th December 2016
Letter attached.

4 Kestrel Close
Cheltenham
Gloucestershire
GL53 0LQ

Comments: 27th November 2016

I strongly object to this application based on the negative impact from traffic, the environmental impact/potential for flooding and destruction of green fields.

54 Caernarvon Road
Cheltenham
Gloucestershire
GL51 3JP

Comments: 19th February 2016

I oppose this planning application for three different reasons:

- 1) Traffic congestion - Kidnappers Lane and Church Road are already heavily congested at peak times and adding another 45 houses will only make this worse. This is also a safety concern in view of the number of pedestrians who use Kidnappers Lane which does not have a proper footpath. There are no provisions in the proposals to deal with the increase in traffic or to alter Kidnappers Lane in order to reflect a more commonly used road, i.e. increased width.
- 2) Pedestrian Use - Like many other people, I regularly walk my dogs in these fields. With other areas close by being built on, this will reduce the amount of green space we can use to let our dogs run free off the lead and away from busy roads and homes.
- 3) Wildlife - Using this road every day I've seen deer running free countless times. It will be a real shame to see these beautiful animals forced out due to another housing development in this area.

26 Greatfield Lane
Up Hatherley
Cheltenham
Gloucestershire
GL51 3QQ

Comments: 7th March 2016

I wish to object to this development in Leckhampton on the Waoku Nurseries site and land off Kidnappers Lane, Leckhampton. My key objections as follows:

- This application is premature, pre-empting the outcome of the JCS. Such piecemeal development should not be agreed at this point. The whole area of land/space at Leckhampton needs to be considered as part of the JCS strategy and the forthcoming designation of Local Green Space. Such a development at this stage would be prejudicial to a coherent plan for the area. It would also pave the way for further speculative piecemeal developments of this kind.
- Environmental - the loss of land for outdoor recreation, and of wildlife habitat.
- Traffic - the A46 is already heavily congested along with much existing pressure on Church Road and the access to Cheltenham along Bath Road. Tailbacks and delays are already common at peak times. Kidnappers Lane is also very narrow, with no footpath. It is a country lane which cannot accommodate the traffic from a development of this kind.

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- Local Schools - Bournside, Chosen Hill and Balcarras Schools are already full and there are great problems with catchment areas and places at these schools, as evidenced very much recently in the press.
- Flooding - increase to flooding risks for example to Warden Hill.

10 The Lanes
Cheltenham
Gloucestershire
GL53 0PU

Comments: 27th November 2016

I strongly object to this application. The grounds for my objection have been explained in detail by many of the earlier objectors. My particular concerns are the inevitable increase in traffic, the increase in flood risk, and the amenity value of the green spaces in this area.

Marlboro
Shurdington Road
Cheltenham
Gloucestershire
GL53 0NJ

Comments: 14th December 2016

Increase in traffic flow on Kidnappers Lane and A46 Shurdington road increasing harmful pollution levels, delay to travel and increased danger to pedestrians, cyclists and existing road users.

Degradation of green space along Kidnappers Lane leading to urban sprawl between A46 and Leckhampton Village

Encroachment to whole area from incremental developments including the Redrow proposal further along farm lane leading to the whole area being developed piecemeal.

Increase pressure on local infrastructure, amenities including schools , medical and other facilities.

Increase crime and damage to local area due to volume of people.

15 Collum End Rise
Leckhampton
Cheltenham
Gloucestershire
GL53 0PA

Comments: 7th March 2016

The extra traffic will add to the existing air pollution and congestion on Church Road at peak times. The closure of Kidnappers Lane to through traffic will mean that we will have to use Farm Lane to access the west of Cheltenham and Gloucester, adding to car miles and congestion on that route.

However a pavement on one side and lighting on the stretch of Kidnappers Lane near Vineries Close would increase safety and be welcome.

1 Chatsworth Drive
Cheltenham
Gloucestershire
GL53 0AG

Comments: 3rd March 2016

This development should not be given consideration until the JCS has been agreed.

By their own admissions the developers are relying on the currently rejected adjoining developments to provide the amenities needed to support it.

Kidnappers Lane is a narrow country lane which in recent years has become a rat run. It can be dangerous walking along it due to the fact that there is no footpath and vehicles travel too fast for the conditions, i.e. blind bends, single carriageway. I would object to ripping up hedgerows and mature trees, and filling in drainage ditches in order to put in a footpath as this would change the nature of this lovely country lane. The area is good habitat for wildlife and the road itself is often flooded. It is a lovely wild area for people to enjoy without having to get in their cars.

The developers make out that people would walk to the local shops on Leckhampton Road, which is unrealistic. Church Road is already extremely congested and pollution levels at rush hour are currently unacceptable. Until this traffic situation is resolved no more developments should even be considered. Contrary to the NPPF this development will discourage walking and cycling for the current users of this lane as the traffic is becoming more dangerous.

The developers also state that Leckhampton Primary school is within walking distance, but fail to point out that the school is already oversubscribed and therefore there would be no places available. Equally the same situation occurs for secondary school places locally.

Comments: 7th December 2016

In the absence of any revised plans as stated in your letter of 22nd November 2016, I refer you to my objection letter written in response to the original application.

My reasons for objecting remain the same; in fact the situation with traffic, flooding, getting a doctor's appointment etc, etc gets continually worse.

After the government (tax payer) has spent so much money on Inspector Ord's report, I hope it will be not be ignored.

The Moat
Church Road
Leckhampton
Cheltenham
Gloucestershire
GL53 0QJ

Comments: 29th February 2016

Reference the above planning application for 45 dwellings at Kidnappers Lane.

I object to the proposal based on the following points:

1. The JCS for this area is not yet settled, so this is another premature application.
2. It must be carefully considered alongside all the other applications going on, as this land was originally included in a large proposal for approx 1200 houses in this area, since reduced to 650. Now it forms a separate application for 45.

3. If this proposal goes ahead the gates are open to other applications of similar size all over the area, where we have already seen potential applications from builders for up to approx 2000 houses. IN other words building by stealth would be encouraged in an area which has no infrastructure to cope with anything like that.
4. There appears to be no guarantee that hedgerows will be kept to reduce visual impact of these houses. Are they to be three storey in height? If so the visual impact is worse.
5. The housing is too dense.
6. The estate would add extra traffic to already overloaded roads.
7. It would be a noticeable out of place development by viewing from Leckhampton hill.
8. There is not enough parking allowed for, meaning that the estate would become heavily covered with parked cars. Not a nice prospect for the people living there.
9. The appeal into the Bovis/Miller 650 application is not yet known, so how can this application even be considered?

Therefore, I trust you will turn down this application.

17 Collum End Rise
Leckhampton
Cheltenham
Gloucestershire
GL53 0PA

Comments: 15th February 2017

I strongly object to this proposal to build 45 new houses on the rural edge of Leckhampton. Once again I have to write objecting to further development on such a scale in the area of Leckhampton's fields. My objections are as follows.

Landscape and Protection of Rural Character

This rural area, with its footpaths and country lanes, which is greatly valued by local people for its peace and beauty, would be irreparably damaged by the proposed development, which is out of keeping with the rural character of the area. Local wildlife and the quiet and peaceful nature of the area would be damaged as a result of this development.

If incremental developments such as this and the Redrow proposal to the west of the site are permitted, it could lead to the whole area being developed piecemeal, as further inappropriate planning applications are thus encouraged. Creeping urbanisation is in danger of consuming these valued landscapes piece by piece, leaving us all the poorer.

The proposed development would additionally damage valuable and important views across Gloucestershire from various points on Leckhampton Hill.

Traffic and Air Pollution

Kidnappers' Lane is a narrow and winding country lane with awkward bends, limited visibility and poor lighting. It is used as a cut through by drivers, often impatient and travelling at excessive speed. The lane is already taking far more traffic than it can safely sustain. The addition of forty-five houses, and thus in the region of 80 or 90 more vehicles, would be unacceptable, in terms of congestion, general road safety and risk to pedestrians.

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The proposed development would also add to traffic flows on Church Road and the A46 (Shurdington Road), adding to the existing excessive congestion and travel delays.

Church Road itself is in places too narrow for its existing use. Bordered, as it is, by houses on both sides air pollution is also already an issue which can only be exacerbated by the proposal.

I consider that there should be no further development in the Leckhampton fields area without a solution to the chronic traffic and air pollution difficulties.

Brownfield Development Priority

In my view, other considerations notwithstanding, there should be no permissions given for any major building on land between the A46 and Church Road/Leckhampton Lane until all brownfield land available in Cheltenham and the surrounding district have been developed. This is crucial for the future of Cheltenham. Developers cannot be allowed to dictate planning policy.

Planning Approach

I understand that the Joint Core Strategy has yet to be finalised. It seems to me wholly inappropriate to allow this application in isolation, in advance of such finalisation. I understood that the inspector considering the Joint Core Strategy had recommended against developments such as now proposed.

As there are several other residential developments proposed for the area, it is essential that the cumulative effects of these developments on traffic, landscape value, flooding, air pollution and wildlife be considered as a whole. Schemes should not be allowed on the basis that individually they do not do much harm.

Additionally, the proposed building density on the site seems to me excessive for the area.

Flooding

The area is low lying and prone to periodic flooding. There is a risk that any new houses will be inundated, as has apparently happened to about six of the houses built last year at Leckhampton View (off Leckhampton Road), since speculative builders do not appear to appreciate, or take care about, local flooding or inundation risks.

Additionally, in the absence of proper provision for surface water drainage, the proposed development could increase the risk of flooding elsewhere in the locality, particularly in Warden Hill.

This proposal should not be permitted without inclusion of provisions properly to deal with flooding risks, including means to hold the developer liable for non-performance.

Accordingly, I request that the council reject this planning application.

Flat 6
87 Shurdington Road
Cheltenham
Gloucestershire
GL53 0JQ

Comments: 23rd November 2016

Very concerned about the proposals!

As residents of Shurdington Road we are very concerned about the negative impact the proposed developments will have on the traffic congestion in this area. The queues at the Shurdington Road and Moorend Park Road junction are already a problem. Traffic backs up as far as Kidnappers Lane at peak times and also round the Park.

I have already complained to the council about the lack of crossing priority given to pedestrians at the junction, which is used by a lot of adults and school children.

Having lived here for over thirty years we have seen the traffic getting busier and busier and we dread to think just what effect the proposals will have if they succeed. The effects on Bath Road and the Park, the main routes in to town will be horrendous.

10 Eynon Close
Cheltenham
Gloucestershire
GL53 0QA

Comments: 7th March 2016

I object to this planning application proposal on the following points:

1 - The planning application appeal decision for 650 houses (13/01605/OUT) has not been decided and my previous objections to this application still applies to 16/00202/OUT. Please refer to my previous objections to the 13/01605/OUT planning application for more detail.

2 - The Joint Core Strategy (JCS) has not been finalised and I believe any planning applications should be withheld until it has been agreed. Else why have a JCS?

8 Leckhampton Farm Court
Leckhampton
Cheltenham
Gloucestershire
GL51 3GS

Comments: 29th February 2016

Letter attached.

Comments: 5th December 2016

Letter attached.

5 Naunton Way
Cheltenham
Gloucestershire
GL53 7BQ

Comments: 26th November 2016

I object to the proposed development.

The area is too busy already and roads in the area are extremely congested.

Also, I am concerned that allowing even a relatively small development such as this will set the precedent for future expansion.

26 The Lanes
Cheltenham
Gloucestershire
GL53 0PU

Comments: 9th March 2016

Letter attached.

Comments: 1st December 2016

With reference to your letter of 22nd November regarding the above, this letter is to notify you of our objection to the revised plans for the development, on the basis that no further development should be considered until the JCS has been finalized and agreed by all relevant planning authorities.

Gorran Haven
Kidnappers Lane
Cheltenham
Gloucestershire
GL53 0NX

Comments: 25th February 2016

I wish to object to this development on several grounds:

- 1) The site is unsuitable due to drainage. The lane has a constant flow of water from the fields higher up the lane at the point where the development meets Kidnappers Lane. This is a low point on the Lane and the water would settle elsewhere, causing flooding and ice. There is a flood warning sign on the road at this point now!
- 2) Traffic hazard. Access to the site is at a point where several bends in the road make safe visibility of traffic on the lane impossible. This is a dangerous point now, it will be worse with traffic entering the lane at this point.
- 3) Infrastructure. Kidnappers Lane is a semi-rural road where two cars cannot pass at certain pinch points. It is very heavily used during the commuting and school-run periods. This development will add extra traffic to the lane with no possibility of an alternate route.

Comments: 5th December 2016

I object to this application on the following grounds:

- 1) The access onto Kidnappers Lane is not suitable for a housing development because it is a pinch point in the road on a double 'S' shaped bend. Vehicles exiting the site would conflict with foot traffic, horses and bicycle users of the lane as well as other vehicles in a dangerous way, due to poor visibility and a complex junction.
- 2) Kidnappers Lane will become over congested due to busy road conditions on Church Road and Shurdington Road. There is no other exit for traffic from the development, as Farm Lane also exits on Church Road/Leckhampton Lane.
- 3) There is no footway between the proposed development and the Farm Lane junction. This means that the suggestion in the application that secondary level children could use Bournside School would put pedestrians on a poorly lit road with no footway, in the darkness during winter terms. Similarly the use of the Shurdington Road bus stops and Greatfields shops is dangerous.
- 4) The application depends on the infrastructure installation associated with the JCS developments in the area. Surely the JCS development needs to be approved/installed before this application can proceed.
- 5) The application proposes a footway between the development and The Vineries. How is this to be achieved? Is alleviating the drainage problem at Burrows fields part of the proposal. If not the footway will be unusable in wet weather.

Greenacres
1 Crippetts Road
Leckhampton
Gloucestershire
GL51 4XT

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Comments: 17th February 2016

I wish to comment on the above Planning Application for up to 45 dwellings off Kidnappers Lane.

In the first place, this application concerns land that is under consideration as part of the Joint Core Strategy for Cheltenham, Gloucester and Tewkesbury. The proposed strategy is currently being examined by a Planning Inspector. It would therefore be premature to determine this application until the Inspector's final report has been written and considered by the Councils, which may not happen until towards the end of this year, or even later.

Any decision should therefore be deferred until this has happened. If the Applicant is not prepared to wait, the application should be refused.

Secondly, I have two personal objections to the application, relating to the effect that building here would have on the landscape and to the transport consequences of such a development.

My landscape objection is that development here would detract from the views that I currently enjoy when walking on Leckhampton Hill and other high points in the neighbouring Cotswold Escarpment. Although this site is relatively small in relation to other proposed developments in the area, it would be part of a creeping urbanisation of a green corridor. At some point this must be stopped, or the whole landscape will lose its tranquillising quality.

My second objection is that development on this site would increase the traffic problems in the area. Both Church Road and the Shurdington Road are very congested at certain times, causing pollution and danger to all road users, including pedestrians and cyclists as well as motorists. I myself use Church Road frequently in all three modes of transport, and also frequently use the Shurdington Road as a motorist.

Thank you for considering my submission.

45 St Michaels Road
Cheltenham
Gloucestershire
GL51 3RP

Comments: 21st March 2016

Letter attached.

Comments: 12th December 2016

I affirm my opinion about ANY MAJOR development on land between A46 and Leckhampton, that ALL Brownfield Land available in Cheltenham and surrounding district should be developed before GREEN OPEN SPACE is covered in houses, tarmac and concrete.

Recently after the heavy rains ALL the watercourses draining off this land were in full spate and will only be added to by further buildings.

These houses aren't LOW COST HOUSING which is needed. Brownfield sites could provide that.

57 Church Road
Leckhampton
Cheltenham
Gloucestershire
GL53 0PF

Comments: 12th December 2016

We object to the Hitchins Application for the following reasons:

1. The Application is premature, because development in this area will be subject to the overall conclusions of the JCS, which has not been finally decided;
2. As there are several other residential developments proposed for the area, it is essential that the cumulative effects of these developments on traffic, landscape value, flooding, air pollution and wildlife are considered;
3. The planning inspector Elizabeth Ord has recommended that Leckhampton be removed as a strategic housing site and total housing for the area be substantially reduced, which clearly has implications for this development when considered with other proposed developments;
4. The proposed development would damage important and valuable views across Gloucestershire from various points on Leckhampton Hill
5. The proposed development would cause a significant increase in traffic on a narrow country road, causing danger to pedestrians and cyclists; and would also result in extra traffic in two other local roads which are already severely congested in peak periods, causing additional air pollution as well as danger to cyclists and pedestrians;
6. The proposed development could increase the risk of flooding, particularly in Warden Hill.
7. It appears from the plans that this development is set up as a two phase project, with the location of public open space and LAP sited for a future road location enabling development of the remaining site - clearly such a large scale development would be highly inappropriate for the area for the aforementioned reasons.

24 The Close
Cheltenham
Gloucestershire
GL53 0PG

Comments: 29th November 2016
Letter attached.

4 Vineries Close
Cheltenham
Gloucestershire
GL53 0NU

Comments: 6th March 2016

I object to the above planning application. It has to be considered alongside the other applications for the area and after the inspection for local green space has been decided upon.

This country lane is unsuitable for any developments. It is a winding often single carriageway lane, flanked by mature trees and hedgerows with ditches running between these and the road. The construction of a footpath would involve significant destruction of these features, and change the nature of this open countryside. The developer states that this is virtually a brownfield site but there is no consideration of the above, which would be required in making this a safe site for dwellings.

Any further traffic increase and the associated pollution would make this lane even more hazardous for all road users, and add to the already seriously congested Church Road.

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Having lived off this road for 45 years I have witnessed the road and surrounding fields being flooded at all times of the year.

Another 45 houses will add to all the overstretched amenities locally i.e school places, doctors etc.

2 Vineries Close
Cheltenham
Gloucestershire
GL53 0NU

Comments: 9th December 2016

I object to the I revised plans as submitted by Robert Hitchins.

*This application is premature and should not be considered until work on the Joint Core Strategy has been completed.

*This development would increase the amount of traffic considerably along Kidnappers Lane adding to the hazardous nature of the rat run that the Lane has become. Kidnappers Lane is narrow with sharp bends with just enough room for cars to pass and in one section one car only. Locals consider the lane now hazardous to walk along.

*Traffic from the development onto the A46 and Church Road would add to the already considerable congestion and pollution. Highways authorities themselves confirmed the roadway system in Church Road is broke. Getting out onto either road at peak times is a nightmare with long traffic queues. In addition pollution on both roads is already significant and further increase in traffic will degrade air quality even further.

*Development would affect the overall feel of the Lanes as a means of recreation and wellbeing for communities in Leckhampton and Warden Hill. To allow the loss of this site would encourage other developers to break up the small holdings piecemeal. Already fences have gone up restricting access to fields previously open.

* It is a good opportunity to fill this site with new woodland to compliment the rural aspect of Kidnappers Lane.

1 Vineries Close
Cheltenham
Gloucestershire
GL53 0NU

Comments: 8th December 2016

Kidnappers Lane is not wide enough to take the additional traffic which will result from this development, particularly at the Church Road junction. This application should not be taken in isolation and should be part to the JCS which should ensure proper access to the development.

Sheepshead Row
Kidnappers Lane
Cheltenham
Gloucestershire
GL53 0NR

Comments: 17th February 2016

I object strongly to proposed development 16/00202/OUT on grounds of drainage issues and traffic.

The Flood risk assessment states that the proposed development would not be at risk of flooding but does note that some water would be discharged to the existing ditch. Currently (Feb 2016) the ditches on each side of Kidnappers Lane are inundated as they are during the autumn/winter months every year. There is currently a flood warning sign positioned at the site of the proposed access to the development. The blocked ditches, combined with water running down Kidnappers Lane from Church Road lead to water lying on the highway surface and large deep puddles collecting. In cold weather the entire surface is black ice posing a danger to all road users. Additionally the large puddles cause a lot of erosion to driveways entering this section of Kidnappers Lane, as cars drive through the standing water at high speed. A walk to work or school along Kidnappers Lane is even more dangerous than usual. Water from the proposed development discharging into the ditches would cause the flooding to worsen.

The application also notes that "Development will not be permitted where it would endanger highway safety, directly". Photograph 3.3 is of a section of the southern part of Kidnappers Lane. The traffic survey notes a rate of 250 vehicles per hour during morning peak. The section in the photograph is not wide enough for 2 vehicles to pass and there is no pedestrian path. Personal experience has shown that walking to school and work at this peak time is horribly dangerous. Pedestrians need to avoid on average 4 cars per min. Increased traffic from the development will have a significant impact on pedestrian road safety.

Clayfield
Farm Lane
Leckhampton
Cheltenham
Gloucestershire
GL53 0NN

Comments: 7th March 2016

We wish to object to the proposed development of 45 dwellings on Kidnappers Lane, ref no 16/00202/OUT.

Our reasons are as follows:

1. The application itself states that "The application site comprises part of land allocated for strategic development of 1,124 dwellings for 'South Cheltenham - Leckhampton' in the emerging Joint Core Strategy (JCS)". As such this application should not be considered until the JCS has been determined and the independent examination completed. The JCS may remove this area from development and so all pre-emptive applications should be rejected until the JCS is determined. The application states that many mitigating features will be provided by the wider development of this area, but these are as yet unproven and so by definition this application cannot yet be considered.

Amenities in this area are already at full stretch and so if the JCS does approve development then a coherent plan should be adopted for the entire area rather than a piecemeal approach.

2. The application itself states that "The application site formed part of the larger area of land which was the subject of a planning application submitted by Bovis Homes Limited and Miller Homes Limited for up to 650 dwellings" which was refused by Cheltenham Borough Council and so should stay refused.
3. The Gloucestershire Local Transport Plan (LTP3) states that the transport network should be 'safe'. Although the proposed plan shows a small amount of pavement will be provided outside the development it does not continue for the entire length of Kidnappers Lane in both

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directions, meaning that to walk to schools, shops, doctors, dentists etc residents would have to walk in the road. Kidnappers Lane is a narrow winding road with awkward bends, limited visibility and poor lighting, and is used as a rat run at peak times & throughout the day by impatient drivers travelling at high speeds. Most new residents would use their cars for most journeys, which would add considerably to the congestion on Church Road and the A46 Shurdington Road.

4. The nearest Primary School (Leckhampton) is already consistently over subscribed and these houses would in most school years be too far away to obtain places there, meaning that children would be allocated places to schools on the other side of the A46. Without adequate pavements along Kidnappers Lane to walk safely (and targeted pavement widening along the A46 to make walking for children safer) all journeys would be undertaken by car.
5. Secondary school places on the south side of Cheltenham are already insufficient and under scrutiny, further housing in this area will add to this unresolved problem.
6. The nearby Hatherley Brook regularly overflows onto Kidnappers Lane, and the whole area is subject to flooding with signs already in place. Large scale development of this area will only worsen this and impact on flooding in Warden Hill as happened before.

Comments: 11th December 2016

My objection covers two points.

The application is premature, in that it should follow the JCS so that any applications are considered in the context of a holistic development strategy.

Traffic. The roads (A46 and Church Lane) around Kidnappers Lane are already heavily used. The prospect of 45 new homes and the likely 90-100 new cars using the roads is worrying, as the roads are regularly at a standstill and nose to tail at peak times.

Nambour
Farm Lane
Leckhampton
Cheltenham
Gloucestershire
GL53 0NN

Comments: 3rd March 2016

Any development in the Kidnappers Lane will just cause more congestion on the roads into Cheltenham with cars sitting in traffic jams spewing out pollution.

Where are the local jobs for these residents without traveling in a car .

The Gov Inspectorate Mrs Ord report says the area should be kept as GREEN SPACE not built on.

Build down near Kingsditch .

Lantern Lodge
Farm Lane
Leckhampton
Cheltenham
Gloucestershire
GL53 0NN

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Comments: 13th December 2016

Please accept this objection to the above development on the grounds of environmental impact to the local area.

this whole area of Leckhampton was once a thriving market gardening and working farm lands, that is until developers bought interest in the land. The JCS review dismissed this and surrounding area as development and as such I trust that the committee will deny the application. The area is already under threat from Tewkesbury Borough Council and their developers, and these small applications are just the thin edge of the wedge.

Please protect this farming land and encourage it to be worked as it was intended

Green Acres
Kidnappers Lane
Cheltenham
Gloucestershire
GL53 0NP

Comments: 15th December 2016

Letter attached.

8 Vineries Close
Cheltenham
Gloucestershire
GL53 0NU

Comments: 23rd February 2016

I was surprised to see a copy of this letter to my mother at 8 Vineries Close, Leckhampton.

I live on Warden Hill and use Kidnappers Lane at least twice a day to go to and from my mother's home. I am surprised that you would even consider an application of housing on that level with access to and from it via Kidnappers Lane. This lane has no infrastructure to take a small housing estate of this kind which will have at least 90 cars coming on to it from the 45 houses. Have you thought about where all the water is going to go once houses have been built and how are these extra cars going to get either on to Church Road or on to Shurdington Road. Where will all the wildlife go. You are saying in documents on your website about people people having to obtain planning to concrete their drives because of flooding, wildlife and pollution - what will this do? Has anyone considered the effects of the 2007 flooding. My road was flooded and people had to leave their homes. We have had to put a complete drainage system in our garden

[text removed]

Avenoke
Kidnappers Lane
Cheltenham
Gloucestershire
GL53 0NL

Comments: 17th February 2016

Thank you for your letter regarding the above planning application.

I wish to object on the basis of the increased traffic on the road past our house at Avenoke, Kidnappers Lane.

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I have two small children (7 & 11 years) and Kidnappers Lane is already a treacherous road to cross to go to School or come home. In wet or muddy conditions we or they are unable to walk on the grass (as there is no footpath on our side of the road) so the children have to cross twice on a blind bend. I am most unhappy that the traffic volume be increased with 45 dwellings as this will cause further danger to my children.

I am also concerned about the pollution, already a recognised concern in this area. I am also worried that this opens the floodgates for the planners to build on the rest of the green space along kidnappers or Farm Lane, which we very much wish to avoid.

Please feel free to visit if you wish.

St Brizen
Kidnappers Lane
Cheltenham
Gloucestershire
GL53 0NL

Comments: 21st March 2016
Letter attached.

Orchard View
Kidnappers Lane
Cheltenham
Gloucestershire
GL53 0NL

Comments: 25th February 2016

We object to this application due to the need to await judgement on the JCS, this is a case of trying to circumvent due process and should it go ahead it would likely encourage further small development requests, and risk death by a thousand cuts. Local amenities are already stretched, and without investment this situation will worsen.

As we live on kidnappers lane, we are concerned by the increase in traffic noise and pollution this development will cause. In addition a lack of pavement on already narrow stretches of road with greater traffic volumes will lead to increase risk to pedestrians, and even vehicles due to subsequent wear and tear on road surfaces; especially as a result of trucks and machinery.

Furthermore, increased traffic will only cause further exacerbation to the congestion at the junction between kidnappers lane and Shurdington Road during rush hours.

104 Shurdington Road
Cheltenham
Gloucestershire
GL53 0JH

Comments: 9th March 2016
Letter attached.

Firth Lodge
106 Shurdington Road
Cheltenham
Gloucestershire
GL53 0JQ

Comments: 9th March 2016

Letter attached.

11 Highwood Avenue
Cheltenham
Gloucestershire
GL53 0JJ

Comments: 7th March 2016

I am against any development on the land between Shurdington Road and Church Road in Leckhampton. The reasons for my objection are as follows.

- This is valuable Green Belt land around our town, and the loss of habitat would be disastrous to local wildlife. In addition, many people, including myself, use that land for walking and for leisure, and its loss would lessen our quality of life in this area. We buy our meat from local butchers who source from livestock kept in the fields that are proposed to be built over.
- Shurdington Road, Bath Road and Church Road are already groaning with traffic at maximum capacity. More cars will bring these roads to a gridlock situation; the smallest disruption through accident or road works already cause tailbacks that can stretch for miles, and that even during the weekend.
- There is already a flood risk in this area, and a stream that runs along side this area which in times of heavy rain already floods our garden. Building more houses and the services to provide them will result in more run-off, and risk flooding to the new homes and existing homes.
- Bournside, Chosen Hill and Balcarras Schools are already at capacity.

There are relentless applications to build on this area. Although this is a smaller application, I fear it is the thin end of the wedge and approving it will give a green light to further efforts by developers to fill up the remainder of the land in this area. We should signal that no new building should be allowed here.

Comments: 27th November 2016

I strongly object to any building of a significant number of properties in this area.

This appears to be a minor revision and the original concerns of residents remain.

I am against any development on the land between Shurdington Road and Church Road in Leckhampton. The reasons for my objection are as follows.

- This is valuable Green Belt land around our town, and the loss of habitat would be disastrous to local wildlife. In addition, many people, including myself, use that land for walking and for leisure, and its loss would lessen our quality of life in this area. We buy our meat from local butchers who source from livestock kept in the fields that are proposed to be built over.
- Shurdington Road, Bath Road and Church Road are already groaning with traffic at maximum capacity. More cars will bring these roads to a gridlock situation; the smallest disruption through accident or road works already cause tailbacks that can stretch for miles, and that even during the weekend.
- There is already a flood risk in this area, and a stream that runs along side this area which in times of heavy rain already floods our garden. Building more houses and the services to provide them will result in more run-off, and risk flooding to the new homes and existing homes.

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- Bournside, Chosen Hill and Balcarras Schools are already at capacity.

There are relentless applications to build on this area. Although this is a smaller application, I fear it is the thin end of the wedge and approving it will give a green light to further efforts by developers to fill up the remainder of the land in this area. We should signal that no new building should be allowed here.

46 Merlin Way
Cheltenham
Gloucestershire
GL53 0LU

Comments: 1st December 2016

We wish to object to the proposed development of 45 dwellings at land off Kidnappers Lane, Cheltenham for the following reasons:

- The increase in traffic will lead to further congestion on Church Road, which will already have been worsened by the development opposite Vineries Close.
- The increase in traffic will exacerbate the air pollution on Church Road - already above acceptable EU levels, and a potential health threat to pupils of Leckhampton Primary School
- The increase in traffic will be a safety hazard to pupils of Leckhampton Primary School
- The increase in traffic on Kidnappers Lane (narrow and with sharp bends) will create an even greater hazard for walkers than at present
- There may be no/little capacity at Leckhampton Primary for additional intake

23 Highwood Avenue
Cheltenham
Gloucestershire
GL53 0JJ

Comments: 23rd November 2016

Although this appears to be a relatively small development it is the thin end of a wedge. Any building within a rural site like this makes it easier for future developers to join it to existing sites, gradually filling in the whole area.

Reports commissioned by the developers say that any increase in traffic levels would be insignificant. But, there is already far too much traffic on Shurdington Road and Church Lane leading to unpleasant levels of air and noise pollution, and increasing the danger for cyclists and pedestrians.

8 Arden Road
Cheltenham
Gloucestershire
GL53 0HQ

Comments: 22nd February 2016

Letter attached.

12 Moorend Grove
Cheltenham
Gloucestershire
GL53 0EZ

Comments: 20th February 2016

We object on grounds of traffic increase.

Kidnappers Lane to and from Church Road is already a heavily used 'cut through' from Shurdington Road. This development will seriously increase traffic and make an already congested area even worse.

Is it the Council's intention to increase the size and number of roads (including Kidnappers Lane) to take the increased volume of traffic? This will be an undoubted scar on a rural area.

Comments: 30th November 2016

Although I am supportive of the need for more housing, I am against the proliferation of this type of development which will be for higher income families and therefore will bring at least a further two cars per family unit to the area. This will have a further serious effect on the traffic in the area of Church Road and in my road (Moorend Grove, and Moorend Park Road). I think that it is fundamentally wrong for there to be a creeping increase in small developments of significant extra vehicle loading on adjacent streets. If this (and others) are permitted the Council should insist on shutting off access to the adjacent roads mentioned above, and only access to Shurdington Road possible, otherwise new 'rat runs' will result.

Brook Cottage
Crippetts Lane
Leckhampton
Cheltenham
GL51 4XT

Comments: 29th February 2016

Letter attached.

5 Pickering Close
Cheltenham
Gloucestershire
GL53 0LE

Comments: 28th February 2016

I object to the proposed development on the following grounds.

- (1) Kidnappers Lane is a small road, which will not be able to support the additional traffic that will arise from an extra 45 houses. This will have a particularly high impact at the ends of Kidnappers Lane, where it meets the A46 at one end and Church Road at the other: these roads are both very busy at peak travelling times and traffic turning in and out of Kidnappers Lane will cause additional congestion on these important routes.
- (2) The proposed building work is a piecemeal approach to development of this area. This encourages other inappropriate development nearby, which exacerbates any problems with transport and other infrastructure. The end result is a series of disconnected small residential streets that are difficult to walk through and do not feel like a coherent region of Cheltenham.
- (3) The proposal makes no attempt to provide the supporting services that the residents will need, such as schools, healthcare and shops. Many of these services are already overloaded and new development should be halted until these problems are resolved.
- (4) This development will have a detrimental impact on the appearance of the adjacent fields and affect the views from the nearby Area of Outstanding Natural Beauty.

Comments: 26th November 2016

I object to the proposed development on the following grounds:

- It makes no attempt to address the highly-congested roads in this area and the additional traffic will make the existing situation worse.
- It does not consider that a coherent plan for the area is currently being produced, including the JCS. This particular application attempts to circumvent this legitimate regional planning activity by generating "facts on the ground" which are likely to result in much larger developments nearby that are inappropriate and do not have the necessary infrastructure to allow the local area to cope with the increased traffic, schooling and healthcare demands.
- This area is near to an area of outstanding natural beauty, which we should be protecting for the benefit of everyone in Cheltenham.
- The proposed estate is just another housing estate. Any attempt to build in this area should try to build houses that are interesting to look at, support the development of a community and have some kind of connection to where they are being built.
- This area is prone to flooding as the result of run-off from Leckhampton Hill. Even if the developers protect this site, the reduction in water-absorption will increase the risk for houses further downhill.

2 Jasmin Way
Up Hatherley
Cheltenham
Gloucestershire
GL51 3HZ

Comments: 17th February 2016

The Shurdington road is severely congested as it is, especially at peak times. If you add another 45 dwellings working on an average of 2 vehicles per house hold you are adding c90 vehicles into the mix which will cause pressure on the road network and aggravate local residents.

23 Hawkswood Road
Cheltenham
Gloucestershire
GL51 3DT

Comments: 28th November 2016

Letter attached.

48 Collum End Rise
Leckhampton
Cheltenham
Gloucestershire
GL53 0PB

Comments: 26th February 2016

The principal problems with building on this site arise both from the relatively isolated nature of the site (not being adjacent to established development) and the nature of the land itself.

Access to the site is on a right-angled corner with no sight lines round the corner. The road itself is narrow enough that two-way traffic is not possible near where the footway ends at Vineries Close and difficult along the whole length of the road for anything as wide as many of today's family cars. Overtaking a stationary waste disposal vehicle (for instance) is only possible if it is parked off the road on private access. Most of Kidnappers Lane has ditches or high hedges each side which makes it impossible to use verges for passing. Cyclists and pedestrians are both obliged to use the roadway and have no safe refuge from heavier traffic to either side on much of

the road. The alternative route between Shurdington Rd and Church Rd (ie Farm Lane) is just as narrow in places, but because it does not have such sharp bends it is not quite so hazardous.

The GCC collision survey is clearly incomplete: I have seen occasional evidence of collisions on KL, but presumably they were not major enough to be reported to any official channels.

Traffic flows along Shurdington Rd and Church Rd are already intolerably heavy at peak times. Church Rd itself is too narrow for two-way traffic to flow with parked cars, and the inexorable increase in cars parked on the street has exacerbated this problem. The ban on heavier vans using part of the road is not always respected, even at peak times, and the number of car journeys to Leckhampton School and the increasing flow down Leckhampton Hill are all factors which make movement along Church Rd in either direction very slow at times. Shurdington Rd feeds into the busy Bath Road, so that although SR itself could flow freely this is prevented by the situation on Bath Road.

Access from the site by residents is likely to be almost exclusively by car, even if a dedicated footpath direct to Shurdington Rd were planned, which it is not. There is no nearby public transport to Bournside, Balcarras or Pates secondary schools. Warden Hill primary school requires crossing the A46, Leckhampton primary school is beyond most parents willingness to walk (and is oversubscribed anyway), Morrisons is also a long walk and other supermarkets are much further away, the nearest "local" shops are in Warden Hill; none of these facilities is accessible by public transport from the Shurdington Rd. Many major employers in the Cheltenham area (such as GCHQ) are not on these bus routes either. The roads are already full, even an extra 45 dwellings' worth of traffic is unacceptable without considerable improvements to the road system in Cheltenham.

Several references have been made in the application documents to community facilities which may be provided by other development nearby. Such development is by no means certain, and may not include all (or indeed any) of the facilities to which reference is made. I believe this application must stand on its own without reference to speculation on future development beyond its boundaries.

The green space within the development includes a large pond and no play facilities. Is this acceptable with the likelihood of small children having no alternative public green space nearby? There is no provision for a playground.

As for the flood risk, photographs of the area in 2007 would not have shown much land in the general area above the water, and I understand the subsequent flood defence work immediately to the north of the Shurdington Rd was in response to the risk of flooding from surface water in the general area which includes the site.

Comments: 1st December 2016

Letter attached.

2 Blackthorn End
Leckhampton
Cheltenham
Gloucestershire
GL53 0QB

Comments: 17th February 2016

I have two objections I to this application. I accept that the application is for a small number of houses but it is part of the JCS area and if approved will give leverage to the JCS and the issue with the JCS is traffic. The Shurdington Road is already very busy with queues sometimes back beyond the Up Hatherley Way round about on the A46. To avoid these queues some of the traffic

Page 94

uses Church Road which has already got traffic, parking and pedestrian issues. These queues cause severe pollution to the neighbourhood including a nearby primary school.

Secondly as already stated this plan is part of the JCS area, which is still under consideration. Therefore it is premature to consider this planning application until the JCS consultation is concluded.

Comments: 3rd December 2016

A decision on this planning application is premature until the JCS is agreed.

18 Peregrine Road
Cheltenham
Gloucestershire
GL53 0LL

Comments: 4th March 2016

I am writing to object to the proposed development by Kidnappers Lane, Leckhampton. As you are aware there is a strong feeling among residence that if you build on the green fields, it would harm the rural character and appearance of the area.

Leckhampton and indeed Cheltenham does not have the infrastructure for this level of development, schools health service, road network.

The A46 is already at capacity with solid traffic queues at peak times. The Bath road is also seriously congested, with no way of widening these roads.

The local schools are all full, with places in high demand. The hospital and A&E have been down graded with cases being sent to Gloucester.

Risk of flooding, significant water runoff is generated from Leckhampton Hill. In 2007 floods, even the fields couldn't protect some houses in Warden Hill.

Please look at the evidence published by inspector Ord and the designation of local green space, listen to the people of Leckhampton and do right for the town, don't sell of our precious land for short term financial gain.

Comments: 27th November 2016

I am writing to object to the proposed development by Kidnappers Lane, Leckhampton. As you are aware there is a strong feeling among residence that if you build on the green fields, it would harm the rural character and appearance of the area.

Leckhampton and indeed Cheltenham does not have the infrastructure for this level of development, schools health service, road network.

The A46 is already at capacity with solid traffic queues at peak times. The Bath road is also seriously congested, with no way of widening these roads.

The local schools are all full, with places in high demand. The hospital and A&E have been down graded with cases being sent to Gloucester.

Risk of flooding, significant water runoff is generated from Leckhampton Hill. In 2007 floods, even the fields couldn't protect some houses in Warden Hill.

7 Pilford Close
Cheltenham
Gloucestershire
GL53 9HA

Comments: 20th February 2016

I currently live in Leckhampton and have young children. The schools in that area are over subscribed (both Infant, Junior and Secondary). Adding further family homes in this area will make this issue worse. There is also a stretch on Doctors and dentists in the area, these houses will just add to this problem.

Kidnappers Lane is not made for a high volume of traffic and floods often.

If new houses go in then amenities need to go in to support these.

12 Fairfield Park Road
Cheltenham
Gloucestershire
GL53 7PQ

Comments: 4th December 2016

Whilst the revised application is for a fewer quantity of houses the original reasons for the rejection of the application are still valid.

- 1) This is the wrong place for such a significant development due to the lack of effective infrastructure in the locality.
- 2) Development increases traffic and congestion to an unacceptable level - particularly on church road

This application should again be rejected.

1 Merestones Close
Cheltenham
Gloucestershire
GL50 2ST

Comments: 9th March 2016

Letter attached.

Comments: 5th December 2016

Letter attached.

83 Leckhampton Road
Cheltenham
Gloucestershire
GL53 0BS

Comments: 9th December 2016

Letter attached.

14 Pilford Road
Cheltenham
Gloucestershire
GL53 9AQ

Comments: 9th December 2016
Letter attached.

Suffolk House
166 Leckhampton Road
Cheltenham
Gloucestershire
GL53 0AA

Comments: 25th February 2016
I wish to object to this application on a number of grounds

1. Drainage - this lane is well know for standing water with relatively little rainfall and often floods- surely it is a bad idea to concrete it over further?
2. Road is very narrow with several tight bends- in places it is difficult for two cars to pass- access onto Church Road is already at a standstill during peak times- it cannot take further congestion
3. Schools- Leckhampton School and other neighbouring primaries are already full- this year an additional class was put on but the head made it clear this would be a one off. Secondary Schools in this area are massively oversubscribed and further building would result in some children having to travel to the other side of Cheltenham to school- a long way from their own catchment area

22 Campion Park
Up Hatherley
Cheltenham
Gloucestershire
GL51 3WA

Comments: 19th February 2016
The development will create more traffic in Kidnappers Lane which is a dangerous narrow lane where some people speed round the bends in the middle of the road. The development will result in about 70 extra cars used by the 45 house owners plus all the visiting cars and delivery vans and lorries. Accidents will happen and people will get injured. It will also increase traffic on adjoining and nearby roads which already suffer from congestion at peak times.

The Cottage On The Green
Badgeworth
Cheltenham
GL51 4UL

Comments: 14th March 2016
Letter attached

9 Liddington Close
Cheltenham
Gloucestershire
GL53 0AH

Comments: 21st March 2016
Letter attached.

18 Eynon Close
Cheltenham
Gloucestershire
GL53 0QA

Comments: 7th March 2016

I am writing to object to this application. It is premature and should not be considered until the JCS, Local Green Space application and 650 Appeal have all been reported upon.

The green spaces along Kidnappers Lane are an enormously important area for the residents of Leckhampton as well as those in adjoining residential areas. Not only do they preserve the character of the area, but they are also a valuable community asset in terms of both mental health and well being and enabling young people to learn about nature, wildlife and local food sources. These green spaces also soak up a significant amount of water that runs off Leckhampton Hill and help to reduce flooding in the surrounding areas.

The traffic from such a development would feed into Shurdington Road, Church Road and Leckhampton Road, all of which already experience considerable congestion, especially at peak times and in the event of road accidents both locally and as far away as Birdlip or the M5.

Also, local primary and secondary schools are already oversubscribed and such a development adds pressure to local education and health services.

Comments: 26th January 2017

I write to strongly object to the above Planning Application 16/00202/OUT for the Robert Hitchings Ltd development of up to 45 dwellings on land at Kidnappers, Lane, Cheltenham.

Firstly, the application is premature and no development should be permitted in the area until the Joint Core Strategy has been finalized and the Local Green Space application has been fully considered.

Local amenities and services will be unable to cope with additional numbers. There are currently insufficient senior school places and local primary schools are full.

There is no local access to public transport and consequently this is likely to result in at least an additional 90 (and possibly more) cars on local roads thus adding to the already severely congested roads - Shurdington Road and Church Road in particular. Additionally, Kidnappers Lane is a relatively narrow country road and only a very small section has a pavement. Consequently the increased traffic would pose an additional risk to other road users, be they pedestrians, cyclists or drivers.

The development is out of keeping with the rural character of the area and local wildlife would be damaged as a result of this development. Green spaces are important for positive mental health and the quiet peaceful nature of this area would be eroded by this development. Further, if approved, it would encourage further inappropriate planning applications

18 Brizen Lane
Cheltenham
Gloucestershire
GL53 0NG

Comments: 7th March 2016

I object to this planning application proposal because the JCS is still ongoing. This application is far too premature and nothing should be decided until the 650 appeal decision and also until the JCS is finalised.

The same objections apply to this application as did for the Planning Application 13/01605/OUT which was for residential development at Leckhampton of up to 650 dwellings plus facilities. Please dig out my objections to this application which you will still have.

Comments: 11th December 2016

I wish to comment on the revised Planning Application for up to 45 dwellings off Kidnappers Lane.

This appears to be a minor revision and all the original comments and concerns of residents appear to remain, as does my original comments submitted on Monday 7th March 2016.

My previous submission stated "I object to this planning application proposal because the JCS is still ongoing. This application is far too premature and nothing should be decided until the 650 appeal decision and also until the JCS is finalised. The same objections apply to this application as did for the Planning Application 13/01605/OUT which was for residential development at Leckhampton of up to 650 dwellings plus facilities. Please dig out my objections to this application which you will still have".

In addition, I would like to add that as far as this application being premature it is also speculative before the JCS is finalised.

I don't see the need to develop my own arguments because they have already been made in many of the comments already submitted.

I would just like to reinforce some of the most important arguments which are:

- this area is near to an area of Outstanding Natural Beauty which we should be protecting for the benefit of everyone in Cheltenham.
- development here would detract from the views that are enjoyed when walking on Leckhampton Hill and other high points in the neighbouring Cotswold Escarpment. Although this site is relatively small in relation to other proposed developments in the area, it would be part of a creeping urbanisation of a green corridor. At some point this must be stopped or the whole landscape will lose its tranquillising quality.
- many people, including myself, use that land for walking and for leisure, and its loss would lessen our quality of life in this area.
- development on this site would increase the traffic problems in the area and make the existing situation worse. Both Church Road and Shurdington Road are highly congested at certain times causing pollution and danger to all road users, including pedestrians and cyclists as well as motorists.
- the loss of habitat would be disastrous to local wildlife.
- This area is prone to flooding as the result of run-off from Leckhampton Hill. Building more houses, and the services to provide them, will result in more run-off risking flooding to the

new and existing homes. Even if the developers were to protect this site, the reduction in water-absorption will increase the risk for houses further downhill.

- There is a lack of schools in the area....Bournside, Chosen Hill and Balcarras Schools are already at capacity. Also no doctor's surgery, very little employment, no nearby shops and lack of community facilities.

5 Arden Road
Cheltenham
Gloucestershire
GL53 0HG

Comments: 2nd March 2016

I wish to object to the proposed development on 3 main grounds.

1. This application is premature, as it pre-empts the JCS; as such it should be considered as part of the coherent JCS.

My detailed objections relate to amenity and traffic.

2. Amenity. There is no provision for any local amenity (eg school, local shop)for the proposed development which would therefore be completely dependent on facilities in Leckhampton and Warden Hill.
3. Traffic. The proposed development if likely to generate at least 67 and probably as many as 90 cars (at an average of 2 per household) and the traffic resulting from this will be significant, given the nature of Kidnapper's Lane - a winding country road.

Transport planning policy emphasises that transport should be safe and sustainable. The traffic resulting from this development would be neither. The exit envisaged onto Kidnapper's Lane would be hazardous, despite the proposed realignment of the access road.

Transport policy states that developments should be designed to encourage walking, cycling and travel by public transport. This development cannot do that; virtually all journeys would be by car, due to distances and the unsuitability of Kidnapper's Lane for day-to-day walking.

The developers describe people walking or cycling along Kidnapper's Lane to Church Road and even to Shurdington Road with the aim of visiting Morrisons at Hatherley - 2km away. No-one will be walking to Morrisons, especially in view of the return journey, which is uphill all the way and entails carrying heavy bags of shopping. All these journeys, whether a weekly shop or a top-up, will be carried out by car.

This proposal needs to take a much more realistic view of the traffic implications on Kidnapper's Lane and other local roads.

Comments: 8th December 2016

I wish to object to this application, for the following reasons.

1. The application is premature; it does not form part of the JCS, currently under development. I t should form part of the JCS deliberations.

My main objections are on the grounds of traffic and amenity.

- A. Amenity. There is no provision for any local amenity (eg school or local shop) in this development, which would therefore be completely dependent on facilities in Leckhampton and Warden Hill.
- B. Traffic. The development would generate 67-90 cars (average of 2 per household) and the resulting traffic would be significant, given the nature of Kidnapper's Lane - a winding country road. Transport planning policy emphasises that transport should be safe and sustainable. The traffic resulting from this development would be neither. Transport policy also states that developments should be designed to encourage walking, cycling and public transport. This development cannot do that. Virtually all journeys would be by car, given the distances involved and the unsuitability of Kidnapper's Lane for day-to-day walking. The notion put forward by the developers of people walking to Shurdington Road and even Morrisons is ludicrous and clearly unworkable.

The Old Rectory
Church Road
Leckhampton
Cheltenham
Gloucestershire
GL53 0QJ

Comments: 23rd November 2016

I strongly object to the proposal.

As others have commented, this application would set a precedent within an area for which there is an outstanding application for a much larger set of dwellings. Allowing this application to proceed, would be the thin end of the wedge.

The JCS for this area is not yet settled, so this application should not be considered until that is resolved.

The roads in this area are already subject to gridlock at peak times. Adding anywhere between 50 and 100 cars daily would increase the likelihood of this occurring in an area with many school children on foot while traffic is pouring out exhaust gases.

The proposed plan does not relate to the surrounding village in any way that makes sense from a social perspective. It is entirely isolated, without pavements to link it to schools, shops, doctors etc.

We trust you will reject this application.

30 Moorend Grove
Cheltenham
Gloucestershire
GL53 0HA

Comments: 2nd March 2016

This application should not be considered until the JCS, along with designation of Leckhampton Green Space, is settled.

It surely must also be considered alongside the many other neighbouring developments already proposed, for their overall impact on environment, traffic and infrastructure.

This application has access from Kidnappers Lane. ANY substantial further increase in traffic on this narrow, winding lane would be foolish and dangerous - the lane is barely wide enough for two

cars, let alone delivery vehicles which would service this substantial new housing estate development.

4 Blackthorn End
Leckhampton
Cheltenham
Gloucestershire
GL53 0QB

Comments: 2nd March 2016

We have been living here for past 5 years. We have moved to this house aiming to get a catchment to nearest primary school for my son. Unfortunately the school was oversubscribed and we did not get a place. We have no other option apart choosing the private school far away 2 miles (St Edwards). With current population and peak hr traffic we not able reach school on time through both Shurdington and Leckhampton roads.

As schools are oversubscribed with current population we are worried for secondary school places. Already current year local secondary schools are oversubscribed and children in our area not secured places in local secondary schools. With every time local build application my stress and anxiety levels are going up and causing nightmares to daily life.

We also worried for my second child to get into primary school. We cannot afford both private option.

My childrens and we enjoy the local Green fields and walks. They certainly enjoy nearest pig farm .My son is very good in school nature knowledge as he spending time in green fields ,plants and animals .

With increase of further homes and cut of green fields more risk to cause flooding in the Leckhampton area. I am not sure will council take responsibility of causing floods in our area if causes flood in near future and provide compensation.

Please strongly reject this development .This will increase local traffic and no places to local schools and loss of green fields .

Foxfield House
Church Road
Leckhampton
Glos
GL53 0QJ

Comments: 13th April 2016

Letter attached.

St Brizen
Kidnappers Lane
Cheltenham
Gloucestershire
GL53 0NL

Comments: 23rd November 2016

It is sheer madness to allow extra traffic to pour into this country lane. That shouldn't need explaining to any person with a grain of intelligence. Access directly from Shurdington Road

would stop the builders' plans to spoil the existing environment. They merely want the 'Kidnappers' cache for getting higher prices!

3 The Spindles
Cheltenham
Gloucestershire
GL53 0QD

Comments: 25th November 2016

Regarding this plan in Kidnappers Lane, I wish to re-record our objection to this proposal for the following key reasons:

- it is premature as the JCS is still an ongoing process
- how would this 45 house development fit into the recommendations of Inspector Ord regarding circa 200 houses in the Leckhampton area?
- within the overall strategy of the JCS - there has to be ultimately an over-arching road/traffic strategy specifically for Kidnappers Lane (and Farm Lane).....how does this plan fit into the yet to be agreed traffic strategy

4 Blackthorn End
Leckhampton
Cheltenham
Gloucestershire
GL53 0QB

Comments: 5th December 2016

We have been living here for past 7 years. We have moved to this house aiming to get a catchment to nearest primary school for my son. Unfortunately the school was oversubscribed and we did not get a place. We have no other option apart choosing the private school far away 2 miles(St Edwards).With current population and peak hr traffic we not able reach school on time through both Shurdington and Leckhampton roads.

As schools are oversubscribed with current population we are worried for secondary school places. Already current year local secondary schools are oversubscribed and children in our area not secured places in local secondary schools. With every time local build application my stress and anxiety levels are going up and causing nightmares to daily life.

We also worried for my second child to get into primary school. We cannot afford both private option.

My childrens and we enjoy the local Green fields and walks. They certainly enjoy nearest pig farm .My son is very good in school nature knowledge as he spending time in green fields ,plants and animals .

With increase of further homes and cut of green fields more risk to cause flooding in the Leckhampton area. I am not sure will council take responsibility of causing floods in our area if causes flood in near future and provide compensation.

Please strongly reject this development .This will increase local traffic and no places to local schools and loss of green fields .

The Moat
Church Road
Leckhampton Cheltenham
Gloucestershire
GL53 0QJ

Comments: 29th November 2016

1. Under the Strategic review. Inspector recommended only 200 houses fronting Shurdington Rd. If you allow 45 Houses on Kidnappers Lane site, this will give the possibility of ongoing infill between the two.
2. There is the problem of 377 houses on the Tewkesbury Crippetts cross Rd site about to go ahead against local wishes and Inspectors advice. Too much traffic already in this area. Do not add anymore.
3. This site was originally taken out of the strategic plan!!
4. Bearing in mind the 4 large houses being completed up the Road in Kidnappers Lane, there is a danger of creeping urbanisation by the back door. Don,t allow that to happen.
5. Still a problem with primary and secondary schooling, overloaded doctors surgery and flooding in the local area.

22 Campion Park
Up Hatherley
Cheltenham
Gloucestershire
GL51 3WA

Comments: 2nd December 2016

It is madness to erect 45 dwellings on Kidnappers Lane which is a narrow quite dangerous lane with several bends in it used by a lot of pedestrians and cyclists as well as cars. 45 dwellings will result in about 80 extra cars using the lane on a regular basis plus all the extra cars, vans and lorries visiting the houses. Even if the width of Kidnappers Lane was increased and a pavement created (which I believe is not going to happen), the extra vehicles generated by the new houses will create extra chaos and traffic problems on the already chaotic Church Road (which adjoins Kidnappers Lane and which is a nightmare to drive down most of the time) and on Shurdington Road which is already reduced to a crawl during rush hours.

Residents of Vineries Close and
Kidnappers Lane
Leckhampton

Comments: 8th December 2016

Petition attached.

15 Gabell Road
Cheltenham
Gloucestershire
GL53 9FA

Comments: 9th December 2016

I write to ask you to reject the above planning application 16/00202/out.

The extra traffic generated will make Kidnappers lane a very difficult road to use albeit some widening is included in the application.

Page 104

It is a useful access to the M5 from South Cheltenham and traffic will pass through Leckhampton which is already an over busy road where one has to stop frequently as there is only clear passage for one vehicle.

There are build ups already at the junction of Leckhampton Road and Charlton Lane and this will exacerbate the existing problems. There will be enormous queues during building work which will no doubt require a new drainage system.

The are is unsuitable for further development.

15 The Close
Leckhampton
GL53 0PH

Comments: 9th December 2016

I am writing to object, once again, to the application to build a new residential development in Leckhampton. Having been a resident of Leckhampton for the past 40 + years, I feel I have the necessary knowledge of the local area to say that the proposal to build 45 houses is not appropriate for the local area is ridiculous. I understand the new proposal suggests there will be fewer houses, however I still object for the following reasons:

1. Traffic - Church Road cannot cope with any more traffic, the congestion during rush hour and school pick up/drop off already causes significant issues (people mounting the pavement to pass, wing mirrors being hit etc.) As a resident of The Close, it can be impossible to even leave The Close for Church Road particularly at the busiest times of day. This also impacts on the safety of the children at the local primary school and elderly residents.
2. There is no infrastructure - the local primary school does not have enough places to cope, neither does the local doctors surgery. It cannot take any further people within the catchment area.
3. Leckhampton's identity - this may not be something planners consider (although it SHOULD BE!) Leckhampton is an area that benefits from green open spaces, part of the reason it is a nice place to live is because there are places to take my grandchildren for walks in the countryside. Further development of this area will turn Leckhampton into urban sprawl (similar to that of Hatherley, and this needs to be stopped!!!)

I firmly object to the revised proposal.

Home Orchard
127 Church Road
Leckhampton
Cheltenham
GL53 0NY

Comments: 27th January 2017

I have made comment about the above proposed development but received no acknowledgement so wish to repeat my concern about this proposal.

As a planning officer the road infrastructure is, I believe, not of major concern at this initial proposal.

However, whilst I understand the need for affordable houses in the area, may I, once again object to further development on such a scale in Kidnappers Lane. This poorly aligned road is already taking far more traffic than it can safely sustain.

I live on the corner of Kidnappers and have done so for 47 years. My single original entrance at 45 degrees to Church Road / Kidnappers Lane is now dangerous. Should more traffic use this route regularly I will have to change my entrance to further into Kidnappers Lane where I have a chance to see more clearly approaching vehicles.

One or two houses would be a problem, forty houses, with the likelihood of 80 more vehicles would be a nightmare. There are already four huge extra homes built on Church land opposite my home. This will inevitably mean regular car movements.

I have waited for a transport plan for the area to be published. Despite many promises this plan has not materialised. Until there is some solution to the overloading of Church Road with traffic there should be no further development.

Church Road itself is not wide enough in places to meet the requirements of a highway. Bordered, as it is, by houses on both sides pollution is also an issue. With a school, a village hall, a Sue Ryder home, a church and subsidiary roads, including Kidnappers Lane any further development would, in my opinion, be a planning disaster.

The site of course has been cleared of trees and greenhouses to enable development and will need managing. However building on any scale will be unwise and, on a large scale, a disaster.

I look forward to your response,

17 Collum End Rise
Leckhampton
Cheltenham
Gloucestershire
GL53 0PA

Comments: 15th February 2017

I strongly object to this proposal to build 45 new houses on the rural edge of Leckhampton. Once again I have to write objecting to further development on such a scale in the area of Leckhampton's fields. My objections are as follows.

Landscape and Protection of Rural Character

This rural area, with its footpaths and country lanes, which is greatly valued by local people for its peace and beauty, would be irreparably damaged by the proposed development, which is out of keeping with the rural character of the area. Local wildlife and the quiet and peaceful nature of the area would be damaged as a result of this development.

If incremental developments such as this and the Redrow proposal to the west of the site are permitted, it could lead to the whole area being developed piecemeal, as further inappropriate planning applications are thus encouraged. Creeping urbanisation is in danger of consuming these valued landscapes piece by piece, leaving us all the poorer.

The proposed development would additionally damage valuable and important views across Gloucestershire from various points on Leckhampton Hill.

Traffic and Air Pollution

Kidnappers' Lane is a narrow and winding country lane with awkward bends, limited visibility and poor lighting. It is used as a cut through by drivers, often impatient and travelling at excessive speed. The lane is already taking far more traffic than it can safely sustain. The addition of forty-five houses, and thus in the region of 80 or 90 more vehicles, would be unacceptable, in terms of congestion, general road safety and risk to pedestrians.

The proposed development would also add to traffic flows on Church Road and the A46 (Shurdington Road), adding to the existing excessive congestion and travel delays.

Church Road itself is in places too narrow for its existing use. Bordered, as it is, by houses on both sides air pollution is also already an issue which can only be exacerbated by the proposal.

I consider that there should be no further development in the Leckhampton fields area without a solution to the chronic traffic and air pollution difficulties.

Brownfield Development Priority

In my view, other considerations notwithstanding, there should be no permissions given for any major building on land between the A46 and Church Road/Leckhampton Lane until all brownfield land available in Cheltenham and the surrounding district have been developed. This is crucial for the future of Cheltenham. Developers cannot be allowed to dictate planning policy.

Planning Approach

I understand that the Joint Core Strategy has yet to be finalised. It seems to me wholly inappropriate to allow this application in isolation, in advance of such finalisation. I understood that the inspector considering the Joint Core Strategy had recommended against developments such as now proposed.

As there are several other residential developments proposed for the area, it is essential that the cumulative effects of these developments on traffic, landscape value, flooding, air pollution and wildlife be considered as a whole. Schemes should not be allowed on the basis that individually they do not do much harm.

Additionally, the proposed building density on the site seems to me excessive for the area.

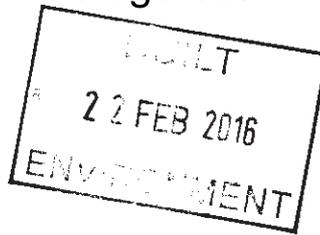
Flooding

The area is low lying and prone to periodic flooding. There is a risk that any new houses will be inundated, as has apparently happened to about six of the houses built last year at Leckhampton View (off Leckhampton Road), since speculative builders do not appear to appreciate, or take care about, local flooding or inundation risks.

Additionally, in the absence of proper provision for surface water drainage, the proposed development could increase the risk of flooding elsewhere in the locality, particularly in Warden Hill.

This proposal should not be permitted without inclusion of provisions properly to deal with flooding risks, including means to hold the developer liable for non-performance.

Accordingly, I request that the council reject this planning application.



76 Church Road
Leckhampton
Cheltenham
GL53 0PD
18th February 2016

Reg 16/00202/OUT

Planning: Environmental & Regulatory Services
Cheltenham Borough Council
Cheltenham
GL50 1PP

Dear Ms Crews,

Yesterday afternoon I went for a walk around Kidnappers Lane between 2pm and 2.45pm and during the time I walked the length of Kidnappers Lane from Church Road to the junction with Farm Lane (approx 10-15 minutes) I was passed by 20 cars - and this is during what could be considered as a 'quiet' time of day! Yet an application for planning to build 40+ houses on this stretch of lane is to be considered!

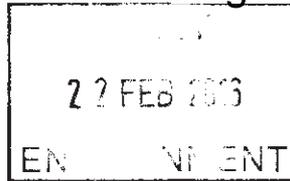
This would mean 40-70 extra cars using this stretch of lane which is narrow with severe bends and frequently waterlogged (as it is at present). Ultimately these cars have to emerge onto the Shurdington Road or Church Road - both of which have reached saturation point for vehicles at the present time.

The residents of Church Road are also very unhappy about the severe pollution levels, (which personally affect me as I suffer from COPD and I am unable to work in my front garden at times of heavy traffic); and also the shaking of houses which are built close to the road.

This doesn't even consider the potential danger to the children attending Leckhampton Primary School. Some might even say that this is an accident waiting to happen with the increased traffic when children are being brought to and collected from school.

I urge the Planning Committee to see sense over these issues and reject such a planning proposal.

Yours sincerely,



8 Leckhampton Farm Court
Farm Lane
Leckhampton
Cheltenham
Glos
GL51 3GS

To: Tracey Crews
Director of Planning
Cheltenham Borough Council
PO Box 12
Municipal Offices
Promenade
Cheltenham
Glos
GL50 1PP

18th February 2016

Dear Ms Crews

Your letter dated 15th February 2016 regarding the planning application 16/00202/OUT refers.

We object to this planning application due to concerns we have about traffic volumes adding to the congestion on Church Road, the safety of pedestrians due to the lack of pavements on the narrow road and blind bends, the reliance on the private car due to the lack of public transport, the lack of school places locally, and the many environmental and visual impact considerations which have been expressed in copious quantities as part of the JCS process.

A key and relevant issue with this planning application is also that the JCS examination in public is still not complete. As has already been clearly demonstrated, the Tewkesbury Borough Council planning decision for SD2 (west of Farm Lane, Leckhampton) was premature, bearing in mind the Inspector's preliminary findings which suggest that development on this land may be unsound. Tewkesbury planners unfortunately chose to overlook the many and valid considerations and objections to this application and have allowed SD2 to be trashed in the process.

It would be extremely disappointing if Cheltenham chose to follow the same path and ignore the ongoing JCS examination which is objectively evaluating the many concerns already expressed regarding development in this area.

The Inspector appears to be taking a level-headed and practical view, and decisions about planning on any land currently being considered by the examination in public should either be postponed or refused. Councils in some other parts of the country have put a moratorium on planning decisions for any application for more than 10 dwellings, pending completion of their proposed planning strategies. Cheltenham Borough Council (and other parts of the JCS) should consider doing the same.

It is unfortunate that the inspection is taking so long but Cheltenham Borough Council should have regard to its own responsibilities in this respect, especially regarding its

unprofessionally tardy responses to reasonable and foreseeable data requests from the Inspector.

Making precipitate decisions on individual planning applications whilst simultaneously displaying a lack of urgency in helping to achieve the required overall master planning strategy is unacceptable, undemocratic and somewhat disreputable.

The decision on this application should therefore be refused or at the very least deferred.

Yours sincerely

A large black rectangular redaction box covers the signature and name of the sender. The redaction is complete, obscuring all text and graphics that would otherwise be present in this area.

Ref 16/00202/OUT

Page 110 ILT

24 FEB 2016
ENVIRONMENT

11, The Lanes,
Leckhampton.
GL53 0PU.
22 Feb 2016.

Mr. Craig Kempshall.
Cheltenham Borough Council,
PO Box 12. Promenade,
Cheltenham. GL50 1PP

Dear Sir,

Regarding development of 45 Dwellings
on existing building site of Waski Nurseries.
My objections are:

These proposals will only
add to an already serious traffic problem
along the A46 Shurdington Rd.

We hope you will take into account
that this development will destroy an
area of natural beauty which is
appreciated by many people. My
other objection is the pressure which is
already on inadequate services -
Schools / Medical Services.

With kind regards,



- II
- 3) create a risk of flooding
 - 4) reduce the local amenity of open space, making it further to walk to get into the country for people living in Warden Hill and nearby
 - 5) too near the A.O.N.B.

All these considerations have been the main core of objection to development in Heckhampton for some years. It is not a suitable place for more housing.

Yours faithfully,

[Redacted Signature]



Brook Cottage
Coipetts Lane,
Heckhampton
GL51 4XT

21st February, 2016

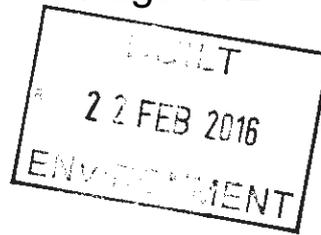
Planning Officer,
Cheltenham Borough Council,

Ref: 16/00202/OUT.

Dear Sir,

With reference to the above planning application, I am writing to express my objection to dwellings being built there or anywhere else in Heckhampton for the following reasons:

- 1) it would encroach on the rural character
- 2) create more traffic. Roads in the area are already blocked at peak times



76 Church Road
Leckhampton
Cheltenham
GL53 0PD
18th February 2016

Reg 16/00202/OUT

Planning: Environmental & Regulatory Services
Cheltenham Borough Council
Cheltenham
GL50 1PP

Dear Ms Crews,

Yesterday afternoon I went for a walk around Kidnappers Lane between 2pm and 2.45pm and during the time I walked the length of Kidnappers Lane from Church Road to the junction with Farm Lane (approx 10-15 minutes) I was passed by 20 cars - and this is during what could be considered as a 'quiet' time of day! Yet an application for planning to build 40+ houses on this stretch of lane is to be considered!

This would mean 40-70 extra cars using this stretch of lane which is narrow with severe bends and frequently waterlogged (as it is at present). Ultimately these cars have to emerge onto the Shurdington Road or Church Road - both of which have reached saturation point for vehicles at the present time.

The residents of Church Road are also very unhappy about the severe pollution levels, (which personally affect me as I suffer from COPD and I am unable to work in my front garden at times of heavy traffic); and also the shaking of houses which are built close to the road.

This doesn't even consider the potential danger to the children attending Leckhampton Primary School. Some might even say that this is an accident waiting to happen with the increased traffic when children are being brought to and collected from school.

I urge the Planning Committee to see sense over these issues and reject such a planning proposal.

Yours sincerely,

The Planning Officer
Cheltenham Borough Council

76 Church Road
Leckhampton
Cheltenham
GL53 0PD

Ref:16/00202/OUT

Tel: [REDACTED]

24-11-2016

Dear Sir,

I am writing to you in reference to your recent communication concerning the revised plans for the proposed development of 45 dwellings at lands off Kidnappers Lane Cheltenham, Ref 16/00202/OUT.

It would appear that all previous petitions to limit/stop housing development in this area are once again being ignored.

As a long term resident of Church Road, I have lived with, and seen, the huge increase in traffic along the road and suffered the accompanying increase in air pollution.

The peak time traffic at 8-9am, plus the considerable input of the Leckhampton School traffic, and the later peak from 4-7pm are especially bad and gridlock situations occur.

The proposed development of some 45 dwellings will mean that a further 90+ cars, service vans etc will enter this oversubscribed road system either along Church Road or Shurdington Road and can only add to the present chaos!

Church Road especially is not designed to carry the weight of such traffic and I can only hope that this letter will be one of many protesting against such development.

Yours sincerely
[REDACTED]

65a Moorend cres
 Leckhampton
 Chelt GL53 0EW

18 Feb 2016



Objections to Planning Appl. Ref: 16/00202/OUT

- ① 45 new dwellings will probably generate 90 new cars using Kidnappers Lane, Church Rd + Shurdington Rd. There is no more space for this extra traffic.
- ② Kidnappers Lane has been under some degree of water for over 12 months, mainly due to run-off from the hill. As wet summers are being predicted as the norm in future, in this area which has flooded fields all winter it does not seem a good idea to build such a large estate. Where will the surplus water go?
- ③ The last thing developers have on their mind is the destruction of wildlife habitat. But we should consider it seriously, as we hear so much about dwindling numbers of birds, bees, insects + many other creatures and plants. You can't lay it all at the door of farmers + their methods of farming. Roads, houses, parking spaces — all add to the destruction, as trees, hedges and fields are grubbed up.
- ④. The Commute — why build dwellings on the

edge of ~~the~~ towns, requiring time-consuming, pollution-producing car travel to employment. Surely it would be better to build nearer to the town centre (as many builders are doing in the High St) and make more apartments.

Yes it would be better, but you can make more money from a "des. res" with semi-rural aspects. I would be interested to know how many of the 45 or so houses will fall into the 'affordable' price range, that first time buyers or people on low incomes could even dream of owning. Not many, I bet.

So, those are my 4 objections - the traffic chaos - the flood prospects - the destruction of habitat - the unsuitability of siting an estate.

I doubt that even if hundreds of people raise similar objections, that the proposal will be rejected; developers hold all the cards, and they have unlimited powers, it seems.



9 Chiddington close
Leekhampton
Cheltenham
GL53 0AH

BUILT
7 MAR 2016
ENVIRONMENT

Your ref: 16/00202/OUT 4th March 2016

Dear Ms. CLEMS,

I object to the proposed development of up to 45 dwellings off Kidnappers Lane as there is already far too much traffic travelling between Chiddington Road (Trunk Road A.46) and Church Road, Leekhampton, especially during school term times.

The danger to children walking along that Lane will be the extra traffic and the fact there are not any footpaths for walkers.

Having lived in this house for the past fifty years my late husband & I have seen the road aspect in that area change enormously.

Yours sincerely



Recd • 7 MAR 2016

ENVIRONMENT

Cheltenham Borough Council Planning

Robinswood Cottage
Kidnappers Lane
Cheltenham
GL53 ONP
05 March 2015

Dear Sir

Planning application 16/00202/OUT

I wish to object to the above planning application for the following reasons.

It is premature and is attempting to pre-empt the JCS which is still awaiting decision.

Kidnappers Lane and surrounding fields are a well-used green amenity for local people and support a variety of wildlife. It is adjacent to the AONB and views from Leckhampton Hill would be affected. It would also affect views from the local area towards the Hill, especially if 3-storey housing is built. Mature trees on the site have already been removed.

The development would result in increased traffic on a narrow and winding lane, emerging onto narrow bends causing an increased hazard to pedestrians and other road users, especially during the rush hours when it is used as a rat-run. Traffic would be exiting onto Church Road or Shurdington Road which are already at a standstill at peak traffic times and there would be an increase in air pollution to local residents.

There are no footpaths along Kidnappers Lane and to install them would mean removal of grass verges and/or hedges and the development may affect roadside ditches, already full in winter and other times of high rainfall.

There is localized flooding onto the road in this area (in fact there is currently a flood warning sign in place) which would be exacerbated by further development in the area.

The local schools are already over-subscribed so children would need to travel by car. Claims that people from the proposed development would walk or cycle to local amenities are unrealistic.

Approval of this application would set a precedent for other developments and the character of the area, cherished by local people, would be adversely and permanently affected. Localism and the Local Green Space submission need to be supported.

Yours faithfully



Planning Dept.
Chelt Boro Council

Ref 16/00202/OUT
Waoku Nurseries, Ltd. Leckhampton

I object to this and any other development on the Leckhampton side of the A46.

Neither this nor any others will provide Affordable Housing, which is what is desperately needed.

As a whole the combined housing will be a big blot on the landscape and visually impair the views of the Scarp.

Any balancing ponds and or green spaces will not be sufficient to absorb the quantity of water which runs off Leckhampton Hill. All the fields are a 'sponge' for this.

Although there has been flood alleviation carried out, when there has been heavy rainfall the local streams are very full and rapid.

This and any other development will contribute to an already manic and hazardous road network both through the village and along the A46.

On another matter for general planning consideration. Thought should be given to making it mandatory for any new build, housing or commercial should install solar panels to contribute to power and reduction in harmful emissions.

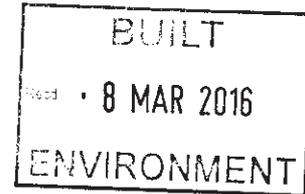
Yours sincerely,



St Brizen, Kidnappers Lane, Cheltenham, GL53 0NL

Dear Sir

PLANNING OBJECTION 16/00202/OUT



I wish to register the following objections:

1. Traffic flow

Cars: 90+ cars flowing from this estate onto the narrow lane will create mayhem. In recent years Kidnappers Lane has become a busy cut through from Leckhampton to access the M5, park and ride, various supermarkets.

Pedestrians: Increase in pedestrians, particularly schoolchildren, walking both directions in the narrow lane will result in accidents. No pavements and unusable soft grass verges. Bends at the proposed access point making it very hazardous.

Road widening: Inevitable road widening with pavements and roundabouts to allow for increased traffic and pedestrians would ruin the entire rural aspect, making Kidnappers Lane into a busy bypass, linking to Hatherley Way, the Golden Valley and the M5 motorway. Cheltenham would lose a prized local asset.

The need to plan the right access/exit point for a new estate: Planners seem to be short sighted. There is little evidence that they have been proactive in planning the right access point by taking into account the long run designs/plans for the whole surrounding area. All the nurseries will be built on in due course, bringing hundreds of extra cars and pedestrians.

Putting the access/exit to the estate on the Shurdington Road, where people can quickly reach amenities at Warden Hill and Bath Road, leaving only pedestrian access in Kidnappers Lane, would maintain some of the area's charm, keeping it pleasantly 'rural' for both existing and new residents.

Robert Hitchins will demand access to Kidnappers Lane because they can charge an extra premium for that location. This should not be seen to influence the planners.

2. Planners ignoring the needs of existing residents:

Kidnappers Lane is an area where rural meets town, and holds an interesting historical connotation. It gives Cheltenham a charm, and its value should not be dismissed. (Profit orientated developers will dismiss it). Once wrecked by road widening schemes and heavy traffic flows, another of the town's assets will be lost forever, (like the Gloucester mess).

People already living here endure extra traffic, resulting in killed pets, increased pedestrian flow, and noise disturbance late at night. 45 houses, with hundreds more to follow will constitute quite a large estate. This calls for appropriate forward planning for the right access to this estate, and planning should not favour the developer's pockets when making this important decision.

It is easy to say NIMBY when people don't want their environment spoilt. But it isn't necessary to ruin the environment of one group of people in order to meet quotas,

since quotas are easily achievable with sound planning. At the moment it appears the planners are not engaging in much foresight.

3. Out of character – another Abbeydale!: Cheltenham trades on its character and appearance. Robert Hitchins houses are short on character and appearance.

It would be circumspect to press Hitchins to put exciting thinking into how to enhance the town by building something different from their stereotype boxes, which are similar to those seen on the outskirts of every ugly town in the UK. Such houses will adversely affect the character of Cheltenham for hundreds of years.

Yours faithfully



9 Widdington close
Leekhampton
Cheltenham
GL53 0AH

BUILT
7 MAR 2016
ENVIRONMENT

Your ref: 16/00202/007 4th March 2016

Dear Ms. CLEMS,

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The danger to children walking along that Lane will be the extra traffic and the fact there are not any footpaths for walkers.

Having lived in this house for the past fifty years my late husband & I have seen the road aspect in that area change enormously.

Yours sincerely



Recd • 7 MAR 2016

ENVIRONMENT

Cheltenham Borough Council Planning

Robinswood Cottage
Kidnappers Lane
Cheltenham
GL53 ONP
05 March 2015

Dear Sir

Planning application 16/00202/OUT

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It is premature and is attempting to pre-empt the JCS which is still awaiting decision.

Kidnappers Lane and surrounding fields are a well-used green amenity for local people and support a variety of wildlife. It is adjacent to the AONB and views from Leckhampton Hill would be affected. It would also affect views from the local area towards the Hill, especially if 3-storey housing is built. Mature trees on the site have already been removed.

The development would result in increased traffic on a narrow and winding lane, emerging onto narrow bends causing an increased hazard to pedestrians and other road users, especially during the rush hours when it is used as a rat-run. Traffic would be exiting onto Church Road or Shurdington Road which are already at a standstill at peak traffic times and there would be an increase in air pollution to local residents.

There are no footpaths along Kidnappers Lane and to install them would mean removal of grass verges and/or hedges and the development may affect roadside ditches, already full in winter and other times of high rainfall.

There is localized flooding onto the road in this area (in fact there is currently a flood warning sign in place) which would be exacerbated by further development in the area.

The local schools are already over-subscribed so children would need to travel by car. Claims that people from the proposed development would walk or cycle to local amenities are unrealistic.

Approval of this application would set a precedent for other developments and the character of the area, cherished by local people, would be adversely and permanently affected. Localism and the Local Green Space submission need to be supported.

Yours faithfully



Planning Dept.
Chelt Boro Council

Ref 16/00202/OUT
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This and any other development will contribute to an already manic and hazardous road network both through the village and along the A46.

On another matter for general planning consideration. Thought should be given to making it mandatory for any new build, housing or commercial should install solar panels to contribute to power and reduction in harmful emissions.

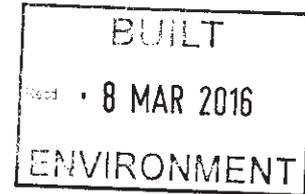
Yours sincerely,



St Brizen, Kidnappers Lane, Cheltenham, GL53 0NL

Dear Sir

PLANNING OBJECTION 16/00202/OUT



I wish to register the following objections:

1. Traffic flow

Cars: 90+ cars flowing from this estate onto the narrow lane will create mayhem. In recent years Kidnappers Lane has become a busy cut through from Leckhampton to access the M5, park and ride, various supermarkets.

Pedestrians: Increase in pedestrians, particularly schoolchildren, walking both directions in the narrow lane will result in accidents. No pavements and unusable soft grass verges. Bends at the proposed access point making it very hazardous.

Road widening: Inevitable road widening with pavements and roundabouts to allow for increased traffic and pedestrians would ruin the entire rural aspect, making Kidnappers Lane into a busy bypass, linking to Hatherley Way, the Golden Valley and the M5 motorway. Cheltenham would lose a prized local asset.

The need to plan the right access/exit point for a new estate: Planners seem to be short sighted. There is little evidence that they have been proactive in planning the right access point by taking into account the long run designs/plans for the whole surrounding area. All the nurseries will be built on in due course, bringing hundreds of extra cars and pedestrians.

Putting the access/exit to the estate on the Shurdington Road, where people can quickly reach amenities at Warden Hill and Bath Road, leaving only pedestrian access in Kidnappers Lane, would maintain some of the area's charm, keeping it pleasantly 'rural' for both existing and new residents.

Robert Hitchins will demand access to Kidnappers Lane because they can charge an extra premium for that location. This should not be seen to influence the planners.

2. Planners ignoring the needs of existing residents:

Kidnappers Lane is an area where rural meets town, and holds an interesting historical connotation. It gives Cheltenham a charm, and its value should not be dismissed. (Profit orientated developers will dismiss it). Once wrecked by road widening schemes and heavy traffic flows, another of the town's assets will be lost forever, (like the Gloucester mess).

People already living here endure extra traffic, resulting in killed pets, increased pedestrian flow, and noise disturbance late at night. 45 houses, with hundreds more to follow will constitute quite a large estate. This calls for appropriate forward planning for the right access to this estate, and planning should not favour the developer's pockets when making this important decision.

It is easy to say NIMBY when people don't want their environment spoilt. But it isn't necessary to ruin the environment of one group of people in order to meet quotas,

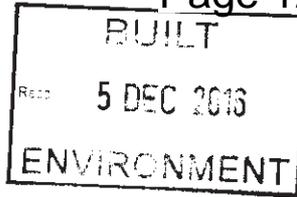
since quotas are easily achievable with sound planning. At the moment it appears the planners are not engaging in much foresight.

3. Out of character – another Abbeydale!: Cheltenham trades on its character and appearance. Robert Hitchins houses are short on character and appearance.

It would be circumspect to press Hitchins to put exciting thinking into how to enhance the town by building something different from their stereotype boxes, which are similar to those seen on the outskirts of every ugly town in the UK. Such houses will adversely affect the character of Cheltenham for hundreds of years.

Yours faithfully





8 Leckhampton Farm Court
Farm Lane
Leckhampton
Cheltenham
Glos
GL51 3GS

To: Tracey Crews
Director of Planning
Cheltenham Borough Council
PO Box 12
Municipal Offices
Promenade
Cheltenham
Glos
GL50 1PP

1st December 2016

Dear Ms Crews

RE 16/00202/OUT

Your letter dated 22nd November 2016 refers.

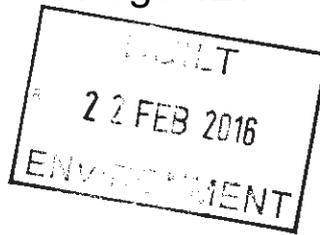
Your letter suggests that there are revised plans for the proposed development of 45 dwellings etc. etc. at land off Kidnappers Lane, Cheltenham.

We have searched your website under your given reference and have not found any revised plans. All we have noted is an undated letter to you from Robert Hitchins, which you appear to have added to your website on 21st November 2016, and which requests that their planning application 16/00202/OUT, "as originally submitted" is determined at the next possible planning committee. There are no other documents that we can see despite your annotation suggesting "Revision" and "Additional information".

In the absence of any revisions, therefore, please note that the entirety of our original objection letter to you dated 18th February 2016, which was added to your website in February 2016, still applies. The only point we would add, and which you will already be aware of, is that Inspector Ord has not included the nursery in the area for development of 'in the order of 200 dwellings'.

Yours sincerely





76 Church Road
Leckhampton
Cheltenham
GL53 0PD
18th February 2016

Reg 16/00202/OUT

Planning: Environmental & Regulatory Services
Cheltenham Borough Council
Cheltenham
GL50 1PP

Dear Ms Crews,

Yesterday afternoon I went for a walk around Kidnappers Lane between 2pm and 2.45pm and during the time I walked the length of Kidnappers Lane from Church Road to the junction with Farm Lane (approx 10-15 minutes) I was passed by 20 cars - and this is during what could be considered as a 'quiet' time of day! Yet an application for planning to build 40+ houses on this stretch of lane is to be considered!

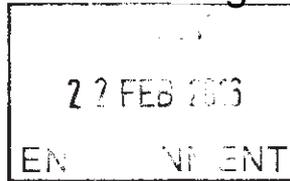
This would mean 40-70 extra cars using this stretch of lane which is narrow with severe bends and frequently waterlogged (as it is at present). Ultimately these cars have to emerge onto the Shurdington Road or Church Road - both of which have reached saturation point for vehicles at the present time.

The residents of Church Road are also very unhappy about the severe pollution levels, (which personally affect me as I suffer from COPD and I am unable to work in my front garden at times of heavy traffic); and also the shaking of houses which are built close to the road.

This doesn't even consider the potential danger to the children attending Leckhampton Primary School. Some might even say that this is an accident waiting to happen with the increased traffic when children are being brought to and collected from school.

I urge the Planning Committee to see sense over these issues and reject such a planning proposal.

Yours sincerely,



8 Leckhampton Farm Court
Farm Lane
Leckhampton
Cheltenham
Glos
GL51 3GS

To: Tracey Crews
Director of Planning
Cheltenham Borough Council
PO Box 12
Municipal Offices
Promenade
Cheltenham
Glos
GL50 1PP

18th February 2016

Dear Ms Crews

Your letter dated 15th February 2016 regarding the planning application 16/00202/OUT refers.

We object to this planning application due to concerns we have about traffic volumes adding to the congestion on Church Road, the safety of pedestrians due to the lack of pavements on the narrow road and blind bends, the reliance on the private car due to the lack of public transport, the lack of school places locally, and the many environmental and visual impact considerations which have been expressed in copious quantities as part of the JCS process.

A key and relevant issue with this planning application is also that the JCS examination in public is still not complete. As has already been clearly demonstrated, the Tewkesbury Borough Council planning decision for SD2 (west of Farm Lane, Leckhampton) was premature, bearing in mind the Inspector's preliminary findings which suggest that development on this land may be unsound. Tewkesbury planners unfortunately chose to overlook the many and valid considerations and objections to this application and have allowed SD2 to be trashed in the process.

It would be extremely disappointing if Cheltenham chose to follow the same path and ignore the ongoing JCS examination which is objectively evaluating the many concerns already expressed regarding development in this area.

The Inspector appears to be taking a level-headed and practical view, and decisions about planning on any land currently being considered by the examination in public should either be postponed or refused. Councils in some other parts of the country have put a moratorium on planning decisions for any application for more than 10 dwellings, pending completion of their proposed planning strategies. Cheltenham Borough Council (and other parts of the JCS) should consider doing the same.

It is unfortunate that the inspection is taking so long but Cheltenham Borough Council should have regard to its own responsibilities in this respect, especially regarding its

unprofessionally tardy responses to reasonable and foreseeable data requests from the Inspector.

Making precipitate decisions on individual planning applications whilst simultaneously displaying a lack of urgency in helping to achieve the required overall master planning strategy is unacceptable, undemocratic and somewhat disreputable.

The decision on this application should therefore be refused or at the very least deferred.

Yours sincerely



Ref 16/00202/OUT

Page 130 ILT

24 FEB 2016
ENVIRONMENT

11, The Lanes,
Leckhampton.
GL53 0PU.

22 Feb 2016.

Mr. Craig Atchfull.
Cheltenham Borough Council,
PO Box 12. Promenade,
Cheltenham. GL50 1PP

Dear Sir,

Regarding development of 45 Dwellings
on existing building site of Waski Nurseries.
My objections are:

These proposals will only
add to an already serious traffic problem
along the A46 Shurdington Rd.

We hope you will take into account
that this development will destroy an
area of natural beauty which is
appreciated by many people. My
other objection is the pressure which is
already on inadequate services -
Schools / Medical Services.

With kind regards,

- 3) create a risk of flooding
- 4) reduce the local amenity of open space, making it further to walk to get into the country for people living in Warden Hill and nearby
- 5) too near the A.O.N.B.

All these considerations have been the main core of objection to development in heckhampton for some years. It is not a suitable place for more housing.

Yours faithfully,

[Redacted signature]

24

Brook Cottage
Coipetts Lane,
heckhampton
GL51 4XT
21st February, 2016

Planning Officer,
Cheltenham Borough Council,
Ref: 16/00202/OUT.

Dear Sir,

With reference to the above planning application, I am writing to express my objection to dwellings being built there or anywhere else in heckhampton for the following reasons:

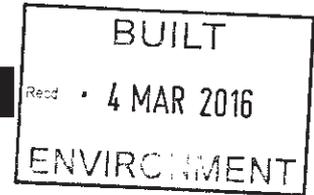
Page 131

- 1) it would encroach on the rural character
- 2) create more traffic. Roads in the area are already blocked at peak times

Cheltenham,

Glos.

GL53 0PU



Planning Dept.
Cheltenham Borough Council
PO Box 12
Municipal Offices
Promenade
Cheltenham
GL50 1PP.

1st March 2016.

Dear Sirs,

Yr. Ref. 16/00202/OUT

Proposed residential Dev/Imp. 45 dwellings- etc.- Kidnappers Lane Cheltenham.

With reference to your letter of 15th February 2016 regarding the above, please note our objections to the proposed scheme for the following reasons:

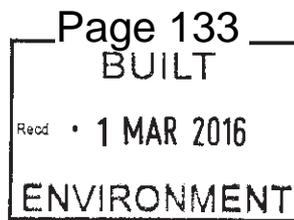
A general loss of amenity for residents of this town.

Loss of more 'green space' surrounding our town.

Apart from the above, the main objection however would be because of the impact on traffic on the surrounding area, already badly 'clogged up' at times, in particular on Church Road.

Yours faithfully,





Autumn Fall
104 Shurdington Road
Cheltenham
Glo'shire
GL53 0JH

The Planning Department
Cheltenham Borough Council
PO Box 12
Municipal Offices
Promenade
Cheltenham
Gloucestershire
GL50 1PP

Attention of Ms Tracey Crews (Director of Planning)

29 February 2016

Dear Madam

**Objection to - Planning Application No 16/00202/OUT
at Kidnappers Lane, Cheltenham.**

1. We send this letter to register our Formal Objections to the above Planning Application.
2. Firstly we cannot understand how this Planning Application is being considered at this date, as the Formal Decision Process of the **Joint Core Strategy (JCS)** is still underway – and especially as the location of this actual planning application is right at the very heart of the JCS area. **Hence we feel that this Application is Premature.**
3. It is also our considered opinion that this **Planning Application should NOT be viewed in isolation**, as we understand there are now planning applications in existence for the areas of Cheltenham, Gloucester and Tewkesbury, which will “if Approved” significantly increase traffic movements and thereby certainly adversely impact on the use of the busy A46 Shurdington Road and other local minor roads in this locality.
4. Likewise there is also currently an **Appeal** being considered for the proposed building of some 650 homes at this nearby location. The original application was Refused for “significant reasons” by the Cheltenham Borough Council Planning Committee in 2014 and the Appeal against that decision was heard in 2015 – **the final decision is still being considered by the Appeal Inspector.**

5. In addition to the above important facts - we also base our Objections to the current application on the following grounds:

- (i) The increased vehicular and pedestrian use of the minor roads in the Leckhampton area are likely to cause additional road dangers and delays.
- (ii) The use of the A46 Shurdington Road is already at a maximum capacity during rush hours and additional vehicles joining from minor roads will certainly increase the delays and road safety dangers.
- (iii) The current levels of Pollution caused by vehicles in this general location are already at very high levels and we believe are now over the maximum allowed.
- (iv) Destruction of the enjoyable countryside and wildlife.
- (v) Insufficient school places for the increase in children numbers.

6. Final Comments

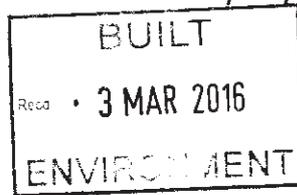
We trust you will carry out all the necessary research into this issue and also that you will give our views very careful consideration, as it is our strong wish that the **Planning Application is REFUSED.**

Yours faithfully

A large black rectangular redaction box covering the signature and name of the sender.

Chettenham Borough Page 135
Planning Mr. C. Hemphill
Chettenham

106. Shrewsbury Rd
Chettenham
GL53 0SH.
1/3/16



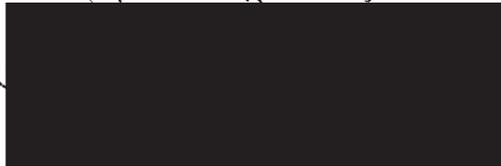
Dear Sir

16/00202/OUT.

45 extra houses, travel county lane
Traffic to local schools, as Sue Ryan
hospice, and more than enough,
for children walk to school, parents
going to primary school also on
this lane, plus dog walkers,
on this dark dirty wet road.

No to application.

Yours faithfully



1 Merestones Close, Cheltenham, Glos GL50 2ST

3 March 2016

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

Email: cmhyett@virginmedia.com

Dear Sir

Proposed development of up to 45 dwellings at Kidnappers Lane, Cheltenham
Planning Reference: 16/00202/OUT

I write in connection with the above proposal on behalf of the Association, which represents around 200 households in the Merestones Road/Merestones Drive area. Our area is situated a little way away from the proposed development, but we know that if it proceeds there is a significant risk of an adverse impact for us, and are writing to express our concerns on behalf of our membership.

The Association has previously written to you in connection with an earlier proposal (13/01606/OUT) located next to the current application site, and many of the issues originally expressed remain extremely relevant to this new proposal. Attached are copies of the earlier letter and a letter written to the Planning Appeal Inspector, which will provide background information.

The close proximity of the two sites means that there are many factors which are common to both of them, and it is difficult to see how a decision could be made on this latest application, without first knowing the outcome of the earlier, much larger one. An overall, more comprehensive stance taking all aspects of both applications into account seems the obvious approach to take.

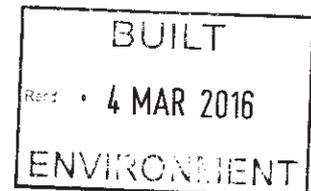
Surface water drainage

As before, this remains an area of major concern for us, and our members. The developers have provided a report for their site detailing their proposals for drainage which concludes that the site is at very low risk of flooding. This has appraised their site in isolation however, and is not a comprehensive approach as mentioned above. We need to avoid a proliferation of individual schemes, as all surface water from these eventually drains into the subsidiary streams of the river Chelt, and will flow through the Merestones area. Along their length there have been instances of flooding, both domestic and otherwise, on several occasions over the past few years – these are not isolated occurrences. The proposed development, despite the mitigation measures proposed, can only increase the volumes of water flowing downstream, and therefore increase the risk of more frequent floods in the future.

We therefore feel, as indicated previously, that there should be an independent audit of the run-off calculations for the entire development area, also investigating the implications downstream of both sites throughout the entire length of the outfall – something, we suspect, has received little thought as yet.

Highways Issues

We are not experts on highways matters, but Kidnappers Lane is a busy but narrow road, and the junction at the northern end with Shurdington Road is a difficult one at the best of times. The proposed access to the site not only opens onto this narrow road, but is also to be located very close to what would be a much busier junction with the Bovis/Miller site next door if this proceeds. This seems to us to be quite a dangerous approach, and, if either/both of the two proposals are to be allowed, then it is surely essential



that there is some joined up thinking regarding the access arrangements, and improvements to local roads and junctions to ensure a safe flow of traffic.

Green Space

Our understanding is that the approach to Local green space is still to be finalised, but we feel strongly that the whole area adjacent to Kidnappers Lane, with its network of footpaths and links towards Leckhampton Hill has been a much used facility for local residents for many years. It would be a travesty if this was totally lost to the town, and we believe that at least some of the area covered by the two planning proposals should be set aside for Local Green Space purposes. Again, this needs to be viewed in conjunction with the earlier application.

Other issues

We have previously raised concerns about traffic volumes along Shurdington Road, upon which the two proposals can only have an adverse impact, and also local schooling, where little real thought seems to have been given as to how children from the proposed developments will get to school. Our earlier thoughts are equally relevant to this application.

Summary

This proposal is unfortunately timed, coming as it does ahead of the Planning Appeal outcome for the neighbouring site, and we would have hoped that a developer who was understanding and mindful of the impact upon local residents, would have sought to work with the Council in conjunction with the earlier appeal process.

As this does not appear to be the case, we summarise our views as follows (these points incorporate those made to the earlier application as they remain relevant).

If the development is to be permitted, we believe that the Council should:

- Require the developers to fund an in-depth report by an independent Civil Engineer to check the calculations, and look in detail at the implications downstream of the site. Taking their recommendations into account, the developers should deposit substantial commuted contributions to clear stream banks of undergrowth and other obstacles from all downstream watercourses, not just at construction stage, but also for the future. This is necessary to ensure that existing residents downstream of the development do not have to pay the price of greater flooding which would arise if this development proceeds.
- Insist upon a detailed look at overall traffic flows both along Kidnappers Lane and into and out of Cheltenham along the A46, and explore ways of improving these, taking into account the predicted additional traffic from the new development(s). The developers should be required to contribute towards the cost of such improvements.
- Ensure that the Local Green Space issue is taken into account before any development is permitted in the area.
- Require the developers to implement systems for the transport of secondary schoolchildren to avoid the use of private cars as much as possible.

We remain happy to discuss any of the above issues and to clarify any of the points raised if required.

Yours faithfully
 Chris Hyett,
 Chairman, Merestone Residents Association

BUILT
4 MAR 2016
ENVIRONMENT

[REDACTED]
[REDACTED]
1 Merestones Close, Cheltenham, Glos GL50 2ST

23rd October 2013

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

Email: cmhyett@virginmedia.com

Dear Sir

Proposed development of 1.94ha land at Kidnappers Lane, Shurdington Road, Cheltenham
Planning ref: 13/01606/OUT

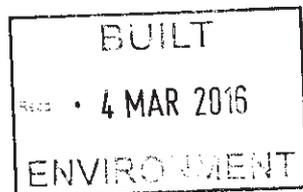
I write in connection with the above proposal on behalf of the Association, which represents around 200 households in the Merestones Road/Merestones Drive area. Whilst our area is situated a little way from the proposed development, we are certain to be affected in several ways if it proceeds, and a number of issues cause us concern.

Our thoughts and concerns largely revolve around three main areas:

Surface water drainage

The Hatherley Brook and its tributaries flows through the Merestones area, so is directly affected by surface water drainage from the proposed development site. We note the various proposals to create catchment ponds and the reference to discharge points Leckhampton 1,2,3. It is clear from the plans that Leckhampton 2 feeds immediately into the Hatherley Brook, and then through the Merestones area. What may not be so readily appreciated, however, is that Leckhampton 3 also flows through part of the Merestones estate to also join Hatherley Brook at a lower point, whilst still within the Merestones area. This means that the vast majority of surface water from the proposed site will combine together, and flow along much the same route.

Both streams (Leckhampton 2 & 3) have suffered from flooding in the past few years, (not just in 2007), and just a few hours continual rain is often sufficient to raise the water flows to concerning levels – this already happens several times a year. The situation is not helped by blockages caused by overgrown trees/fallen branches and undergrowth due to a complete lack of maintenance by the Borough Council over many years, and these can greatly restrict the free flow of water and lead to localised flooding. As an example, one particular blockage has been reported on two occasions (dates available) to no avail. Here one senses that there is a complete lack of clarity concerning areas of administrative responsibility between the Borough and Severn Trent, and we feel this is an opportunity to clarify these anomalies once and for all.



Whilst the proposed ponds in the new development may temporarily hold back any extreme volumes of water, the fact remains that all of this water will eventually have to flow down the same watercourses, and these volumes will inevitably be much greater than currently.

If these proposals proceed, without any additional work being undertaken downstream of the development, we believe there is a real risk of flooding, not just within our area, but also in the other areas further down the brook.

Traffic issues

The A46 Shurdington Road is currently a very busy route into and out of Cheltenham, particularly at peak times when queues of traffic build up in both directions. In both morning and evening peaks, there is usually a slow crawl of continual traffic in both directions, often extending several miles from the Brockworth by-pass through Shurdington and on into Cheltenham.

The proposal seeks to create a new junction between Woodlands Road (an already busy interchange) and Moorend Park Road, and will divert there not only all traffic from the new development, but also the existing traffic in the Kidnappers Lane area. This will create substantial volumes of vehicles at peak times, all trying to access Shurdington Road, in many cases crossing the existing outbound flow of traffic towards Cheltenham, almost certainly resulting in greatly increased congestion.

We believe more thought needs to be given to this aspect, and improvements made to local traffic systems to increase capacity and reduce delays, especially at junctions.

Schooling

Whilst the proposal includes some provision for new schools for younger children, it simply assumes that children of secondary school age will go to existing schools within Cheltenham. There is a suggestion that the nearest school is Bournside, and that it can be accessed via the St James' primary school area. As it is likely that many parents will use private vehicles to take their children to school, the impact upon traffic levels seems at best to have been put to one side, and at worst ignored completely. St James School itself is already scheduled to increase substantially in size over the coming years and is facing considerable pressures on vehicle access and parking, where already major issues are emerging. To encourage residents of the proposed new development to use the St James school route is nothing short of lunacy.

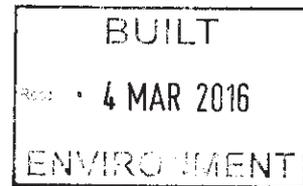
What is needed is a more coherent approach, which minimises any impact on traffic volumes arising from the school run.

Summary

This is a major development, which will have far reaching repercussions on existing local residents for many years into the future. Being aware of the Joint Core Strategy Agreement between the adjacent Local Authorities, and also future housing requirements, we are not against the proposal in principle, as we accept that some development will be necessary over the coming years.

We do believe, however, that it is essential to ensure such a development takes into account the needs and lives of those already living in the area, and not just the landowners, developers and future homeowners of the proposed development.

In particular therefore, we strongly feel that the Council should:



- Require the developers to deposit substantial commuted contributions to clear stream banks and undergrowth of all downstream watercourses, not just at construction stage, but also for the future. Thought should also be given to implementation of sensible long term landscaping schemes. This is necessary to ensure that existing residents downstream of the development do not have to pay the price of greater flooding.
- Insist upon a detailed look at overall traffic flows into and out of Cheltenham along the A46, and explore ways of improving these, taking into account the predicted additional traffic from the new development. The developers should be required to contribute towards the cost of such improvements.
- Require the developers to implement systems for the transport of secondary schoolchildren to avoid the use of private cars as much as possible. For example we view the provision of a free bus service from the development to Bournside, Balcarras & Pittville schools (journeys which already affect the Leckhampton area) essential.

We hope you will agree that our views are constructive, and that they can be taken into account when the application is being considered. Should you wish to consult with our committee on any point, please do not hesitate to contact us.

Yours faithfully

Chris Hyett
Chairman Merestones Residents Association

The Planning Inspectorate
03/18 Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Dear Sir/Madam

Town & Country Planning Act 1990
Land at Leckhampton, Shurdington Road, Cheltenham
Planning Appeal Bovis Homes/Miller Homes, reference APP/B1605/W/14/3001717

Reply to:
1 Merestones Close
The Park
Cheltenham
GL50 2ST
Email: cmhyett@virginmedia.com
9th February 2015

I wrote on behalf of the 200 or so Merestones Residents Association members last October in connection with the original planning application received for the above development. Whilst I understand that the original letter will be passed to you, I enclose a further copy and am writing now to add to some of the comments originally made in respect of one particular issue. I would ask that these comments be taken into account also.

The original letter was written in a positive vein, accepting that some development is necessary in the future, but at the same time wishing to ensure that existing residents do not have to pay a heavy price as a result. The thoughts originally expressed remain relevant, but having had some time to reflect on the matter, we are increasingly concerned regarding the potential for increased flooding downstream of the proposed development. We originally highlighted the blockages seen in the streams in our area and the lack of proper maintenance, but added to this, there is the fact that past high water levels have been held back by bridges and other road crossings, directly leading to flooding of nearby properties. The reality is that the culverts under the roads were not designed to take the extreme levels already seen, and it is our concern that the proposed development has the potential to accentuate this issue.

We understand that the developers have carried out their own research in respect of the drainage issues from their site, and have proposed an approach to deal with this. Our members are not convinced that their original documentation fully appreciated all the issues however, and we consider that this matter is sufficiently important that some form of independent assessment should be undertaken. This would be very reassuring not just to our members, but also the hundreds of other homeowners who live downstream of the proposed development who will be at risk if the calculations are wrong. In addition, we would have thought this process should be very useful to Council Members and Officers, as well as the Planning Inspectorate, as it would provide confirmation (or otherwise) that the issue has been properly addressed and that existing Cheltenham residents have been properly protected.

We would therefore strongly suggest that the developers be required to fund an in-depth report by an **independent** Civil Engineer, to look at the proposals and check the existing calculations, whilst at the same time examining the implications downstream of the site - something we suspect has received little thought as yet.

Some of our members would be very happy to meet with Council Officers and the independent engineer to help clarify the points which have been raised.

Kind Regards

Chris Hyett
Chairman Merestones Residents Association.

9 Chiddington close
Leekhampton
Cheltenham
GL53 0AH

BUILT
7 MAR 2016
ENVIRONMENT

Your ref: 16/00202/OUT 4th March 2016

Dear Ms. CLEMS,

I object to the proposed development of up to 45 dwellings off Kidnappers Lane as there is already far too much traffic travelling between Chiddington Road (Trunk Road A.46) and Church Road, Leekhampton, especially during school term times.

The danger to children walking along that Lane will be the extra traffic and the fact there are not any footpaths for walkers.

Having lived in this house for the past fifty years my late husband & I have seen the road aspect in that area change enormously.

Yours sincerely



Recd • 7 MAR 2016

ENVIRONMENT

Cheltenham Borough Council Planning

Robinswood Cottage
Kidnappers Lane
Cheltenham
GL53 ONP
05 March 2015

Dear Sir

Planning application 16/00202/OUT

I wish to object to the above planning application for the following reasons.

It is premature and is attempting to pre-empt the JCS which is still awaiting decision.

Kidnappers Lane and surrounding fields are a well-used green amenity for local people and support a variety of wildlife. It is adjacent to the AONB and views from Leckhampton Hill would be affected. It would also affect views from the local area towards the Hill, especially if 3-storey housing is built. Mature trees on the site have already been removed.

The development would result in increased traffic on a narrow and winding lane, emerging onto narrow bends causing an increased hazard to pedestrians and other road users, especially during the rush hours when it is used as a rat-run. Traffic would be exiting onto Church Road or Shurdington Road which are already at a standstill at peak traffic times and there would be an increase in air pollution to local residents.

There are no footpaths along Kidnappers Lane and to install them would mean removal of grass verges and/or hedges and the development may affect roadside ditches, already full in winter and other times of high rainfall.

There is localized flooding onto the road in this area (in fact there is currently a flood warning sign in place) which would be exacerbated by further development in the area.

The local schools are already over-subscribed so children would need to travel by car. Claims that people from the proposed development would walk or cycle to local amenities are unrealistic.

Approval of this application would set a precedent for other developments and the character of the area, cherished by local people, would be adversely and permanently affected. Localism and the Local Green Space submission need to be supported.

Yours faithfully



Planning Dept.
Chelt Boro Council

Ref 16/00202/OUT
Waoku Nurseries, Ltd. Leckhampton

I object to this and any other development on the Leckhampton side of the A46.

Neither this nor any others will provide Affordable Housing, which is what is desperately needed.

As a whole the combined housing will be a big blot on the landscape and visually impair the views of the Scarp.

Any balancing ponds and or green spaces will not be sufficient to absorb the quantity of water which runs off Leckhampton Hill. All the fields are a 'sponge' for this.

Although there has been flood alleviation carried out, when there has been heavy rainfall the local streams are very full and rapid.

This and any other development will contribute to an already manic and hazardous road network both through the village and along the A46.

On another matter for general planning consideration. Thought should be given to making it mandatory for any new build, housing or commercial should install solar panels to contribute to power and reduction in harmful emissions.

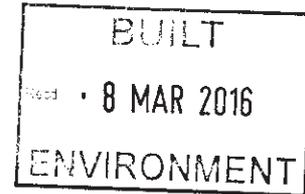
Yours sincerely,



St Brizen, Kidnappers Lane, Cheltenham, GL53 0NL

Dear Sir

PLANNING OBJECTION 16/00202/OUT



I wish to register the following objections:

1. Traffic flow

Cars: 90+ cars flowing from this estate onto the narrow lane will create mayhem. In recent years Kidnappers Lane has become a busy cut through from Leckhampton to access the M5, park and ride, various supermarkets.

Pedestrians: Increase in pedestrians, particularly schoolchildren, walking both directions in the narrow lane will result in accidents. No pavements and unusable soft grass verges. Bends at the proposed access point making it very hazardous.

Road widening: Inevitable road widening with pavements and roundabouts to allow for increased traffic and pedestrians would ruin the entire rural aspect, making Kidnappers Lane into a busy bypass, linking to Hatherley Way, the Golden Valley and the M5 motorway. Cheltenham would lose a prized local asset.

The need to plan the right access/exit point for a new estate: Planners seem to be short sighted. There is little evidence that they have been proactive in planning the right access point by taking into account the long run designs/plans for the whole surrounding area. All the nurseries will be built on in due course, bringing hundreds of extra cars and pedestrians.

Putting the access/exit to the estate on the Shurdington Road, where people can quickly reach amenities at Warden Hill and Bath Road, leaving only pedestrian access in Kidnappers Lane, would maintain some of the area's charm, keeping it pleasantly 'rural' for both existing and new residents.

Robert Hitchins will demand access to Kidnappers Lane because they can charge an extra premium for that location. This should not be seen to influence the planners.

2. Planners ignoring the needs of existing residents:

Kidnappers Lane is an area where rural meets town, and holds an interesting historical connotation. It gives Cheltenham a charm, and its value should not be dismissed. (Profit orientated developers will dismiss it). Once wrecked by road widening schemes and heavy traffic flows, another of the town's assets will be lost forever, (like the Gloucester mess).

People already living here endure extra traffic, resulting in killed pets, increased pedestrian flow, and noise disturbance late at night. 45 houses, with hundreds more to follow will constitute quite a large estate. This calls for appropriate forward planning for the right access to this estate, and planning should not favour the developer's pockets when making this important decision.

It is easy to say NIMBY when people don't want their environment spoilt. But it isn't necessary to ruin the environment of one group of people in order to meet quotas,

since quotas are easily achievable with sound planning. At the moment it appears the planners are not engaging in much foresight.

3. Out of character – another Abbeydale!: Cheltenham trades on its character and appearance. Robert Hitchins houses are short on character and appearance.

It would be circumspect to press Hitchins to put exciting thinking into how to enhance the town by building something different from their stereotype boxes, which are similar to those seen on the outskirts of every ugly town in the UK. Such houses will adversely affect the character of Cheltenham for hundreds of years.

Yours faithfully



Planning Reference Number 16/00202/OUT



Date: 26th November 2016

Dear Sir/Madam

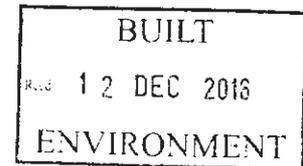
I object to the application to build 45 homes on the land specified just off Kidnappers Lane for the following reasons.

- Kidnappers lane is not much more than a country lane difficult in many places for two cars to pass, poorly lit and floods in heavy rain.
- Church Road which this lane comes out onto is already gridlocked each morning and afternoon, in rush-hour and at other times. Church Road is a rat run for traffic trying to bypass the A46 and pass through on a road that again is difficult in many places for two cars to pass.
- The local area is now awash with housing and in my time in Cheltenham (some 28 years) I have seen an almost relentless swallowing up of fields and green space.
- Local schools and other infrastructure are already at bursting point. Try getting an appointment at the local doctor's surgery.

Yours



24 the Close, Leckhampton, GL53 OPG



Mr Craig Hemphill
Planning Officer
Cheltenham BC

Green Acre
Kidnappers Lane
Cheltenham
GL53 0NP
9th December 2016

Dear Sir,

RE: 16/00202/OUT 45 dwellings at Berrys Nursery Kidnappers Lane

We are writing regards the above mentioned proposal and object on the grounds already in your remit as already outlined in the recent consultations and reviews by Inspector Ord and Inspector Clark on the ongoing JCS consultation and in particular their remarks to the Leckhampton area.

I enclose pictures taken today of massive toxic bonfires which have engulfed Lotts meadow and Borroughs playing fields all day since 9am this morning.

Yours sincerely

A solid black rectangular redaction box covering the signature area.

A solid black rectangular redaction box covering the contact information area.

Ps. I have already phoned the Environmental health Dept. but was unable to get a reply so left a message.







9 Chiddington close
Leekhampton
Cheltenham
GL53 0AH

BUILT
7 MAR 2016
ENVIRONMENT

Your ref: 16/00202/OUT 4th March 2016

Dear Ms. CLEMS,

I object to the proposed development of up to 45 dwellings off Kidnappers Lane as there is already far too much traffic travelling between Chiddington Road (Trunk Road A.46) and Church Road, Leekhampton, especially during school term times.

The danger to children walking along that Lane will be the extra traffic and the fact there are not any footpaths for walkers.

Having lived in this house for the past fifty years my late husband & I have seen the road aspect in that area change enormously.

Yours sincerely



Recd • 7 MAR 2016

ENVIRONMENT

Cheltenham Borough Council Planning

Robinswood Cottage
Kidnappers Lane
Cheltenham
GL53 ONP
05 March 2015

Dear Sir

Planning application 16/00202/OUT

I wish to object to the above planning application for the following reasons.

It is premature and is attempting to pre-empt the JCS which is still awaiting decision.

Kidnappers Lane and surrounding fields are a well-used green amenity for local people and support a variety of wildlife. It is adjacent to the AONB and views from Leckhampton Hill would be affected. It would also affect views from the local area towards the Hill, especially if 3-storey housing is built. Mature trees on the site have already been removed.

The development would result in increased traffic on a narrow and winding lane, emerging onto narrow bends causing an increased hazard to pedestrians and other road users, especially during the rush hours when it is used as a rat-run. Traffic would be exiting onto Church Road or Shurdington Road which are already at a standstill at peak traffic times and there would be an increase in air pollution to local residents.

There are no footpaths along Kidnappers Lane and to install them would mean removal of grass verges and/or hedges and the development may affect roadside ditches, already full in winter and other times of high rainfall.

There is localized flooding onto the road in this area (in fact there is currently a flood warning sign in place) which would be exacerbated by further development in the area.

The local schools are already over-subscribed so children would need to travel by car. Claims that people from the proposed development would walk or cycle to local amenities are unrealistic.

Approval of this application would set a precedent for other developments and the character of the area, cherished by local people, would be adversely and permanently affected. Localism and the Local Green Space submission need to be supported.

Yours faithfully



Planning Dept.
Chelt Boro Council

Ref 16/00202/OUT
Waoku Nurseries, Ltd. Leckhampton

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On another matter for general planning consideration. Thought should be given to making it mandatory for any new build, housing or commercial should install solar panels to contribute to power and reduction in harmful emissions.

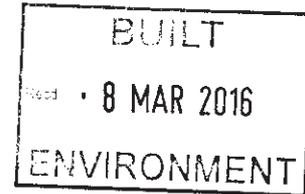
Yours sincerely,



St Brizen, Kidnappers Lane, Cheltenham, GL53 0NL

Dear Sir

PLANNING OBJECTION 16/00202/OUT



I wish to register the following objections:

1. Traffic flow

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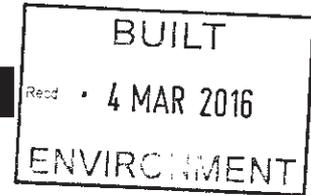
since quotas are easily achievable with sound planning. At the moment it appears the planners are not engaging in much foresight.

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It would be circumspect to press Hitchins to put exciting thinking into how to enhance the town by building something different from their stereotype boxes, which are similar to those seen on the outskirts of every ugly town in the UK. Such houses will adversely affect the character of Cheltenham for hundreds of years.

Yours faithfully





Planning Dept.
Cheltenham Borough Council
PO Box 12
Municipal Offices
Promenade
Cheltenham
GL50 1PP.

1st March 2016.

Dear Sirs,

Yr. Ref. 16/00202/OUT

Proposed residential Dev/Imp. 45 dwellings- etc.- Kidnappers Lane Cheltenham.

With reference to your letter of 15th February 2016 regarding the above, please note our objections to the proposed scheme for the following reasons:

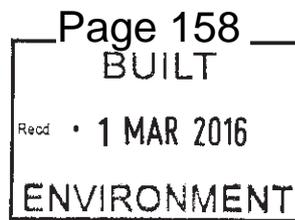
A general loss of amenity for residents of this town.

Loss of more 'green space' surrounding our town.

Apart from the above, the main objection however would be because of the impact on traffic on the surrounding area, already badly 'clogged up' at times, in particular on Church Road.

Yours faithfully,





Autumn Fall
104 Shurdington Road
Cheltenham
Glo'shire
GL53 0JH

The Planning Department
Cheltenham Borough Council
PO Box 12
Municipal Offices
Promenade
Cheltenham
Gloucestershire
GL50 1PP

Attention of Ms Tracey Crews (Director of Planning)

29 February 2016

Dear Madam

**Objection to - Planning Application No 16/00202/OUT
at Kidnappers Lane, Cheltenham.**

1. We send this letter to register our Formal Objections to the above Planning Application.
2. Firstly we cannot understand how this Planning Application is being considered at this date, as the Formal Decision Process of the **Joint Core Strategy (JCS)** is still underway – and especially as the location of this actual planning application is right at the very heart of the JCS area. **Hence we feel that this Application is Premature.**
3. It is also our considered opinion that this **Planning Application should NOT be viewed in isolation**, as we understand there are now planning applications in existence for the areas of Cheltenham, Gloucester and Tewkesbury, which will “if Approved” significantly increase traffic movements and thereby certainly adversely impact on the use of the busy A46 Shurdington Road and other local minor roads in this locality.
4. Likewise there is also currently an **Appeal** being considered for the proposed building of some 650 homes at this nearby location. The original application was Refused for “significant reasons” by the Cheltenham Borough Council Planning Committee in 2014 and the Appeal against that decision was heard in 2015 – **the final decision is still being considered by the Appeal Inspector.**

5. In addition to the above important facts - we also base our Objections to the current application on the following grounds:

- (i) The increased vehicular and pedestrian use of the minor roads in the Leckhampton area are likely to cause additional road dangers and delays.
- (ii) The use of the A46 Shurdington Road is already at a maximum capacity during rush hours and additional vehicles joining from minor roads will certainly increase the delays and road safety dangers.
- (iii) The current levels of Pollution caused by vehicles in this general location are already at very high levels and we believe are now over the maximum allowed.
- (iv) Destruction of the enjoyable countryside and wildlife.
- (v) Insufficient school places for the increase in children numbers.

6. Final Comments

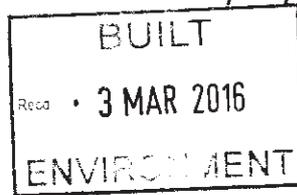
We trust you will carry out all the necessary research into this issue and also that you will give our views very careful consideration, as it is our strong wish that the **Planning Application is REFUSED.**

Yours faithfully

A large black rectangular redaction box covering the signature and name of the sender.

Chettenham Borough Page 160
Planning Mr. C. Hemphill
Chettenham

106. Shrewsbury Rd
Chettenham
GL53 0SH.
1/3/16



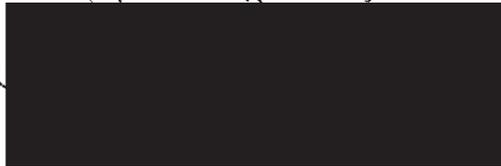
Dear Sir

16/00202/OUT.

45 extra houses, travel county lane
Traffic to local schools, as Sue Ryan
hospice, and more than enough,
for children walk to school, parents
going to primary school also on
this lane, plus dog walkers,
on this dark dirty wet road.

No to application.

Yours faithfully



1 Merestones Close, Cheltenham, Glos GL50 2ST

3 March 2016

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

Email: cmhyett@virginmedia.com

Dear Sir

Proposed development of up to 45 dwellings at Kidnappers Lane, Cheltenham
Planning Reference: 16/00202/OUT

I write in connection with the above proposal on behalf of the Association, which represents around 200 households in the Merestones Road/Merestones Drive area. Our area is situated a little way away from the proposed development, but we know that if it proceeds there is a significant risk of an adverse impact for us, and are writing to express our concerns on behalf of our membership.

The Association has previously written to you in connection with an earlier proposal (13/01606/OUT) located next to the current application site, and many of the issues originally expressed remain extremely relevant to this new proposal. Attached are copies of the earlier letter and a letter written to the Planning Appeal Inspector, which will provide background information.

The close proximity of the two sites means that there are many factors which are common to both of them, and it is difficult to see how a decision could be made on this latest application, without first knowing the outcome of the earlier, much larger one. An overall, more comprehensive stance taking all aspects of both applications into account seems the obvious approach to take.

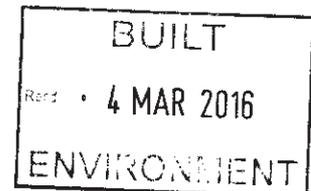
Surface water drainage

As before, this remains an area of major concern for us, and our members. The developers have provided a report for their site detailing their proposals for drainage which concludes that the site is at very low risk of flooding. This has appraised their site in isolation however, and is not a comprehensive approach as mentioned above. We need to avoid a proliferation of individual schemes, as all surface water from these eventually drains into the subsidiary streams of the river Chelt, and will flow through the Merestones area. Along their length there have been instances of flooding, both domestic and otherwise, on several occasions over the past few years – these are not isolated occurrences. The proposed development, despite the mitigation measures proposed, can only increase the volumes of water flowing downstream, and therefore increase the risk of more frequent floods in the future.

We therefore feel, as indicated previously, that there should be an independent audit of the run-off calculations for the entire development area, also investigating the implications downstream of both sites throughout the entire length of the outfall – something, we suspect, has received little thought as yet.

Highways Issues

We are not experts on highways matters, but Kidnappers Lane is a busy but narrow road, and the junction at the northern end with Shurdington Road is a difficult one at the best of times. The proposed access to the site not only opens onto this narrow road, but is also to be located very close to what would be a much busier junction with the Bovis/Miller site next door if this proceeds. This seems to us to be quite a dangerous approach, and, if either/both of the two proposals are to be allowed, then it is surely essential



that there is some joined up thinking regarding the access arrangements, and improvements to local roads and junctions to ensure a safe flow of traffic.

Green Space

Our understanding is that the approach to Local green space is still to be finalised, but we feel strongly that the whole area adjacent to Kidnappers Lane, with its network of footpaths and links towards Leckhampton Hill has been a much used facility for local residents for many years. It would be a travesty if this was totally lost to the town, and we believe that at least some of the area covered by the two planning proposals should be set aside for Local Green Space purposes. Again, this needs to be viewed in conjunction with the earlier application.

Other issues

We have previously raised concerns about traffic volumes along Shurdington Road, upon which the two proposals can only have an adverse impact, and also local schooling, where little real thought seems to have been given as to how children from the proposed developments will get to school. Our earlier thoughts are equally relevant to this application.

Summary

This proposal is unfortunately timed, coming as it does ahead of the Planning Appeal outcome for the neighbouring site, and we would have hoped that a developer who was understanding and mindful of the impact upon local residents, would have sought to work with the Council in conjunction with the earlier appeal process.

As this does not appear to be the case, we summarise our views as follows (these points incorporate those made to the earlier application as they remain relevant).

If the development is to be permitted, we believe that the Council should:

- Require the developers to fund an in-depth report by an independent Civil Engineer to check the calculations, and look in detail at the implications downstream of the site. Taking their recommendations into account, the developers should deposit substantial commuted contributions to clear stream banks of undergrowth and other obstacles from all downstream watercourses, not just at construction stage, but also for the future. This is necessary to ensure that existing residents downstream of the development do not have to pay the price of greater flooding which would arise if this development proceeds.
- Insist upon a detailed look at overall traffic flows both along Kidnappers Lane and into and out of Cheltenham along the A46, and explore ways of improving these, taking into account the predicted additional traffic from the new development(s). The developers should be required to contribute towards the cost of such improvements.
- Ensure that the Local Green Space issue is taken into account before any development is permitted in the area.
- Require the developers to implement systems for the transport of secondary schoolchildren to avoid the use of private cars as much as possible.

We remain happy to discuss any of the above issues and to clarify any of the points raised if required.

Yours faithfully
 Chris Hyett,
 Chairman, Merestone Residents Association

BUILT
4 MAR 2016
ENVIRONMENT

[REDACTED]
[REDACTED]
1 Merestones Close, Cheltenham, Glos GL50 2ST

23rd October 2013

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

Email: cmhyett@virginmedia.com

Dear Sir

Proposed development of 1.94ha land at Kidnappers Lane, Shurdington Road, Cheltenham
Planning ref: 13/01606/OUT

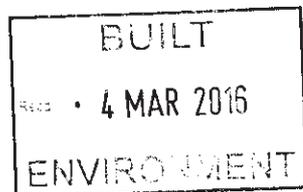
I write in connection with the above proposal on behalf of the Association, which represents around 200 households in the Merestones Road/Merestones Drive area. Whilst our area is situated a little way from the proposed development, we are certain to be affected in several ways if it proceeds, and a number of issues cause us concern.

Our thoughts and concerns largely revolve around three main areas:

Surface water drainage

The Hatherley Brook and its tributaries flows through the Merestones area, so is directly affected by surface water drainage from the proposed development site. We note the various proposals to create catchment ponds and the reference to discharge points Leckhampton 1,2,3. It is clear from the plans that Leckhampton 2 feeds immediately into the Hatherley Brook, and then through the Merestones area. What may not be so readily appreciated, however, is that Leckhampton 3 also flows through part of the Merestones estate to also join Hatherley Brook at a lower point, whilst still within the Merestones area. This means that the vast majority of surface water from the proposed site will combine together, and flow along much the same route.

Both streams (Leckhampton 2 & 3) have suffered from flooding in the past few years, (not just in 2007), and just a few hours continual rain is often sufficient to raise the water flows to concerning levels – this already happens several times a year. The situation is not helped by blockages caused by overgrown trees/fallen branches and undergrowth due to a complete lack of maintenance by the Borough Council over many years, and these can greatly restrict the free flow of water and lead to localised flooding. As an example, one particular blockage has been reported on two occasions (dates available) to no avail. Here one senses that there is a complete lack of clarity concerning areas of administrative responsibility between the Borough and Severn Trent, and we feel this is an opportunity to clarify these anomalies once and for all.



Whilst the proposed ponds in the new development may temporarily hold back any extreme volumes of water, the fact remains that all of this water will eventually have to flow down the same watercourses, and these volumes will inevitably be much greater than currently.

If these proposals proceed, without any additional work being undertaken downstream of the development, we believe there is a real risk of flooding, not just within our area, but also in the other areas further down the brook.

Traffic issues

The A46 Shurdington Road is currently a very busy route into and out of Cheltenham, particularly at peak times when queues of traffic build up in both directions. In both morning and evening peaks, there is usually a slow crawl of continual traffic in both directions, often extending several miles from the Brockworth by-pass through Shurdington and on into Cheltenham.

The proposal seeks to create a new junction between Woodlands Road (an already busy interchange) and Moorend Park Road, and will divert there not only all traffic from the new development, but also the existing traffic in the Kidnappers Lane area. This will create substantial volumes of vehicles at peak times, all trying to access Shurdington Road, in many cases crossing the existing outbound flow of traffic towards Cheltenham, almost certainly resulting in greatly increased congestion.

We believe more thought needs to be given to this aspect, and improvements made to local traffic systems to increase capacity and reduce delays, especially at junctions.

Schooling

Whilst the proposal includes some provision for new schools for younger children, it simply assumes that children of secondary school age will go to existing schools within Cheltenham. There is a suggestion that the nearest school is Bournside, and that it can be accessed via the St James' primary school area. As it is likely that many parents will use private vehicles to take their children to school, the impact upon traffic levels seems at best to have been put to one side, and at worst ignored completely. St James School itself is already scheduled to increase substantially in size over the coming years and is facing considerable pressures on vehicle access and parking, where already major issues are emerging. To encourage residents of the proposed new development to use the St James school route is nothing short of lunacy.

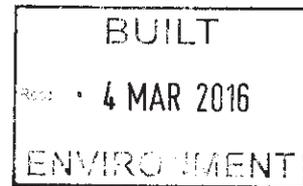
What is needed is a more coherent approach, which minimises any impact on traffic volumes arising from the school run.

Summary

This is a major development, which will have far reaching repercussions on existing local residents for many years into the future. Being aware of the Joint Core Strategy Agreement between the adjacent Local Authorities, and also future housing requirements, we are not against the proposal in principle, as we accept that some development will be necessary over the coming years.

We do believe, however, that it is essential to ensure such a development takes into account the needs and lives of those already living in the area, and not just the landowners, developers and future homeowners of the proposed development.

In particular therefore, we strongly feel that the Council should:



- Require the developers to deposit substantial commuted contributions to clear stream banks and undergrowth of all downstream watercourses, not just at construction stage, but also for the future. Thought should also be given to implementation of sensible long term landscaping schemes. This is necessary to ensure that existing residents downstream of the development do not have to pay the price of greater flooding.
- Insist upon a detailed look at overall traffic flows into and out of Cheltenham along the A46, and explore ways of improving these, taking into account the predicted additional traffic from the new development. The developers should be required to contribute towards the cost of such improvements.
- Require the developers to implement systems for the transport of secondary schoolchildren to avoid the use of private cars as much as possible. For example we view the provision of a free bus service from the development to Bournside, Balcarras & Pittville schools (journeys which already affect the Leckhampton area) essential.

We hope you will agree that our views are constructive, and that they can be taken into account when the application is being considered. Should you wish to consult with our committee on any point, please do not hesitate to contact us.

Yours faithfully

Chris Hyett
Chairman Merestones Residents Association

BUILT
4 MAR 2016
ENVIRONMENT

The Planning Inspectorate
03/18 Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Reply to:
1 Merestones Close
The Park
Cheltenham
GL50 2ST
Email: cmhyett@virginmedia.com
9th February 2015

Dear Sir/Madam

Town & Country Planning Act 1990
Land at Leckhampton, Shurdington Road, Cheltenham
Planning Appeal Bovis Homes/Miller Homes, reference APP/B1605/W/14/3001717

I wrote on behalf of the 200 or so Merestones Residents Association members last October in connection with the original planning application received for the above development. Whilst I understand that the original letter will be passed to you, I enclose a further copy and am writing now to add to some of the comments originally made in respect of one particular issue. I would ask that these comments be taken into account also.

The original letter was written in a positive vein, accepting that some development is necessary in the future, but at the same time wishing to ensure that existing residents do not have to pay a heavy price as a result. The thoughts originally expressed remain relevant, but having had some time to reflect on the matter, we are increasingly concerned regarding the potential for increased flooding downstream of the proposed development. We originally highlighted the blockages seen in the streams in our area and the lack of proper maintenance, but added to this, there is the fact that past high water levels have been held back by bridges and other road crossings, directly leading to flooding of nearby properties. The reality is that the culverts under the roads were not designed to take the extreme levels already seen, and it is our concern that the proposed development has the potential to accentuate this issue.

We understand that the developers have carried out their own research in respect of the drainage issues from their site, and have proposed an approach to deal with this. Our members are not convinced that their original documentation fully appreciated all the issues however, and we consider that this matter is sufficiently important that some form of independent assessment should be undertaken. This would be very reassuring not just to our members, but also the hundreds of other homeowners who live downstream of the proposed development who will be at risk if the calculations are wrong. In addition, we would have thought this process should be very useful to Council Members and Officers, as well as the Planning Inspectorate, as it would provide confirmation (or otherwise) that the issue has been properly addressed and that existing Cheltenham residents have been properly protected.

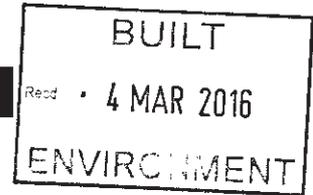
We would therefore strongly suggest that the developers be required to fund an in-depth report by an **independent** Civil Engineer, to look at the proposals and check the existing calculations, whilst at the same time examining the implications downstream of the site - something we suspect has received little thought as yet.

Some of our members would be very happy to meet with Council Officers and the independent engineer to help clarify the points which have been raised.

Kind Regards

Chris Hyett
Chairman Merestones Residents Association.

Cheltenham,
Glos.
GL53 0PU



Planning Dept.
Cheltenham Borough Council
PO Box 12
Municipal Offices
Promenade
Cheltenham
GL50 1PP.

1st March 2016.

Dear Sirs,

Yr. Ref. 16/00202/OUT
Proposed residential Dev/Imp. 45 dwellings- etc.- Kidnappers Lane Cheltenham.

With reference to your letter of 15th February 2016 regarding the above, please note our objections to the proposed scheme for the following reasons:

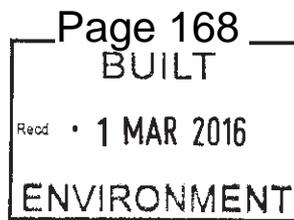
A general loss of amenity for residents of this town.

Loss of more 'green space' surrounding our town.

Apart from the above, the main objection however would be because of the impact on traffic on the surrounding area, already badly 'clogged up' at times, in particular on Church Road.

Yours faithfully,





Autumn Fall
104 Shurdington Road
Cheltenham
Glo'shire
GL53 0JH

The Planning Department
Cheltenham Borough Council
PO Box 12
Municipal Offices
Promenade
Cheltenham
Gloucestershire
GL50 1PP

Attention of Ms Tracey Crews (Director of Planning)

29 February 2016

Dear Madam

**Objection to - Planning Application No 16/00202/OUT
at Kidnappers Lane, Cheltenham.**

1. We send this letter to register our Formal Objections to the above Planning Application.
2. Firstly we cannot understand how this Planning Application is being considered at this date, as the Formal Decision Process of the **Joint Core Strategy (JCS)** is still underway – and especially as the location of this actual planning application is right at the very heart of the JCS area. **Hence we feel that this Application is Premature.**
3. It is also our considered opinion that this **Planning Application should NOT be viewed in isolation**, as we understand there are now planning applications in existence for the areas of Cheltenham, Gloucester and Tewkesbury, which will “if Approved” significantly increase traffic movements and thereby certainly adversely impact on the use of the busy A46 Shurdington Road and other local minor roads in this locality.
4. Likewise there is also currently an **Appeal** being considered for the proposed building of some 650 homes at this nearby location. The original application was Refused for “significant reasons” by the Cheltenham Borough Council Planning Committee in 2014 and the Appeal against that decision was heard in 2015 – **the final decision is still being considered by the Appeal Inspector.**

5. In addition to the above important facts - we also base our Objections to the current application on the following grounds:

- (i) The increased vehicular and pedestrian use of the minor roads in the Leckhampton area are likely to cause additional road dangers and delays.
- (ii) The use of the A46 Shurdington Road is already at a maximum capacity during rush hours and additional vehicles joining from minor roads will certainly increase the delays and road safety dangers.
- (iii) The current levels of Pollution caused by vehicles in this general location are already at very high levels and we believe are now over the maximum allowed.
- (iv) Destruction of the enjoyable countryside and wildlife.
- (v) Insufficient school places for the increase in children numbers.

6. Final Comments

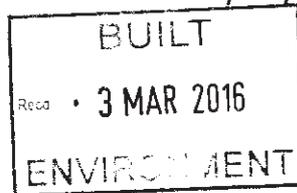
We trust you will carry out all the necessary research into this issue and also that you will give our views very careful consideration, as it is our strong wish that the **Planning Application is REFUSED.**

Yours faithfully

A large black rectangular redaction box covering the signature and name of the sender.

Chettenham Borough Page 170
Planning Mr. C. Hemphill
Chettenham

106. Shrewsbury Rd
Chettenham
GL53 0SH.
1/3/16



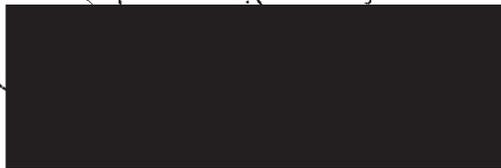
Dear Sir

16/00202/OUT.

45 extra houses, travel county lane
Traffic to local schools, as Sue Ryan
hospice, and more than enough,
for children walk to school, parents
going to primary school also on
this lane, plus dog walkers,
on this dark dirty wet road.

No to application.

Yours faithfully



1 Merestones Close, Cheltenham, Glos GL50 2ST

3 March 2016

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

Email: cmhyett@virginmedia.com

Dear Sir

Proposed development of up to 45 dwellings at Kidnappers Lane, Cheltenham
Planning Reference: 16/00202/OUT

I write in connection with the above proposal on behalf of the Association, which represents around 200 households in the Merestones Road/Merestones Drive area. Our area is situated a little way away from the proposed development, but we know that if it proceeds there is a significant risk of an adverse impact for us, and are writing to express our concerns on behalf of our membership.

The Association has previously written to you in connection with an earlier proposal (13/01606/OUT) located next to the current application site, and many of the issues originally expressed remain extremely relevant to this new proposal. Attached are copies of the earlier letter and a letter written to the Planning Appeal Inspector, which will provide background information.

The close proximity of the two sites means that there are many factors which are common to both of them, and it is difficult to see how a decision could be made on this latest application, without first knowing the outcome of the earlier, much larger one. An overall, more comprehensive stance taking all aspects of both applications into account seems the obvious approach to take.

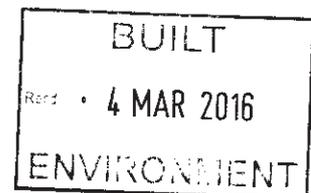
Surface water drainage

As before, this remains an area of major concern for us, and our members. The developers have provided a report for their site detailing their proposals for drainage which concludes that the site is at very low risk of flooding. This has appraised their site in isolation however, and is not a comprehensive approach as mentioned above. We need to avoid a proliferation of individual schemes, as all surface water from these eventually drains into the subsidiary streams of the river Chelt, and will flow through the Merestones area. Along their length there have been instances of flooding, both domestic and otherwise, on several occasions over the past few years – these are not isolated occurrences. The proposed development, despite the mitigation measures proposed, can only increase the volumes of water flowing downstream, and therefore increase the risk of more frequent floods in the future.

We therefore feel, as indicated previously, that there should be an independent audit of the run-off calculations for the entire development area, also investigating the implications downstream of both sites throughout the entire length of the outfall – something, we suspect, has received little thought as yet.

Highways Issues

We are not experts on highways matters, but Kidnappers Lane is a busy but narrow road, and the junction at the northern end with Shurdington Road is a difficult one at the best of times. The proposed access to the site not only opens onto this narrow road, but is also to be located very close to what would be a much busier junction with the Bovis/Miller site next door if this proceeds. This seems to us to be quite a dangerous approach, and, if either/both of the two proposals are to be allowed, then it is surely essential



that there is some joined up thinking regarding the access arrangements, and improvements to local roads and junctions to ensure a safe flow of traffic.

Green Space

Our understanding is that the approach to Local green space is still to be finalised, but we feel strongly that the whole area adjacent to Kidnappers Lane, with its network of footpaths and links towards Leckhampton Hill has been a much used facility for local residents for many years. It would be a travesty if this was totally lost to the town, and we believe that at least some of the area covered by the two planning proposals should be set aside for Local Green Space purposes. Again, this needs to be viewed in conjunction with the earlier application.

Other issues

We have previously raised concerns about traffic volumes along Shurdington Road, upon which the two proposals can only have an adverse impact, and also local schooling, where little real thought seems to have been given as to how children from the proposed developments will get to school. Our earlier thoughts are equally relevant to this application.

Summary

This proposal is unfortunately timed, coming as it does ahead of the Planning Appeal outcome for the neighbouring site, and we would have hoped that a developer who was understanding and mindful of the impact upon local residents, would have sought to work with the Council in conjunction with the earlier appeal process.

As this does not appear to be the case, we summarise our views as follows (these points incorporate those made to the earlier application as they remain relevant).

If the development is to be permitted, we believe that the Council should:

- Require the developers to fund an in-depth report by an independent Civil Engineer to check the calculations, and look in detail at the implications downstream of the site. Taking their recommendations into account, the developers should deposit substantial commuted contributions to clear stream banks of undergrowth and other obstacles from all downstream watercourses, not just at construction stage, but also for the future. This is necessary to ensure that existing residents downstream of the development do not have to pay the price of greater flooding which would arise if this development proceeds.
- Insist upon a detailed look at overall traffic flows both along Kidnappers Lane and into and out of Cheltenham along the A46, and explore ways of improving these, taking into account the predicted additional traffic from the new development(s). The developers should be required to contribute towards the cost of such improvements.
- Ensure that the Local Green Space issue is taken into account before any development is permitted in the area.
- Require the developers to implement systems for the transport of secondary schoolchildren to avoid the use of private cars as much as possible.

We remain happy to discuss any of the above issues and to clarify any of the points raised if required.

Yours faithfully
 Chris Hyett,
 Chairman, Merestone Residents Association

BUILT
4 MAR 2016
ENVIRONMENT

[REDACTED]
[REDACTED]
1 Merestones Close, Cheltenham, Glos GL50 2ST

23rd October 2013

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

Email: cmhyett@virginmedia.com

Dear Sir

Proposed development of 1.94ha land at Kidnappers Lane, Shurdington Road, Cheltenham
Planning ref: 13/01606/OUT

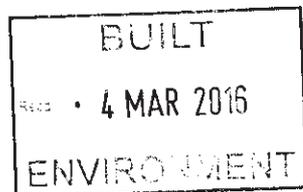
I write in connection with the above proposal on behalf of the Association, which represents around 200 households in the Merestones Road/Merestones Drive area. Whilst our area is situated a little way from the proposed development, we are certain to be affected in several ways if it proceeds, and a number of issues cause us concern.

Our thoughts and concerns largely revolve around three main areas:

Surface water drainage

The Hatherley Brook and its tributaries flows through the Merestones area, so is directly affected by surface water drainage from the proposed development site. We note the various proposals to create catchment ponds and the reference to discharge points Leckhampton 1,2,3. It is clear from the plans that Leckhampton 2 feeds immediately into the Hatherley Brook, and then through the Merestones area. What may not be so readily appreciated, however, is that Leckhampton 3 also flows through part of the Merestones estate to also join Hatherley Brook at a lower point, whilst still within the Merestones area. This means that the vast majority of surface water from the proposed site will combine together, and flow along much the same route.

Both streams (Leckhampton 2 & 3) have suffered from flooding in the past few years, (not just in 2007), and just a few hours continual rain is often sufficient to raise the water flows to concerning levels – this already happens several times a year. The situation is not helped by blockages caused by overgrown trees/fallen branches and undergrowth due to a complete lack of maintenance by the Borough Council over many years, and these can greatly restrict the free flow of water and lead to localised flooding. As an example, one particular blockage has been reported on two occasions (dates available) to no avail. Here one senses that there is a complete lack of clarity concerning areas of administrative responsibility between the Borough and Severn Trent, and we feel this is an opportunity to clarify these anomalies once and for all.



Whilst the proposed ponds in the new development may temporarily hold back any extreme volumes of water, the fact remains that all of this water will eventually have to flow down the same watercourses, and these volumes will inevitably be much greater than currently.

If these proposals proceed, without any additional work being undertaken downstream of the development, we believe there is a real risk of flooding, not just within our area, but also in the other areas further down the brook.

Traffic issues

The A46 Shurdington Road is currently a very busy route into and out of Cheltenham, particularly at peak times when queues of traffic build up in both directions. In both morning and evening peaks, there is usually a slow crawl of continual traffic in both directions, often extending several miles from the Brockworth by-pass through Shurdington and on into Cheltenham.

The proposal seeks to create a new junction between Woodlands Road (an already busy interchange) and Moorend Park Road, and will divert there not only all traffic from the new development, but also the existing traffic in the Kidnappers Lane area. This will create substantial volumes of vehicles at peak times, all trying to access Shurdington Road, in many cases crossing the existing outbound flow of traffic towards Cheltenham, almost certainly resulting in greatly increased congestion.

We believe more thought needs to be given to this aspect, and improvements made to local traffic systems to increase capacity and reduce delays, especially at junctions.

Schooling

Whilst the proposal includes some provision for new schools for younger children, it simply assumes that children of secondary school age will go to existing schools within Cheltenham. There is a suggestion that the nearest school is Bournside, and that it can be accessed via the St James' primary school area. As it is likely that many parents will use private vehicles to take their children to school, the impact upon traffic levels seems at best to have been put to one side, and at worst ignored completely. St James School itself is already scheduled to increase substantially in size over the coming years and is facing considerable pressures on vehicle access and parking, where already major issues are emerging. To encourage residents of the proposed new development to use the St James school route is nothing short of lunacy.

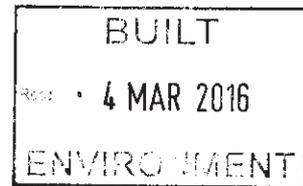
What is needed is a more coherent approach, which minimises any impact on traffic volumes arising from the school run.

Summary

This is a major development, which will have far reaching repercussions on existing local residents for many years into the future. Being aware of the Joint Core Strategy Agreement between the adjacent Local Authorities, and also future housing requirements, we are not against the proposal in principle, as we accept that some development will be necessary over the coming years.

We do believe, however, that it is essential to ensure such a development takes into account the needs and lives of those already living in the area, and not just the landowners, developers and future homeowners of the proposed development.

In particular therefore, we strongly feel that the Council should:



- Require the developers to deposit substantial commuted contributions to clear stream banks and undergrowth of all downstream watercourses, not just at construction stage, but also for the future. Thought should also be given to implementation of sensible long term landscaping schemes. This is necessary to ensure that existing residents downstream of the development do not have to pay the price of greater flooding.
- Insist upon a detailed look at overall traffic flows into and out of Cheltenham along the A46, and explore ways of improving these, taking into account the predicted additional traffic from the new development. The developers should be required to contribute towards the cost of such improvements.
- Require the developers to implement systems for the transport of secondary schoolchildren to avoid the use of private cars as much as possible. For example we view the provision of a free bus service from the development to Bournside, Balcarras & Pittville schools (journeys which already affect the Leckhampton area) essential.

We hope you will agree that our views are constructive, and that they can be taken into account when the application is being considered. Should you wish to consult with our committee on any point, please do not hesitate to contact us.

Yours faithfully

Chris Hyett
Chairman Merestones Residents Association

The Planning Inspectorate
03/18 Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Dear Sir/Madam

Town & Country Planning Act 1990
Land at Leckhampton, Shurdington Road, Cheltenham
Planning Appeal Bovis Homes/Miller Homes, reference APP/B1605/W/14/3001717

Reply to:
1 Merestones Close
The Park
Cheltenham
GL50 2ST
Email: cmhyett@virginmedia.com
9th February 2015

I wrote on behalf of the 200 or so Merestones Residents Association members last October in connection with the original planning application received for the above development. Whilst I understand that the original letter will be passed to you, I enclose a further copy and am writing now to add to some of the comments originally made in respect of one particular issue. I would ask that these comments be taken into account also.

The original letter was written in a positive vein, accepting that some development is necessary in the future, but at the same time wishing to ensure that existing residents do not have to pay a heavy price as a result. The thoughts originally expressed remain relevant, but having had some time to reflect on the matter, we are increasingly concerned regarding the potential for increased flooding downstream of the proposed development. We originally highlighted the blockages seen in the streams in our area and the lack of proper maintenance, but added to this, there is the fact that past high water levels have been held back by bridges and other road crossings, directly leading to flooding of nearby properties. The reality is that the culverts under the roads were not designed to take the extreme levels already seen, and it is our concern that the proposed development has the potential to accentuate this issue.

We understand that the developers have carried out their own research in respect of the drainage issues from their site, and have proposed an approach to deal with this. Our members are not convinced that their original documentation fully appreciated all the issues however, and we consider that this matter is sufficiently important that some form of independent assessment should be undertaken. This would be very reassuring not just to our members, but also the hundreds of other homeowners who live downstream of the proposed development who will be at risk if the calculations are wrong. In addition, we would have thought this process should be very useful to Council Members and Officers, as well as the Planning Inspectorate, as it would provide confirmation (or otherwise) that the issue has been properly addressed and that existing Cheltenham residents have been properly protected.

We would therefore strongly suggest that the developers be required to fund an in-depth report by an **independent** Civil Engineer, to look at the proposals and check the existing calculations, whilst at the same time examining the implications downstream of the site - something we suspect has received little thought as yet.

Some of our members would be very happy to meet with Council Officers and the independent engineer to help clarify the points which have been raised.

Kind Regards

Chris Hyett
Chairman Merestones Residents Association.

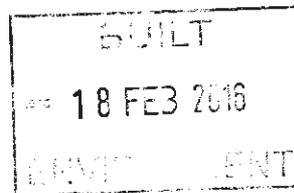
8 Alden Road "1" - Hampton
Page 177 OHQ

Director of Planning,
Cheltenham Borough Council

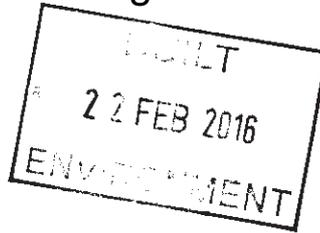
Re: Kidnappers Lane/Wacku
residential development

Whilst more housing is needed in
Cheltenham, one wonders how
Church Road + the Shurdington
Road will cope with even more
traffic than at present. An
increase in vehicles on these roads
is not in the interests of the present
residents, nor in the interests of
the potential new ones.

Yours faithfully



REF: 16/00202/OUT



76 Church Road
Leckhampton
Cheltenham
GL53 0PD
18th February 2016

Reg 16/00202/OUT

Planning: Environmental & Regulatory Services
Cheltenham Borough Council
Cheltenham
GL50 1PP

Dear Ms Crews,

Yesterday afternoon I went for a walk around Kidnappers Lane between 2pm and 2.45pm and during the time I walked the length of Kidnappers Lane from Church Road to the junction with Farm Lane (approx 10-15 minutes) I was passed by 20 cars - and this is during what could be considered as a 'quiet' time of day! Yet an application for planning to build 40+ houses on this stretch of lane is to be considered!

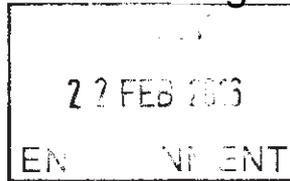
This would mean 40-70 extra cars using this stretch of lane which is narrow with severe bends and frequently waterlogged (as it is at present). Ultimately these cars have to emerge onto the Shurdington Road or Church Road - both of which have reached saturation point for vehicles at the present time.

The residents of Church Road are also very unhappy about the severe pollution levels, (which personally affect me as I suffer from COPD and I am unable to work in my front garden at times of heavy traffic); and also the shaking of houses which are built close to the road.

This doesn't even consider the potential danger to the children attending Leckhampton Primary School. Some might even say that this is an accident waiting to happen with the increased traffic when children are being brought to and collected from school.

I urge the Planning Committee to see sense over these issues and reject such a planning proposal.

Yours sincerely,



8 Leckhampton Farm Court
Farm Lane
Leckhampton
Cheltenham
Glos
GL51 3GS

To: Tracey Crews
Director of Planning
Cheltenham Borough Council
PO Box 12
Municipal Offices
Promenade
Cheltenham
Glos
GL50 1PP

18th February 2016

Dear Ms Crews

Your letter dated 15th February 2016 regarding the planning application 16/00202/OUT refers.

We object to this planning application due to concerns we have about traffic volumes adding to the congestion on Church Road, the safety of pedestrians due to the lack of pavements on the narrow road and blind bends, the reliance on the private car due to the lack of public transport, the lack of school places locally, and the many environmental and visual impact considerations which have been expressed in copious quantities as part of the JCS process.

A key and relevant issue with this planning application is also that the JCS examination in public is still not complete. As has already been clearly demonstrated, the Tewkesbury Borough Council planning decision for SD2 (west of Farm Lane, Leckhampton) was premature, bearing in mind the Inspector's preliminary findings which suggest that development on this land may be unsound. Tewkesbury planners unfortunately chose to overlook the many and valid considerations and objections to this application and have allowed SD2 to be trashed in the process.

It would be extremely disappointing if Cheltenham chose to follow the same path and ignore the ongoing JCS examination which is objectively evaluating the many concerns already expressed regarding development in this area.

The Inspector appears to be taking a level-headed and practical view, and decisions about planning on any land currently being considered by the examination in public should either be postponed or refused. Councils in some other parts of the country have put a moratorium on planning decisions for any application for more than 10 dwellings, pending completion of their proposed planning strategies. Cheltenham Borough Council (and other parts of the JCS) should consider doing the same.

It is unfortunate that the inspection is taking so long but Cheltenham Borough Council should have regard to its own responsibilities in this respect, especially regarding its

unprofessionally tardy responses to reasonable and foreseeable data requests from the Inspector.

Making precipitate decisions on individual planning applications whilst simultaneously displaying a lack of urgency in helping to achieve the required overall master planning strategy is unacceptable, undemocratic and somewhat disreputable.

The decision on this application should therefore be refused or at the very least deferred.

Yours sincerely

A large black rectangular redaction box covers the signature and any text that might have been present below the 'Yours sincerely' line.

Ref 16/00202/OUT

Page 181

24 FEB 2016

ENVIRONMENT

11, The Lanes,
Leckhampton.
GL53 0PU.

22 Feb 2016.

Mr. Craig Atchfull.
Cheltenham Borough Council,
PO Box 12. Promenade,
Cheltenham. GL50 1PP

Dear Sir,

Regarding development of 45 Dwellings
on existing building site of Waski Nurseries.
My objections are:

These proposals will only
add to an already serious traffic problem
along the A46 Shurdington Rd.

We hope you will take into account
that this development will destroy an
area of natural beauty which is
appreciated by many people. My
other objection is the pressure which is
already on inadequate services -
Schools / Medical Services.

With kind regards,

- II
- 3) create a risk of flooding
 - 4) reduce the local amenity of open space, making it further to walk to get into the country for people living in Warden Hill and nearby
 - 5) too near the A.O.N.B.

All these considerations have been the main core of objection to development in Heckhampton for some years. It is not a suitable place for more housing.

Yours faithfully,

[Redacted Signature]

24

Brook Cottage
Coipetts Lane,
Heckhampton
GL51 4XT

21st February, 2016

Planning Officer,
Cheltenham Borough Council,

Ref: 16/00202/OUT.

Dear Sir,

With reference to the above planning application, I am writing to express my objection to dwellings being built there or anywhere else in Heckhampton for the following reasons:

- 1) it would encroach on the rural character
- 2) create more traffic. Roads in the area are already blocked at peak times

BUILT
Recd 28 NOV 2016
ENVIRONMENT

Page 183

23, Hawks Wood
Woodlands.
CHERTONUM
GL513DT.

Dear Ms Crows
I STRONGLY OBJECT to
THE DEVELOPMENT WHICH HAS BEEN
SUBMITTED AGAIN 16/00202/OUT.
ENCLOSED REASONS WHY.



NOTES FOR DEVELOPERS OF 180 NEW HOUSES BY BRIZEN FARM
(also applicable for development opposite Warden Hill).

Floods and modernisation project - Really does it not occur to you and this Government that you don't need to concrete over this side of Greater London.

Just get a grip on immigration which requires 700 new houses every day!

Don't destroy our countryside. We should be building only on land already built on i.e. The Old Spirax sites at St. Marks and St. George's Road, Sharpes and Fisher site when they move, and many other available sites in Cheltenham.

Building on fields that flood has already caused problems in Tewkesbury and surrounding areas. What will happen to all the water coming off Leckhampton Hill which surrounds us. Think about 2007, this will keep happening if building is allowed on flood land. During the deluge on the 21st November this year, several gardens in Hawkswood Road were under flood which caused great distress to local residents who were unable to access any help, and had to resort to all manner of methods to stop the water entering their homes. This road is directly opposite the site marked for 1300 homes, school, supermarket etc. Will the council give us insurance against flooding if we cannot get it or afford it in future.

Cheltenham has some 110,000 residents struggling to avoid merging with nearby Gloucester.

Traffic on Shurdington Road - this is hell now. It is especially bad on Race days and should an accident occur on the M5, cars are directed along the Shurdington Road. These 2 new developments will create at least a minimum of another 1000 cars. Exhaust fumes are already high and affect people living close by in The Woodlands, as well as people with Asthma.

It is proposed that a no right turn to Cheltenham at the Air Balloon be brought in. If this is the case, it means all vehicles travelling to Cheltenham will have to be rerouted to Brockworth Crosshands. It is said that 30,000 vehicles a day use the Air Balloon roundabout. Most of these will inevitably turn on to the Shurdington Road to gain access to Cheltenham. If only 10% do this, that is another 3000 cars a day in addition to the cars generated from the 2 new developments. How is anyone going to access the General Hospital in an emergency, as the road will be gridlocked.

1.

In London the Council refused to reveal the number of homes given to foreigners. London let 376,000 - 400,000 homes to foreigners, costing the tax payer £62,000.

How many of the JCS homes will be for Cheltenham, Gloucester, Tewkesbury families?

2.

A Traffic survey shows that if all the homes proposed by the JCS are built, traffic would queue on the A.46 beyond the A.417 to the M5. It could take one hour to travel from Cheltenham to the A.417.

The RAC say 2.6 million families have 4 cars or more (not the 1.6 cars per family estimated by the JCS). Rising by 31.5 per cent by 2020, would Warden Hill become a rat run and parking lot for the new homes across the road?

3.

Hayden Lane - would we be prepared to drink sewerage water? Thames Water supplies 3.5 million homes. In London they face a deficit of 125 million litres per day. Their estimate by 2020 is that Thames Water will have a 16% deficit, leaving 2.2 million people short of water. Already around Reading and Oxford people are drinking recycled sewerage water.

What are you doing about this as we have only one sewerage plant in Gloucestershire which flooded in 2007?

4.

Cancer Research UK has reported that harmful fumes from cars could result in 223,000 deaths globally every year through car pollution.

What will you do about the health of the residents of Cheltenham?

5.

We are already running short on gas and electricity supplies and have been warned to expect possible "black outs" in 2016. Has this all been taken into consideration?

6.

Our children will face debt, unemployment, flood, drought, storms, and massive immigration on a scale not so far seen in this country. Is the answer

~~to~~ BUILDING ON ALL OUR GREEN FIELDS.

School run - where will all these people park. ~~Probably in Woodland Roads~~ and surrounding roads, then walking through the lanes to the new school, as they do currently for Lakeside school.

Wildlife - what about the deers, butterflies, rabbits, owls, moths, foxes, badgers, bees and all the birds that currently occupy the site opposite Woodlands Road. There are blue jays and buzzards all living happily there currently. Will you move them to the hill - then what, houses on the hill that surround Cheltenham.

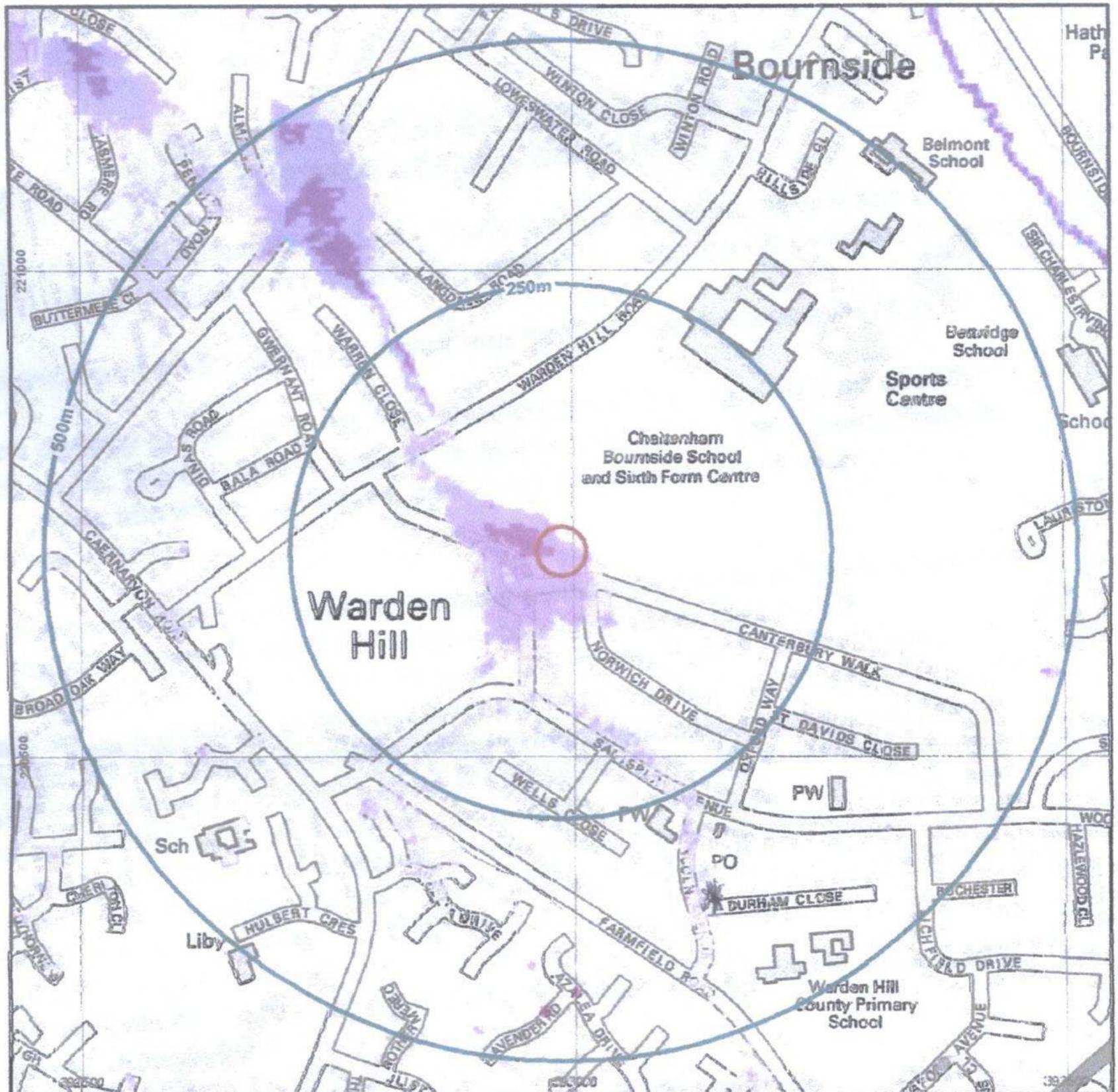
Concreting our greenfields is not the answer. Destroying many fields and woods, chopping down trees - you can't replace them once they are gone.

STOP NOW!!



23 HAWKWOOD ROAD
WOODLANDS
CHURCH
GL51 3DT

Section A.3 – River, Coastal and Surface Water Flood Risk: 1 in 1000 Year – From JBA



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1000yr Flood Risk

Client Site	Surface Water Depth	River Depth	Coastal Depth
	10cm - 30cm	10cm - 30cm	10cm - 30cm
	30cm - 1m	30cm - 1m	30cm - 1m
	> 1m	> 1m	> 1m

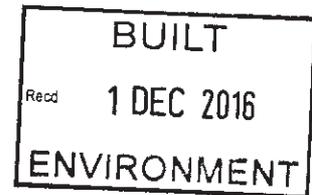


* - Not all features in legend may be present in above map

Nominal scale at A4 paper size - 1:6,500

Page 188
48 Church Hill Rise
Cheltenham
29 November 2016

Mr Craig Hemphill
Cheltenham Borough Council
PO Box 12
Municipal Offices
Promenade
Cheltenham
GL50 1PP



Re: 16/00202/OUT

Dear Sir,

I attach a copy of my comments sent to you on 26 February this year (shorn of the top & tail) objecting to the above application. It would be interesting to know why this has been omitted from the published documents relevant to the application.

All of my earlier comments are still pertinent; indeed, traffic along Church Road has increased at all times of the day even over the last nine months.

Others have commented on the unsuitability of Kidnappers Lane for any increase in car traffic, however slight. There is no safe way to be a pedestrian or a cyclist along the road. This is a country lane, not a suburban street.

Yours sincerely



The principal problems with building on this site arise both from the relatively isolated nature of the site (not being adjacent to established development) and the nature of the land itself.

Access to the site is on a right-angled corner with no sight lines round the corner. The road itself is narrow enough that two-way traffic is not possible near where the footway ends at Vineries Close and difficult along the whole length of the road for anything as wide as many of today's family cars. Overtaking a stationary waste disposal vehicle (for instance) is only possible if it is parked off the road on private access. Most of Kidnappers Lane has ditches or high hedges each side which makes it impossible to use verges for passing. Cyclists and pedestrians are both obliged to use the roadway and have no safe refuge from heavier traffic to either side on much of the road. The alternative route between Shurdington Rd and Church Rd (ie Farm Lane) is just as narrow in places, but because it does not have such sharp bends it is not quite so hazardous.

The GCC collision survey is clearly incomplete: I have seen occasional evidence of collisions on KL, but presumably they were not major enough to be reported to any official channels.

Traffic flows along Shurdington Rd and Church Rd are already intolerably heavy at peak times. Church Rd itself is too narrow for two-way traffic to flow with parked cars, and the inexorable increase in cars parked on the street has exacerbated this problem. The ban on heavier vans using part of the road is not always respected, even at peak times, and the number of car journeys to Leckhampton School and the increasing flow down Leckhampton Hill are all factors which make movement along Church Rd in either direction very slow at times. Shurdington Rd feeds into the busy Bath Road, so that although SR itself could flow freely this is prevented by the situation on Bath Road.

Access from the site by residents is likely to be almost exclusively by car, even if a dedicated footpath direct to Shurdington Rd were planned, which it is not. There is no nearby public transport to Bournside, Balcarras or Pates secondary schools. Warden Hill primary school requires crossing the A46, Leckhampton primary school is beyond most parents willingness to walk (and is oversubscribed anyway), Morrisons is also a long walk and other supermarkets are much further away, the nearest "local" shops are in Warden Hill; none of these facilities is accessible by public transport from the Shurdington Rd. Many major employers in the Cheltenham area (such as GCHQ) are not on these bus routes either. The roads are already full, even an extra 45 dwellings' worth of traffic is unacceptable without considerable improvements to the road system in Cheltenham.

Several references have been made in the application documents to community facilities which may be provided by other development nearby. Such development is by no means certain, and may not include all (or indeed any) of the facilities to which reference is made. I believe this application must stand on its own without reference to speculation on future development beyond its boundaries.

The green space within the development includes a large pond and no play facilities. Is this acceptable with the likelihood of small children having no alternative public green space nearby? There is no provision for a playground.

As for the flood risk, photographs of the area in 2007 would not have shown much land in the general area above the water, and I understand the subsequent flood defence work immediately to the north of the Shurdington Rd was in response to the risk of flooding from surface water in the general area which includes the site.



MERESTONES RESIDENTS ASSOCIATION

1 Merestones Close, Cheltenham, Glos GL50 2ST

2nd December 2016

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

Email: [REDACTED]

Dear Sir

**Proposed development of up to 45 dwellings at Kidnappers Lane, Cheltenham
Planning Reference: 16/00202/OUT**

I wrote to you in March this year to register the views of our members in connection with the above application. My understanding is that the applicants are now pressing for a decision to be made at the earliest opportunity, but that little else has changed meanwhile.

A copy of my previous letter is attached, and the views expressed at that time remain very relevant. The situation regarding Joint Core Strategy and Local Green Space matters is still not finalised, and we feel it remains very important that decisions should not be made regarding parts of this area on a piecemeal basis without the overall picture being taken into account.

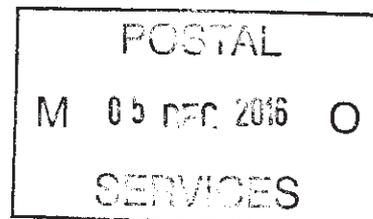
It is interesting also to note that an archaeological report was lodged a few months ago, and this appears to provide evidence of poor natural drainage on the site – something that reinforces our previously expressed concerns regarding surface water issues.

Our comments of 3 March therefore remain very apt, and we hope the views we expressed will be given due consideration as this application is progressed.

Yours faithfully

[REDACTED]

Chairman





MERESTONES RESIDENTS ASSOCIATION

1 Merestones Close, Cheltenham, Glos GL50 2ST

3 March 2016

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

Email: [REDACTED]

Dear Sir

Proposed development of up to 45 dwellings at Kidnappers Lane, Cheltenham
Planning Reference: 16/00202/OUT

I write in connection with the above proposal on behalf of the Association, which represents around 200 households in the Merestones Road/Merestones Drive area. Our area is situated a little way away from the proposed development, but we know that if it proceeds there is a significant risk of an adverse impact for us, and are writing to express our concerns on behalf of our membership.

The Association has previously written to you in connection with an earlier proposal (13/01606/OUT) located next to the current application site, and many of the issues originally expressed remain extremely relevant to this new proposal. Attached are copies of the earlier letter and a letter written to the Planning Appeal Inspector, which will provide background information.

The close proximity of the two sites means that there are many factors which are common to both of them, and it is difficult to see how a decision could be made on this latest application, without first knowing the outcome of the earlier, much larger one. An overall, more comprehensive stance taking all aspects of both applications into account seems the obvious approach to take.

Surface water drainage

As before, this remains an area of major concern for us, and our members. The developers have provided a report for their site detailing their proposals for drainage which concludes that the site is at very low risk of flooding. This has appraised their site in isolation however, and is not a comprehensive approach as mentioned above. We need to avoid a proliferation of individual schemes, as all surface water from these eventually drains into the subsidiary streams of the river Chelt, and will flow through the Merestones area. Along their length there have been instances of flooding, both domestic and otherwise, on several occasions over the past few years – these are not isolated occurrences. The proposed development, despite the mitigation measures proposed, can only increase the volumes of water flowing downstream, and therefore increase the risk of more frequent floods in the future.

We therefore feel, as indicated previously, that there should be an independent audit of the run-off calculations for the entire development area, also investigating the implications downstream of both sites throughout the entire length of the outfall – something, we suspect, has received little thought as yet.

Highways issues

We are not experts on highways matters, but Kidnappers Lane is a busy but narrow road, and the junction at the northern end with Shurdington Road is a difficult one at the best of times. The proposed access to the site not only opens onto this narrow road, but is also to be located very close to what would be a much busier junction with the Bovis/Miller site next door if this proceeds. This seems to us to be quite a dangerous approach, and, if either/both of the two proposals are to be allowed, then it is surely essential



that there is some joined up thinking regarding the access arrangements, and improvements to local roads and junctions to ensure a safe flow of traffic.

Green Space

Our understanding is that the approach to Local green space is still to be finalised, but we feel strongly that the whole area adjacent to Kidnappers Lane, with its network of footpaths and links towards Leckhampton Hill has been a much used facility for local residents for many years. It would be a travesty if this was totally lost to the town, and we believe that at least some of the area covered by the two planning proposals should be set aside for Local Green Space purposes. Again, this needs to be viewed in conjunction with the earlier application.

Other issues

We have previously raised concerns about traffic volumes along Shurdington Road, upon which the two proposals can only have an adverse impact, and also local schooling, where little real thought seems to have been given as to how children from the proposed developments will get to school. Our earlier thoughts are equally relevant to this application.

Summary

This proposal is unfortunately timed, coming as it does ahead of the Planning Appeal outcome for the neighbouring site, and we would have hoped that a developer who was understanding and mindful of the impact upon local residents, would have sought to work with the Council in conjunction with the earlier appeal process.

As this does not appear to be the case, we summarise our views as follows (these points incorporate those made to the earlier application as they remain relevant).

If the development is to be permitted, we believe that the Council should:

- Require the developers to fund an in-depth report by an independent Civil Engineer to check the calculations, and look in detail at the implications downstream of the site. Taking their recommendations into account, the developers should deposit substantial commuted contributions to clear stream banks of undergrowth and other obstacles from all downstream watercourses, not just at construction stage, but also for the future. This is necessary to ensure that existing residents downstream of the development do not have to pay the price of greater flooding which would arise if this development proceeds.
- Insist upon a detailed look at overall traffic flows both along Kidnappers Lane and into and out of Cheltenham along the A46, and explore ways of improving these, taking into account the predicted additional traffic from the new development(s). The developers should be required to contribute towards the cost of such improvements.
- Ensure that the Local Green Space issue is taken into account before any development is permitted in the area.

- Require the developers to implement systems for the transport of secondary schoolchildren to avoid the use of private cars as much as possible.

We remain happy to discuss any of the above issues and to clarify any of the points raised if required.

Yours faithfully


Chairman, Merestones Residents Association

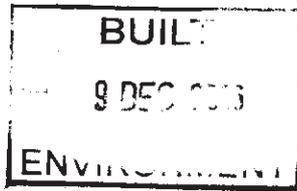
33 LECKHAMPTON ROAD

LECKHAMPTON

CHELTENHAM

GL53 9AQ

8.12.16



Dear Sir,

Planning Reference 16/00202/OUT

The apparent assumption by Redrow that the White Cross development can take place surely means that further development in that area should not take place.

The road infrastructure local to Kidnappers Lane is already inadequate, further development will cause chaos.

Yours faithfully



BUILT
Recd 9 DEC 2016
ENVIRONMENT

Page 194

WILFORD ROAD

LECKHAMPTON

CHELTENHAM

GL53 9AQ

8.12.16

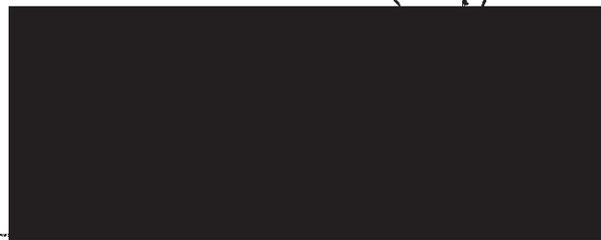
Dear Sirs,

Planning Reference 16/00202/OUT

It would be inappropriate to consider granting planning approval to any proposal for development in the Kidnappers Lane area at this time.

Until the outcome of the judicial review with regard to the white cross site there should be a moratorium on any planning decisions in that area.

Yours faithfully,



BU Page 195
Recd - 9 MAR 2016
ENVIRONMENT

COTTAGE ON THE GREEN
BADGEWORTH,
CHELTENHAM,
GL51 4UL,
26.2.16

REF. No 16/00202/OUT

DEAR SIR,

OBJECT TO THE ABOVE PLANNING
APPLICATION,

- 1 IT WILL INCREASE TRAFFIC & AIR POLLUTION ON SHARDINGTON ROAD,
- 2 IT WILL IMPACT ON THE RURAL ASPECT AT THE FOOT OF THE HILLS,
- 3 IT WILL INCREASE DEMAND ON LOCAL SCHOOLS,
- 4 IT WILL ADD TO THE GRADUAL BUILT UP APPEARANCE OF LECKHAMPTON & SHARDINGTON AREA.

YOURS FAITHFULLY



9 Chiddington close
Leekhampton
Cheltenham
GL53 0AH

BUILT
7 MAR 2016
ENVIRONMENT

Your ref: 16/00202/OUT 4th March 2016

Dear Ms. CLEMS,

I object to the proposed development of up to 45 dwellings off Kidnappers Lane as there is already far too much traffic travelling between Chiddington Road (Trunk Road A.46) and Church Road, Leekhampton, especially during school term times.

The danger to children walking along that Lane will be the extra traffic and the fact there are not any footpaths for walkers.

Having lived in this house for the past fifty years my late husband & I have seen the road aspect in that area change enormously.

Yours sincerely



Recd • 7 MAR 2016

ENVIRONMENT

Cheltenham Borough Council Planning

Robinswood Cottage
Kidnappers Lane
Cheltenham
GL53 ONP
05 March 2015

Dear Sir

Planning application 16/00202/OUT

I wish to object to the above planning application for the following reasons.

It is premature and is attempting to pre-empt the JCS which is still awaiting decision.

Kidnappers Lane and surrounding fields are a well-used green amenity for local people and support a variety of wildlife. It is adjacent to the AONB and views from Leckhampton Hill would be affected. It would also affect views from the local area towards the Hill, especially if 3-storey housing is built. Mature trees on the site have already been removed.

The development would result in increased traffic on a narrow and winding lane, emerging onto narrow bends causing an increased hazard to pedestrians and other road users, especially during the rush hours when it is used as a rat-run. Traffic would be exiting onto Church Road or Shurdington Road which are already at a standstill at peak traffic times and there would be an increase in air pollution to local residents.

There are no footpaths along Kidnappers Lane and to install them would mean removal of grass verges and/or hedges and the development may affect roadside ditches, already full in winter and other times of high rainfall.

There is localized flooding onto the road in this area (in fact there is currently a flood warning sign in place) which would be exacerbated by further development in the area.

The local schools are already over-subscribed so children would need to travel by car. Claims that people from the proposed development would walk or cycle to local amenities are unrealistic.

Approval of this application would set a precedent for other developments and the character of the area, cherished by local people, would be adversely and permanently affected. Localism and the Local Green Space submission need to be supported.

Yours faithfully



Planning Dept.
Chelt Boro Council

Ref 16/00202/OUT
Waoku Nurseries, Ltd. Leckhampton

I object to this and any other development on the Leckhampton side of the A46.

Neither this nor any others will provide Affordable Housing, which is what is desperately needed.

As a whole the combined housing will be a big blot on the landscape and visually impair the views of the Scarp.

Any balancing ponds and or green spaces will not be sufficient to absorb the quantity of water which runs off Leckhampton Hill. All the fields are a 'sponge' for this.

Although there has been flood alleviation carried out, when there has been heavy rainfall the local streams are very full and rapid.

This and any other development will contribute to an already manic and hazardous road network both through the village and along the A46.

On another matter for general planning consideration. Thought should be given to making it mandatory for any new build, housing or commercial should install solar panels to contribute to power and reduction in harmful emissions.

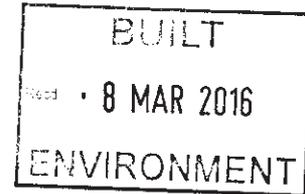
Yours sincerely,



St Brizen, Kidnappers Lane, Cheltenham, GL53 0NL

Dear Sir

PLANNING OBJECTION 16/00202/OUT



I wish to register the following objections:

1. Traffic flow

Cars: 90+ cars flowing from this estate onto the narrow lane will create mayhem. In recent years Kidnappers Lane has become a busy cut through from Leckhampton to access the M5, park and ride, various supermarkets.

Pedestrians: Increase in pedestrians, particularly schoolchildren, walking both directions in the narrow lane will result in accidents. No pavements and unusable soft grass verges. Bends at the proposed access point making it very hazardous.

Road widening: Inevitable road widening with pavements and roundabouts to allow for increased traffic and pedestrians would ruin the entire rural aspect, making Kidnappers Lane into a busy bypass, linking to Hatherley Way, the Golden Valley and the M5 motorway. Cheltenham would lose a prized local asset.

The need to plan the right access/exit point for a new estate: Planners seem to be short sighted. There is little evidence that they have been proactive in planning the right access point by taking into account the long run designs/plans for the whole surrounding area. All the nurseries will be built on in due course, bringing hundreds of extra cars and pedestrians.

Putting the access/exit to the estate on the Shurdington Road, where people can quickly reach amenities at Warden Hill and Bath Road, leaving only pedestrian access in Kidnappers Lane, would maintain some of the area's charm, keeping it pleasantly 'rural' for both existing and new residents.

Robert Hitchins will demand access to Kidnappers Lane because they can charge an extra premium for that location. This should not be seen to influence the planners.

2. Planners ignoring the needs of existing residents:

Kidnappers Lane is an area where rural meets town, and holds an interesting historical connotation. It gives Cheltenham a charm, and its value should not be dismissed. (Profit orientated developers will dismiss it). Once wrecked by road widening schemes and heavy traffic flows, another of the town's assets will be lost forever, (like the Gloucester mess).

People already living here endure extra traffic, resulting in killed pets, increased pedestrian flow, and noise disturbance late at night. 45 houses, with hundreds more to follow will constitute quite a large estate. This calls for appropriate forward planning for the right access to this estate, and planning should not favour the developer's pockets when making this important decision.

It is easy to say NIMBY when people don't want their environment spoilt. But it isn't necessary to ruin the environment of one group of people in order to meet quotas,

since quotas are easily achievable with sound planning. At the moment it appears the planners are not engaging in much foresight.

3. Out of character – another Abbeydale!: Cheltenham trades on its character and appearance. Robert Hitchins houses are short on character and appearance.

It would be circumspect to press Hitchins to put exciting thinking into how to enhance the town by building something different from their stereotype boxes, which are similar to those seen on the outskirts of every ugly town in the UK. Such houses will adversely affect the character of Cheltenham for hundreds of years.

Yours faithfully





Foxfield house

Church Road

Leckhampton

Gloucestershire

GL53 0QJ

February 23rd, 2016

For the attention of Mr. Craig Hemphill. Planning, Environmental and Regulatory services.

Proposal: residential development of up to 45 dwellings, associated infrastructure, open space and landscaping, with creation of new vehicular access from Kidnappers Lane, demolition of existing buildings at Waoku Nurseries Ltd Kidnappers Lane Cheltenham

Dear Sir,

In response to the recent letter received from your offices dated February 16, I detail below my principal concerns and comments regarding the above.

However, I would start by saying that this application should be seen in the light of other planning applications in the area and the plans outlined in the Joint Core Strategy. Overall the potential number of new dwellings is so vast that the potential for over-development is self-evident.

Issues are:

- The local primary school is already full and cannot cope with an increase of numbers that this development would produce.
- There is no local secondary school and those that are nearest have insufficient senior school places.
- Air pollution is already above EU levels on the A46 and Church Road.
- Church Road and the surrounding area is subject to flooding during most winters.
- I appreciate that you may not need to consider traffic issues in your consultation, however both the A46 and Church Road already have major traffic problems. Church Road is unsafe for pedestrians. There is no proper pavement for a large length of the road, and elsewhere cars are obliged to park on the pavement.
- The effect on the local environment will completely change the character of the rural area.
- There is extremely limited local transport.

Yours faithfully



BY HAND.

8 DECEMBER 2016

Residents PETITION to -
Cheltenham Borough Council .

Planning : Environmental and Regulatory Services.

Petition relating to Planning application ref- 16/00202/OUT – Residential development of up to 45 dwellings off Kidnappers Lane, Leckhampton; Cheltenham. .

We, the signatories on attached sheets A , B and C, request that in the event of planning permission being granted for the above development that Kidnappers Lane be permanently closed to “through traffic” near the point of entry to the above development as proposed in the Joint Core Strategy documents.

All vehicular access to the above development should to or from the Shurdington Road.

“Lane” is defined as “a narrow road or street with Kidnappers Lane being extremely narrow with no footpaths, having a “blind” turn into Vineries Close and a grossly inadequate junction with Church Road.

The residents of Church Road itself will be rightly aghast at the prospect of even more newly generated traffic using their road.

It was never envisaged Kidnappers Lane would have to cope with the current traffic leave alone that of the traffic generated by the above development - the volume and speed of the existing traffic is frightening and residents adjacent to Kidnappers Lane are at “wits end”.

The prospect of an extra 100 private car journeys daily generated by the development along with daily services service vehicles on top of existing usage will be catastrophic on the Lane and site construction traffic, over perhaps a 2 year period, is frightening.

So signatories request that in the event of CBC planners “approving the development, that “Kidnappers Lane be permanently closed to through vehicular traffic” as proposed by the JCS body.

If required please contact

Mr. Mike Vonk, 2 Vineries Close – tel- Cheltenham 237881 or

Russell Hopkins, 18 Vineries Close Cheltenham 522838 or

Peter Marlow, 1 Vineries Close Cheltenham 581383.

Please note – unsigned gaps on attached sheets signify occupants not available.

We have enclosed photocopies of Petition sheets A,B and C – originals available if need be.

BUILT
 REC 08 DEC 2016
 ENVIRONMENT

CHELTENHAM BOROUGH COUNCIL

SHEET A.

PETITION RELATING TO PLANNING APPLICATION

REF 16/00202/OUT - DEVELOPMENT AT KIDNAPPERS LANE, LECKHAM

A PETITION REQUESTING THAT, IN THE EVENT OF THE ABOVE PLANNING APPLICATION BE APPROVED, THEN KIDNAPPERS LANE BE PERMANENTLY CLOSED TO "THROUGH TRAFFIC" AS PROVIDED FOR IN "JCS" DOCUMENTS.

ADDRESS	NAME	SIGNED
1 VINERIES CLOSE	[REDACTED]	[REDACTED]
1 VINERIES CLOSE	[REDACTED]	[REDACTED]
2 VINERIES CLOSE	[REDACTED]	[REDACTED]
2 VINERIES CLOSE	[REDACTED]	[REDACTED]
4 VINERIES CLOSE	[REDACTED]	[REDACTED]
5 VINERIES CLOSE	[REDACTED]	[REDACTED]
VINERIES CLOSE	[REDACTED]	[REDACTED]
6 VINERIES CLOSE	[REDACTED]	[REDACTED]
7 VINERIES CLOSE	[REDACTED]	[REDACTED]
7 VINERIES CLOSE	[REDACTED]	[REDACTED]
8 VINERIES CLOSE	[REDACTED]	[REDACTED]
9 VINERIES CLOSE	[REDACTED]	[REDACTED]
10 VINERIES CLOSE	[REDACTED]	[REDACTED]
10 VINERIES CLOSE	[REDACTED]	[REDACTED]
11 VINERIES CLOSE	UNOCCUPIED.	[REDACTED]
11 VINERIES CLOSE	UNOCCUPIED.	[REDACTED]
12 VINERIES CLOSE	[REDACTED]	[REDACTED]
12 VINERIES CLOSE	[REDACTED]	[REDACTED]
3 VINERIES CLOSE	[REDACTED]	[REDACTED]
14 VINERIES CLOSE	[REDACTED]	[REDACTED]
14 VINERIES CLOSE	[REDACTED]	[REDACTED]
VINERIES CLOSE	[REDACTED]	[REDACTED]

CHELTENHAM BOROUGH COUNCIL

SHEET B

PETITION RELATING TO PLANNING APPLICATION-

REFERENCE-16/00202/OUT- DEVELOPMENT AT KIDNAPPERS LANE, LECKHAM

A PETITION REQUESTING THAT, IN THE EVENT OF THE ABOVE PLANNING APPLICATION BEING APPROVED, THEN KIDNAPPERS LANE BE PERMANENTLY CLOSED TO "THROUGH TRAFFIC" AS PROVIDED FOR IN "JCS" DOCUMENTS.

ADDRESS.	NAME	Signed.
15 VINERIES CLOSE.	[REDACTED]	[REDACTED]
15 VINERIES CLOSE	[REDACTED]	[REDACTED]
16 VINERIES CLOSE	[REDACTED]	[REDACTED]
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19 VINERIES CLOSE	[REDACTED]	[REDACTED]
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22 VINERIES CLOSE	[REDACTED]	[REDACTED]
22 VINERIES CLOSE	[REDACTED]	[REDACTED]
23 VINERIES CLOSE	[REDACTED]	[REDACTED]
23 VINERIES CLOSE.	[REDACTED]	[REDACTED]
24 VINERIES CLOSE.	[REDACTED]	[REDACTED]
24 VINERIES CLOSE	[REDACTED]	[REDACTED]

CHELTENHAM BOROUGH COUNCIL,

SHEET C.

PETITION RELATING TO PLANNING APPLICATION -

REF. 1600202/OUT - DEVELOPMENT AT KIDNAPPERS LANE - LECKHAM

A PETITION REQUESTING THAT, IN THE EVENT OF THE ABOVE PLANNING APPLICATION BEING APPROVED, THAT KIDNAPPERS LANE BE PERMANENTLY CLOSED TO "THROUGH TRAFFIC" AS PROVIDED FOR IN THE JCS DOCUMENTS.

ADDRESS	NAME	SIGNED
GORAN HAVEN	[REDACTED]	[REDACTED]
GORAN HAVEN - KID LANE	[REDACTED]	[REDACTED]
COACH HOUSE - KID. LANE	[REDACTED]	[REDACTED]
COACH HOUSE - KID LANE	[REDACTED]	[REDACTED]
EDGEHILL - KID LANE	[REDACTED]	[REDACTED]
EDGEHILL KID LANE	[REDACTED]	[REDACTED]
RAGSTONES KID LANE	[REDACTED]	[REDACTED]
RAGSTONES KID LANE	[REDACTED]	[REDACTED]
THRE HILLS KID LANE	[REDACTED]	[REDACTED]
WAYSIDE KID. LANE	[REDACTED]	[REDACTED]
THE VINERIES KID. LANE	[REDACTED]	[REDACTED]
GREENACRE KID LANE	[REDACTED]	[REDACTED]
GREENACRE KID. LANE	[REDACTED]	[REDACTED]
LITTLE BRADWELL K.L	[REDACTED]	[REDACTED]
LITTLE BRADWELL K.L.	[REDACTED]	[REDACTED]
SYCAMORE HOUSE KID. LANE	[REDACTED]	[REDACTED]
Field Cottage KID LANE	[REDACTED]	[REDACTED]
Field Cottage KID LANE	[REDACTED]	[REDACTED]
SHEEPS HEADROW KID LANE	[REDACTED]	[REDACTED]

APPLICATION NO: 16/00202/OUT		OFFICER: Mr Craig Hemphill	
DATE REGISTERED: 6th February 2016		DATE OF EXPIRY: 7th May 2016	
WARD: Leckhampton		PARISH: Leckhampton With Warden Hill	
APPLICANT:	Roberts Hitchins Ltd		
AGENT:	No agent used		
LOCATION:	Land Off Kidnappers Lane Cheltenham		
PROPOSAL:	Residential development of up to 45 dwellings, associated infrastructure, open space and landscaping, with creation of new vehicular access from Kidnappers Lane, demolition of existing buildings		

Update to Officer Report

1. REFUSAL REASONS

- 1 The principle of granting planning permission for the proposed development as submitted is unacceptable. The site is located adjacent to an emerging Cheltenham Local Plan site which means it cannot be considered in isolation in terms of its cumulative impact. The granting of planning permission for the proposed development in advance of the finalisation of the emerging Cheltenham Local Plan could prejudice decisions to be made about the size, scale or suitability of new housing development and the designation of Local Green Space in this or the wider area. Therefore it is unclear at this time whether the proposed development would be in line with planning for housing objectives, and reflecting the need and demand for housing in this area or whether the proposals would undermine wider policy objectives including Local Green Space.

It is therefore important that any development in this area is part of a plan-led process. The application is therefore contrary to guidance set out in paragraph 150 and 156 of the NPPF and policy INF 4 and INF7 of the Proposed Modifications of the Joint Core Strategy.

- 2 The proposed development would fundamentally change the character of the former nursery to a residential area of urban character given its density and arrangement. The residential settlement given the nature of the mass, density and layout of the development would appear out of keeping within the surrounding landscape setting that is predominantly open and rural. The development would therefore appear as an isolated urban area in the otherwise rural area with no connectivity to other housing located outside the identified Principal Urban Area. The proposal would degrade the visual amenity and harm the character and appearance of the sensitive valued landscape in this area, and would reduce the quality of views to the Cotswold Area of Outstanding Natural Beauty from the footpath to the south of the site. Furthermore, the illustrative layout in this location does not follow the objectives of good urban design as it does not respond to the need to achieve place making with a view to helping create a pleasant and suitable place to live, or provide for a place which links well with and respects its immediate neighbours and wider setting, or provide for a place that makes a positive contribution to the quality and character of the area.

The application therefore fails to comply with policies CO1, CO2 and CP7 of the Local Plan and Policy SD8 of the Proposed Modifications to the Joint Core Strategy along with the objective set in sections 7 and 11 of the NPPF.

- 3 Policy CP8 of the Cheltenham Borough Local Plan states that development will be permitted only where adequate provision has been made for the infrastructure necessary for the development to proceed and for other public services and facilities, the need for which arises directly from the development. This requirement is reflected in policy INF7 of the Proposed Modification to the Joint Core Strategy.

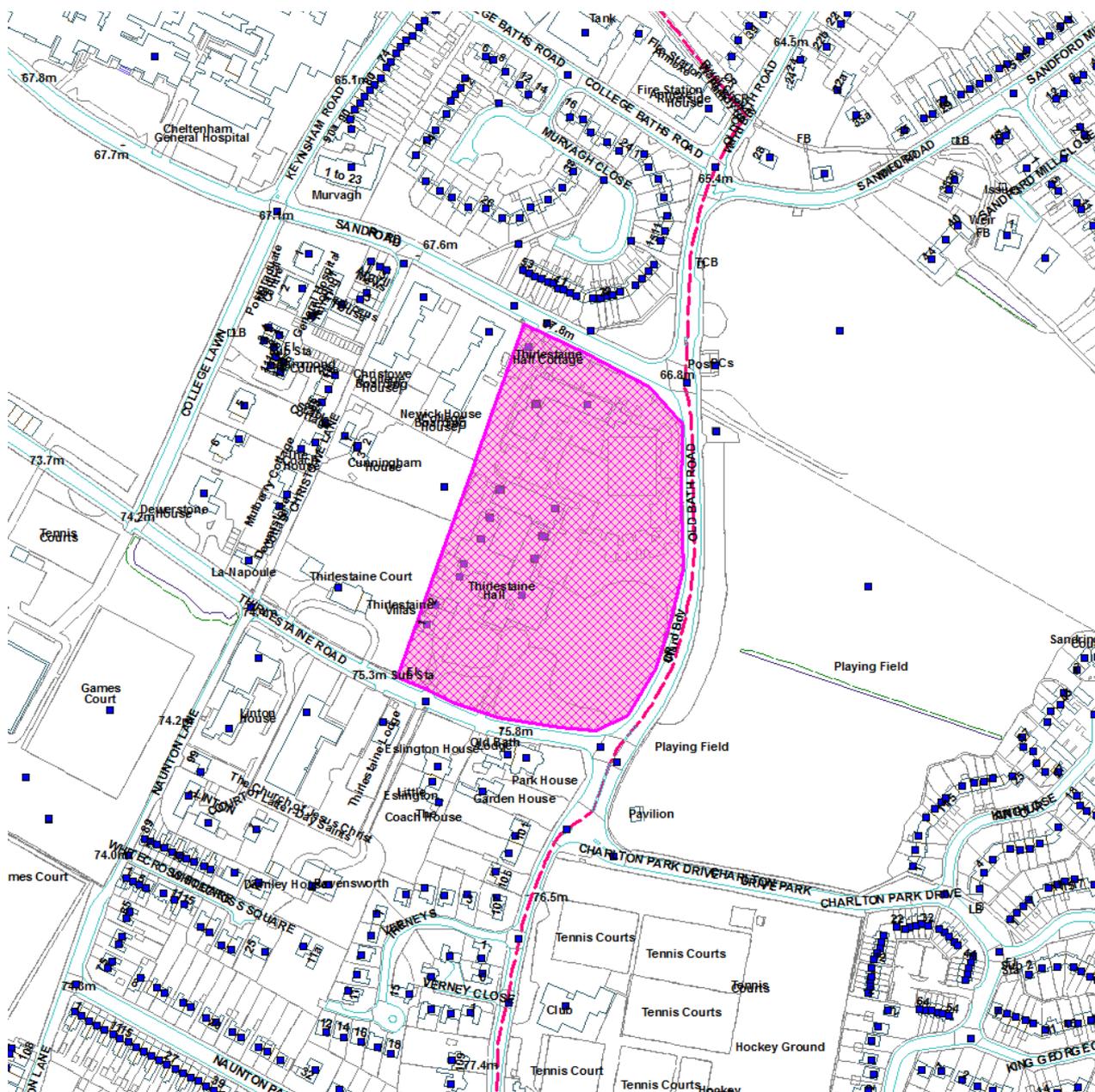
The development proposed will lead to:

1. An increase in use of the surrounding highway networks and the development should therefore mitigate its impact in terms of providing commuted payments towards the provision of walking, cycling and the use of public transport for journeys to and from the application site. (Local Plan Policy TP1, Joint Core Strategy Proposed Modifications Policy INF1, Supplementary Planning Guidance, 'Planning Obligations: Transport', NPPF Section 4)
2. An increase in demand for playspace provision in the Borough and therefore the development should mitigate its impact in terms of adequate provision for outdoor playing space. (Supplementary Planning Guidance, 'Playspace in Residential Development', and Local Plan Policy RC6, Joint Core Strategy Proposed Modifications Policy INF4, section 8 of the NPPF)
3. An increase in demand for education and library facilities in the Borough and therefore the development should mitigate its impact in terms of providing on-site or off-site provision or commuted payments towards the provision of new or improved primary and secondary school facilities and new or improved library facilities within the Borough. (Joint Core Strategy Proposed Modifications Policy INF5, Section 8 of the NPPF)
4. A need to provide for the future management (and maintenance) of the common land within the development and therefore the development should make provision to mitigate its impact by providing for the provision a land management plan covering such common areas of land. (Joint Core Strategy Proposed Modifications Policy INF4, Supplementary Planning Guidance, 'Landscaping in New Development').
5. A need to provide for an element of affordable housing (Local Plan Policy HS4, Joint Core Strategy Proposed Modifications Policy SD13).

No agreement has been completed to secure payment of the necessary commuted sums, identified above and in the Committee report, along with the provision of affordable housing and a land management plan. The proposal therefore fails to meet the expectations of Local Plan Policy CP8 and Local Plan Policies, Supplementary Planning Guidance, Joint Core Strategy Proposed Modifications Policy INF7 and the NPPF Guidance referred to.

APPLICATION NO: 16/01907/FUL	OFFICER: Mr Gary Dickens
DATE REGISTERED: 29th October 2016	DATE OF EXPIRY: 27th January 2016
WARD: College	PARISH:
APPLICANT:	Berkeley Homes (Oxford And Chiltern) Ltd
AGENT:	
LOCATION:	Sandford Court, Humphris Place, Cheltenham
PROPOSAL:	Erection of two picket fences adjacent to patios (retrospective)

RECOMMENDATION: Permit



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application relates to Sandford Court. The site is a recently completed residential development located in the central conservation area and within the curtilage of a listed building.
- 1.2 The application is for the retention of two picket fences within the communal garden area. Any development of a gate, fence, wall or other means of enclosure (excluding soft landscaping) within the curtilage of a listed building requires planning permission.
- 1.3 The application is before the planning committee at the request of Cllr Klara Sudbury on behalf of local residents. Members will visit the site on planning view.
- 1.4 Revised plans were submitted during the course of the application at the request of officers and additional neighbour consultation undertaken.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area
Smoke Control Order

Relevant Planning History:

11/01909/PREAPP CLO

Change of use from B1 to a mixed use including C2 and C3.

13/00092/PREAPP CLO

Conversion of existing building to residential accommodation

13/00735/PREAPP 10th May 2013 CLO

Advice regarding listed wall

11/00480/CACN 9th May 2011 NOOBJ

1) Monterey cypress on boundary with Old Bath Rd - fell. 2) Twin stemmed cypress to right of Thirlestaine Rd entrance - fell. 3) Acacia along North West boundary - remove primary branch over car park

2)

12/00870/FUL 12th November 2012 OBL106

Demolition of former office buildings and redevelopment to create a mixed residential and care redevelopment of the site for a total of 147 units including the conversion of Thirlestaine Hall, Villas and Cottage

12/00870/LBC 12th November 2012 GRANT

Demolition of former office buildings and redevelopment to create a mixed residential and care redevelopment of the site for a total of 147 units including the conversion of Thirlestaine Hall, Villas and Cottage

12/00870/CAC 12th November 2012 GRANT

Demolition of existing former office buildings associated with the Chelsea Building Society

12/01889/FUL 20th June 2013 OBL106

Proposed amendments to assisted living block (building C) to include 4 additional assisted living units (24 to 28 units); revision to fenestration at ground level and internal layout; revisions to boundary wall at Thirlestaine Hall Cottage and relocation of cycle storage for the assisted living building

12/01889/LBC 20th June 2013 GRANT

Proposed amendments to assisted living block (building C) to include 4 additional assisted living units (24 to 28 units); revision to fenestration at ground level and internal layout; revisions to boundary wall at Thirlestaine Hall Cottage and relocation of cycle storage for the assisted living building

13/00175/DISCON 3rd June 2014 DISCHA

Discharge of conditions 3, 7, 9, 11, 15, 18, 19 and 40 of planning permission ref: 12/00870/FUL

13/00280/ADV 8th May 2013 GRANT

Erection of three strings of illustrated hoarding, seven free standing sign boards and six flag poles and flags

13/00380/DISCON 5th August 2013 DISCHA

Discharge of conditions 3, 6, 7, 21, 22, 24, 33, 40 and 41 in respect of building D (also identified as building 6) only on planning permissions 12/00870/FUL and 12/01889FUL.

13/00733/DISCON 3rd June 2014 DISCHA

Discharge of conditions on planning approval 12/00870/FUL. Nos 4 (schedule of works) , 6 (design and details of finishes) , 8 (method statements , 11 (sample panel of new render) , 13 (external lighting plan) , 26 (pedestrian improvements) , 27 (Sandford Road Accessed Works) , 36 (installation of fire hydrants), 38 (measures re seagulls) and 41 (landscaping)

13/00734/DISCON 3rd June 2014 DISCHA

Discharge of conditions on planning approval 12/00870/LBC. Nos 3 (detail and finishes) , 4 (method statements) and 5 (render sample)

13/01379/AMEND 4th November 2013 PAMEND

Non-material amendments to planning approval 12/00870/FUL- 1. Building drawn to brick dimensions vertically and horizontally, 2. roof feature above main entrance added, 3. false window to side of central door to 2nd floor terrace changed, 4. window sizes amended to brick dimensions vertically and horizontally, 5. external door next to sun lounge beneath balcony removed, 6. WG36, WF31, WS42 moved 440mm to accomodated shower in corner of ass. bath, 7. roof lights increased in size and 8. replacement of ground floor windows - WG61, 58, 57, 54, 53, 50, 49, 45, 44, 41, 39, and 37 with door to garden area

14/01711/DISCON 29th January 2015 DISCHA

Discharge of condition 37 (Mangement plan - observatory) on planning permission ref: 12/00870/FUL

C12/00029/DEMO 4th October 2012 REC

Demolition of Thirlestaine Hall.

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development
CP 4 Safe and sustainable living
CP 7 Design

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)
Central conservation area: College Character Area and Management Plan (July 2008)

4. CONSULTATIONS

None

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	47
Total comments received	27
Number of objections	26
Number of supporting	1
General comment	0

- 5.1 The application was publicised by way of letters to 47 neighbouring properties, a site notice and an advert placed in the Gloucestershire Echo. Twenty-seven responses were received of which twenty-six objected and one supported.
- 5.2 All representations have been circulated in full to Members but, in brief, the main objections relate to:
- The impact on the communal gardens and the impression created of private space.
 - The design and aesthetic appearance of the fencing.

6. OFFICER COMMENTS

To follow

7. CONCLUSION AND RECOMMENDATION

To follow

8. CONDITIONS

To follow

INFORMATIVES

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

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

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

APPLICATION NO: 16/01907/FUL	OFFICER: Mr Gary Dickens
DATE REGISTERED: 29th October 2016	DATE OF EXPIRY : 27th January 2016
WARD: College	PARISH:
APPLICANT:	Berkeley Homes (Oxford And Chiltern) Ltd
LOCATION:	Sandford Court Humphris Place Cheltenham
PROPOSAL:	Erection of two picket fences adjacent to patios (retrospective)

REPRESENTATIONS

Number of contributors	25
Number of objections	24
Number of representations	0
Number of supporting	1

14 Regency House
Humphris Place
Cheltenham
Gloucestershire
GL53 7EW

Comments: 31st October 2016

I wish to object to the retrospective application for picket fencing at the rear of Sandford Court. These fences create the impression of a private garden in what is supposed to be an open space for the enjoyment of all owners. It also contravenes the estate regulation. We urge consideration of a more sympathetic design in keeping with the high standard of this development.

25 Sandford Court
Humphris Place
Cheltenham
Gloucestershire
GL53 7FA

Comments: 9th November 2016

Letter attached.

25 Cedar Court
Humphris Place
Cheltenham
Gloucestershire
GL53 7FB

Comments: 31st October 2016

The area is a common area accessible to all residents on the Thirlestaine Park estate. I am in favour of a more sympathetic design more in keeping with the standards in keeping with the overall development.

15 Sandford Court
Humphris Place
Cheltenham
Gloucestershire
GL53 7FA

Comments: 13th November 2016

I wish to object to this retrospective planning application.

1. Amenity grounds: the fence has been erected on communal land over which I have right of way and which I contribute towards the upkeep of. It impedes access and gives the impression that the land has been appropriated/belongs to the flat adjacent to the land which has been enclosed. The amenity is thus compromised.
2. Visual impact. The picket fence was erected as a temporary measure (hence no planning permission by builders initially and not removed). It is not in keeping with the aesthetics of the whole site and has a detrimental impact when looked at from ground level and from my flat which looks down on the ground. It detracts from and is not in keeping with the open plan landscaping of the rest of the site which is available for use by all residents. It looks like a tiny private enclosure which is out of scale with the rest of the landscaping. The fence itself is not attractive or in keeping with the Grade II listed adjacent building

14 Regency House
Humphris Place
Cheltenham
Gloucestershire
GL53 7EW

Comments: 31st October 2016

My objection to this second retrospective application for picket fences is based on the same grounds I objected to the first application for a lattice fence.

All these fences intrude into the Common and Open Spaces which are protected by the estate regulations and serve only to encourage others to break these rules to the detriment of all owners and right to move freely in these essential Open Spaces.

We urge that consideration be given instead to encouraging a more open design in keeping with the aesthetics of this special site.

Comments: 29th March 2017

The current scheme is not compatible or sympathetic with the remainder of the historic site which has generally been finished off to a very high standard. Fencing always indicates privacy and obstruction and the effect of this to inhibit free access on what is a common area. Planting could be done to demarcate the height differences and all fencing could be removed. Some landscaping would also allow for the height differences to be removed and generally sloped and aligned to create a more welcoming approach.

21 Regency House
Humphris Place
Cheltenham
Gloucestershire
GL53 7EW

Comments: 7th November 2016

I object to the retrospective planning application for two picket fences as approval would set a bad precedent and the open area would be compromised.

3 Thirlestaine Place
Cheltenham
Gloucestershire
GL53 7ED

Comments: 3rd November 2016

All the inhabitants of this Thirlestaine development have right of way around the grounds and there should be no structures such as these picket fences obstructing the area at the back of Sandford Court. We bought our property from Berkeley on this understanding.

The rear of Sandford is to be planted up with new plants and shrubs which we with the other inhabitants would like to enjoy.

These fences are obstructing open plan gardens apart from being out of character. They were only ever meant to be temporary to keep people away from the building which was going on. Please don't allow these fences.

Comments: 6th April 2017

There is no purpose in having the land divided up like this. Berkeley would say that it's to solve the problem of the different levels but they should come and finish the job properly. Landscape the area perhaps with a couple of slopes and handrails. The revised plan is inaccurate and shows the proposed fences/ hedges butting up to the flowerbeds.

We were promised open plan areas similar to the rest of Thirlestaine Park and all pay to maintain the area. New plants are being planted soon and we would all like to enjoy the scenery.

13 Cedar Court
Humphris Place
Cheltenham
Gloucestershire
GL53 7FB

Comments: 14th November 2016

The Lattice Fence for which Planning Permission is sought clearly contravenes Estate Regulations which states "that no structure, temporary or otherwise, is to be erected on Communal Areas". I, in common with most residents, accepted these regulations in the belief that they would protect our enjoyment of Thirlestaine Park. To allow these regulations to be flouted creates a dangerous precedent and I therefore urge you to reject this application.

24 Medina Villas
Hove
BN3 2RN

Comments: 23rd November 2016

The picket fences have been erected by the developer on communal land without planning consent, presumably as a temporary arrangement during the marketing process. They are not in compliance with the estate regulations, have no durability, and should be removed.

16 Regency House
Humphris Place
Cheltenham
Gloucestershire
GL53 7EW

Comments: 15th November 2016

I object to the planning application.

The picket fences were only put up as a 'temporary ' measure during the construction period of the development.

The open plan gardens to the rear of Sandford Court are for all residents to enjoy and these fences restrict that.

Comments: 29th March 2017

I wish to object to the picket fences remaining in the garden. These fences give the impression that this area of the garden is for the private use of the ground floor flats, The residents of the upper floor apartments are made to feel that they are intruding into an area that was meant to be accessible to all.

Obscure glass has been used on the balconies and ground floor patio areas of the other apartments. Surely this would be more in keeping with the open plan design of the rest of the development.

Berkeley Homes seem to have rushed off site without giving this area any thought in fact there is still further landscaping to be done. Let this be an opportunity to get it finished properly so that residents can finally enjoy what will be their 3rd summer here.

14 Cedar Court
Humphris Place
Cheltenham
Gloucestershire
GL53 7FB

Comments: 3rd November 2016

This area of garden behind Sandford Court is common property for all Thirlestaine Park residents. The existing fences essentially restrict usage to just those ground floor owners adjacent to the garden and give the impression they are private gardens for only those few units and deny access to all other residents, who pay for their upkeep as part of their service charges and are fully entitled to enjoy them. Erection of fences such as these is also specifically forbidden under the estate rules in our Leases. I would strongly recommend you do not allow retrospective planning permission and instead require their removal, in order that these quiet rear gardens can be enjoyed by all residents as was originally intended (and which was our understanding when we purchased).

16 Regency House
Humphris Place
Cheltenham
Gloucestershire
GL53 7EW

Comments: 15th November 2016

The structures are of a temporary nature and they close off an area that is intended to be communal and as such does not offer an environment that is inviting for others to enjoy as intended.

Comments: 29th March 2017

The proposed picket fencing and hedging is not in keeping with the rest of the development and a more appropriate design reflecting the other patio areas should be adopted.

Correct landscaping of the area could remove the steps allowing for a gradual fall negating the need for the hedging requiring screening at the sides of the patios areas only.

This would provide a more open design enhancing the area for its intended communal use.

4 Regency House
Humphris Place
Cheltenham
Gloucestershire
GL53 7EW

Comments: 15th November 2016

I object to the application on two grounds:

1. The area on which the erection of fences is proposed is common ground to all residents and as such should be kept free of any encumbrance
2. The style of the proposed work is not appropriate to the quality of the buildings in the curtilage of a Grade II site

10 Cedar Court
Humphris Place
Cheltenham
Gloucestershire
GL53 7FB

Comments: 31st October 2016

I object on the grounds that these picket fences contravene covenants that enable right of access to residents of Thirlestaine Par.

Comments: 29th March 2017

All residents of Thirlestaine Park pay an Estate Charge which includes the maintenance of all communal areas which can then be enjoyed without restrictions caused by fencing. Whilst the impact of these structures is felt most by the residents of the upper floors of Sandford House, we all see them as restricting freedom of access as enshrined in our leases. Planning permission should be refused and the structures removed.

11 Regency House
Humphris Place
Cheltenham
Gloucestershire
GL53 7EW

Comments: 5th November 2016

As owners of apartments on the Thirlestaine Hall development we do not own the patio areas adjoining our properties, although we do have the sole use of them. There are specific Covenants which detail what we are and are not allowed to do with them in order to protect the rights of the other apartment owners. To allow individuals to erect picket fencing contravenes the Covenants and is not in the spirit of the development.

7 Thirlestaine Hall
Thirlestaine Place
Cheltenham
Gloucestershire
GL53 7ES

Comments: 8th November 2016

The offending fences were erected by the Developer(Berkeley) to restrict access whilst developing the site; they should have been removed when they left the site. Giving retrospective approval will probably lead to other applications for similar fences in an area which has a rights of way.

2 Hayman Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 9FD

Comments: 17th November 2016

I am the owner of flat 26, Sandford Court. The rear windows of the flat look down on the communal area on which the two picket fences have been built.

I wish to object to the erection of the picket fences, as they are on a communal area at the rear of Sandford Court intended for the common enjoyment of all residents of the Thirlestaine estate. Although the fences are described as 'adjacent' to the patios on the ground floor of Sandford Court they stretch across the communal area to within a few feet of the boundary fence of the estate, so that the only way to circulate behind Sanford Court is along the side of the boundary fence. The effect is to 'privatise' the area between the picket fences, which also encourages ground floor residents to carry out private planting and impedes the work of the maintenance services which look after the communal areas.

These fences were not in the plans for the estate when the properties were first offered for sale, which promised free access to all communal areas by all residents.

20 Regency House
Humphris Place
Cheltenham
Gloucestershire
GL53 7EW

Comments: 6th November 2016

The proposed design is inappropriate as it is not in keeping with the unique open plan aspect of the Thirlestaine development

3 Thirlestaine Place
Cheltenham
Gloucestershire
GL53 7ED

Comments: 10th November 2016

These fences serve no useful purpose and have been erected on communal land over which I have a right of way and for which I and other residents on the development are obliged to pay an annual fee for its upkeep and maintenance.

6 Sandford Court
Humphris Place
Cheltenham
Gloucestershire
GL53 7FA

Comments: 20th November 2016

Contrary to the lease, these fences have been erected on communal land over which all residents should have free access and right of way and to which we all contribute to the upkeep of.

The fences are not in keeping with the aesthetics of the open-plan landscaping of the rest of the site and have a detrimental visual impact when looked at from ground level and from my flat which looks down upon the area. They could also cause an obstruction in the event of emergency escape or rescue in the event of fire etc.

There is a huge pile of earth that rises 4 or 5 feet against the ancient brick wall behind Sandford Court which an imaginative landscaper could use to improve ground levels and render the abrupt log piling and fencing unnecessary. It would also take the stress off of this precious wall.

As a point of accuracy, the planning application states that the fencing went up in June 2016, when in fact one set of (temporary) fencing went up during the build in 2014 and the second set went up in May/June 2015 at completion.

13 Sandford Court
Humphris Place
Cheltenham
Gloucestershire
GL53 7FA

Comments: 31st October 2016

These picket fences act as a safety barrier. The desire to remove these by the committee shows a total disregard for the health and wellbeing especially for young children.

21 Sandford Court
Humphris Place
Cheltenham
Gloucestershire
GL53 7FA

Comments: 2nd April 2017

I wish to object to this retrospective planning application.

As an owner of one of the ground floor apartments directly affected by this proposal I agree that the current fencing is not in keeping with the rest of the development.

However if removed there must be something suitable put in their place as a health and safety issue would arise due to the level differences between the adjacent patios.

We look forward to the already promised planting of the new plants and shrubs which all neighbours could enjoy.

25 Sandford Court
Humphris Place
Cheltenham
Gloucestershire
GL53 7FA

Comments: 6th April 2017

Letter attached.

Comments: 2nd November 2016

OBJECTION

My intention of objecting to this application is to request a redesign incorporating materials used in other areas of the development i.e. Glass and steel and hedging these would enhance the developments design ethic.

These would be used where the existing fencing separates the levels at the side of the patio flagged areas.

In objecting to this application owners can open this space out to allow footfall flow access to all parts of this common area now restricted by the extended wood picket fencing.

All health and safety issues would be incorporated in a new design along with disability access.

This garden area is common area and open without restrictions to all residents.

A new design incorporating these suggestions and in keeping with this historic site should be presented to the council by Berkeley Developments.

27 Sandford Court
Humphris Place
Cheltenham
Gloucestershire
GL53 7FA

Comments: 17th November 2016

I object to the retrospective planning application for the erection of two picket fences to the rear of Sandford Court. These fences have been erected on communal land which the residents of the Thirlestaine development have right of way to and contribute towards the cost of maintaining. These fences were erected as a temporary measure while building was still going on. The materials used are not in keeping with the environment or quality of the development. The area needs to be carefully landscaped in keeping with other areas of the development for everyone to enjoy. Approval of these structures would set a precedent for future structures to be erected across other communal areas.

Comments: 6th April 2017

I object to this application and request a redesign using materials used in other areas of the development such as glass/steel/hedging. The type of fencing currently in place is not used anywhere else on the development and is not in keeping with the quality of materials and planting used.

The patios require separation due to the difference in levels but the fence/hedge should not extend beyond the patios over the grass.

I look forward to the promised planting and shrubs which should enhance this communal area.

3 Thirlestaine Hall
Thirlestaine Place
Cheltenham
Gloucestershire
GL53 7ES

Comments: 13th December 2016

These fences are contrary to the lease and prohibit access to the grounds for all residents. All Owners/Leaseholders were aware of the planning obligations as laid down by Cheltenham Borough Council and the Council should now enforce its own standards.

From: [REDACTED]
Sent: 06 November 2016 09:05
To: Gary Dickens
Cc: Klara.Sudbury@gloucestershire.gov.uk; Councillor Garth Barnes
Subject: Objection 16/01907/FUL

OBJECTION.

Dear Mr Dickens

Please will you register my objection to the retrospective planning application number [16/01907/FUL](#)

The first third of Sandford Court housing numbers 21-28 at the Thirlestaine Hall end, and the stairwell providing access, was finished for occupation in November 2014. The other two thirds of Sandford was still a building site so Berkeley did a quick planting around this side and understandably erected the picket fence to prevent access onto the building site.

Following completion of the building, the rest of the land at the rear of Sandford was cleared in Spring/Summer of 2015 and instead of the first fence being dismantled and the whole area landscaped in a gentle slope as the expected open plan aspect, the second fence was erected by the contractors employed by Berkeley to complete the site.

The fact that Berkeley did not apply for planning permission for these fences suggests that the original picket fence was indeed intended to be temporary and the second presumably wasn't intended to be erected.

The standard of wood and materials used and the workmanship also suggests an intended temporary arrangement.

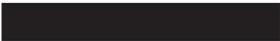


As you can clearly see, the fences are not in keeping with the environment or quality of the development.

They hinder access to the area that is common ground owned by all the Thirlestaine owners and who pay to maintain it.

The area needs to be sympathetically landscaped into a pleasant garden to provide an attractive outlook from the apartments, and with easy safe access to all residents.

I therefore ask the Council to reject this retrospective planning application for the two picket fences and give the opportunity to create an environment of a quality appropriate to the Thirlestaine development.


25 Sandford Court

Dear Gary Dickens,

Thank you for progressing the revised planning application number 16/01907/FUL. Berkeley developments failure to show a duty of care to owners and residents in not applying for planning consent for the picket fences is now fortunately being addressed by yourselves CBC.

In my opinion this latest application falls short in that the wooden picket fences are not in keeping with a development of this historical status within Cheltenham. There is no reference to this type of fencing within the area and a more enhanced design that incorporates the steel and opaque glass balcony areas throughout the development could be used at the two edges of the flagged patio areas.



Front balcony design.

The area at the front of Sandford Court has a gently sloped incline. This same degree of slope could be incorporated into the area at the rear of Sandford without the need for inappropriate hedging that will unnecessarily divide the grassed area and obstruct walkway flow access. By the use of a low imaginative planting scheme this could distinguish the slight drop in level by the posted areas, and negate the need for hedges and their maintenance costs.

Indeed the plan viewed appears to still show a stepped gap at the lower area, this is not disabled friendly and would presumably contravene building control regulations.
(See photo)



It's my suggestion that the Planning committee request that a more imaginative quality design be submitted from Berkeley developments. This area is of equal importance to Thirlestaine Hall and Old Bath Rd historical landscaped grounds and should be treated accordingly. The garden area to the rear of Sandford Court is part of the overall Thirlestaine estate grounds and as such belongs to the 60 properties within these grounds, and has to be freely and easily accessible and available for their use.



A prestigious multi million pound development of this status requires a redesign in keeping with the Thirlestaine historical site and is requested.

Kind regards

[Redacted signature]

APPLICATION NO: 16/01907/FUL		OFFICER: Mr Gary Dickens	
DATE REGISTERED: 29th October 2016		DATE OF EXPIRY : 27th January 2016	
WARD: College		PARISH:	
APPLICANT:	Berkeley Homes (Oxford And Chiltern) Ltd		
LOCATION:	Sandford Court Humphris Place Cheltenham		
PROPOSAL:	Erection of two picket fences adjacent to patios (retrospective)		

ADDITIONAL REPRESENTATIONS

25 Sandford Court
 Humphris Place
 Cheltenham
 Gloucestershire
 GL53 7FA

Comments: 12th April 2017

I want to register an objection to this planning application.

A third of Sandford Court, housing apartments numbers 21-28, was finished for occupation in November 2014, and as the other two thirds of Sandford was still a building site, Berkeley did a quick planting around this side and understandably erected the picket fence to prevent access onto the building site.

The rest of the land at the back of Sandford was cleared of builders items in Spring/Summer of 2015 and instead of the first fence being dismantled and the whole area landscaped to the expected open plan aspect, the second fence was erected.

As there had been no planning permission sought by Berkeley for these fences it seems that the open plan aspect was indeed intended.

This current separation of the area into three sections gives the erroneous impression that those ground floor apartments with patios have priority to the grass area for their use and makes it difficult for other owners to access and use the area. This section of the grounds is part of the overall Thirlestaine estate and ownership and maintenance of this area is paid by all the properties in the Thirlestaine development and therefore should be easily available to them.

After waiting months for this plan from Berkeley, it is very disappointing to see they have submitted a plan that only reduces the same picket fencing in length and replaces the rest with a hedge that will require maintenance, and continues to break the area into three sections restricting access and use.

The complete area needs to be landscaped and the ground level could be adjusted to a gentle slope across the length of Sandford building matching that of the drive at the front of the building.

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Surely the drop protection along side the patios should be constructed from quality materials appropriate to the value of the properties and providing proper safety rather than that given by cheap picket fencing.

The submitted plan may fulfill basic technical planning requirements but I hope the Planning Committee will consider it from the overall view that the area is supposed to be an open plan easily accessed garden, and the plan is unsuitable both in the aesthetic aspect, and the fact that it does not provide the amenity sold to the owners of the Thirlestaine development.

I respectfully ask the Planning committee to reject this application and to request Berkeley to provide an arrangement appropriate to the situation and purpose as a communal garden using quality components and design as it is part of the estate grounds of the grade two listed Thirlestaine Hall.

25 Cedar Court
Humphris Place
Cheltenham
Gloucestershire
GL53 7FB

Comments: 12th April 2017

Please record that I agree with [25 Sandford Court] in this matter.

APPLICATION NO: 16/01907/FUL		OFFICER: Mr Gary Dickens
DATE REGISTERED: 29th October 2016		DATE OF EXPIRY: 27th January 2016
WARD: College		PARISH:
APPLICANT:	Berkeley Homes (Oxford And Chiltern) Ltd	
AGENT:	No agent used	
LOCATION:	Sandford Court, Humphris Place, Cheltenham	
PROPOSAL:	Erection of two picket fences adjacent to patios (retrospective)	

Update to Officer Report

1. OFFICER COMMENTS

1.1. Determining Issues

- 1.2. The main issues in considering this application are the design of the proposal and the impact it will have on the wider development, specifically the communal gardens, and the impact on the neighbouring amenity.

1.3. The site and its context

- 1.4. The application site is part of a development which was granted approval by Planning Committee in 2012 and is within the curtilage of the grade II listed Thirlestaine Hall. The Officer's report for the development (ref: 12/00870/FUL) notes how the applicant was encouraged to retain the openness of the site.

- 1.5. Sandford Court lies to the west edge of the development, approximately 11m from the boundary. A communal garden area is located between Sandford Court and the boundary wall. Patio areas are located adjacent to the ground floor apartments and can be accessed via the french doors of these apartments. It is understood that the ground floor apartments do not own but have exclusive use of these patios.

- 1.6. Two picket fences are currently in place and stretch from the rear elevation of Sandford Court towards the boundary wall, protruding into the communal garden area. The total length of these measure 10m and 7m.

- 1.7. At the request of officers, revised plans were submitted shorting the length to the depth of the patio area, measuring approximately 5.5m and 4m. A 3m long hedge is then proposed at the end of each of the fences. This hedge does not require planning permission and is therefore not for consideration.

1.8. Design and layout

- 1.9. Local Plan Policy CP7 requires development to be of a high standard of architectural design to complement and respect neighbouring development and the character of the locality. In addition, alterations should avoid the unacceptable erosion of open space around the existing building.

- 1.10. The picket fence panels measure 1.1m in height, and are supported by 1.1m high wooden fence posts. The size, design and material are typical for this form of development. Arguably this structure could have a stronger design which would be more in keeping with the development as a whole. On balance however, the design is considered acceptable.

- 1.11. Careful consideration was given to the impact the two picket fences would have on the open space, particularly in light of points 1.4 and 1.9 above.
- 1.12. The extent to which the fence will extend into the open area of the garden has been reduced to what is now deemed to be acceptable. In Officers opinion, the fence will not have a detrimental impact on the flow of movement in the communal garden.
- 1.13. Planning permission is required on this occasion as the property is within the curtilage of a listed building. Had this not been the case then the proposal would likely have been classed as permitted development.
- 1.14. In light of the points above, officers consider that the two trellis fences are acceptable and appropriate to the locality and therefore comply with the provisions of policy CP7. It is extremely unfortunate however that the same level of consideration has not been made to the landscaping of this section of the development when compared to other areas of the site. It is hoped that the Estate holder is able to enhance the area enabling it to become an attractive communal area for the benefit of all residents.
- 1.15. Impact on neighbouring property**
- 1.16. Local Plan Policy CP4 requires development to not cause harm to the amenity of adjoining land users and the locality. Note 1 in paragraph 4.9 advises that *“the Council will have regard to matters including loss of sunlight and/or diffuse daylight, loss of outlook, loss of privacy...”*.
- 1.17. Twenty-six objections have been received from the neighbouring residents and careful consideration was made to the potential impact of the fence panels. These objections primarily relate to the following:
- The impact on the open feel of the communal gardens
 - The design and visual appearance of the fences
- 1.18. Both of these points have been discussed to some extent in the ‘design and layout’ section above and the question is whether the fence panels will cause harm to the neighbouring residents and impact on their use of the communal gardens.
- 1.19. The picket fences will extend into the open space; however it is apparent that the fences serve a safety purpose due to the difference in level of approximately 40cm between patio areas. This is an important consideration as to whether a form of structure should be present in this location.
- 1.20. When assessed against policy CP4 of the Local Plan, the application is not considered to compromise neighbouring amenity. There are no concerns with regards to loss of privacy and overlooking, and the proposal will not affect light levels to neighbouring properties. As such, the proposal is considered to be in accordance with policy CP4 of the Local Plan.

2. CONCLUSION AND RECOMMENDATION

- 2.1. To conclude, the application is considered to be in accordance with the requirements of local plan policies CP4 and CP7, and the NPPF, and the recommendation therefore is to grant planning permission subject to the following conditions.

3. CONDITIONS

- 1 The development hereby permitted shall be completed before the expiration of three months from the date of this decision.

18th April 2017

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).

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

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

INFORMATIVES :-

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

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

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

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

Update to Officer Report

1. OFFICER COMMENTS

- 1.1. Members should recall this application from last month's committee (report and update attached). The application for works to the Cotswold Grange Hotel was deferred in order for further discussions to take place with the applicant regarding the retention of existing trees within the site.
- 1.2. A revised plan has been submitted (CGH15.01 Rev A) which specifies that the existing Holly, Irish Yew and Pine trees at the rear of the building are to be retained.

2. CONCLUSION AND RECOMMENDATION

- 2.1 Given that this was the only the issue to be discussed and having considered that all of the specified trees are to be retained, officer recommendation is to permit the application, subject to the conditions set out below;

3. CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

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

- 3 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).

- 4 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 and in accordance with the Method Statement submitted 17th March 2017.
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.

INFORMATIVES :-

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

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

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

APPLICATION NO: 16/02105/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



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 and ADV	OFFICER: Miss Chloe Smart
DATE REGISTERED: 25th December 2016	DATE OF EXPIRY: 19th February 2017
WARD: Oakley Ward	PARISH:
APPLICANT:	Cotswold Grange Hotel
AGENT:	Mr Russell Ranford
LOCATION:	Cotswold Grange Hotel, Pittville Circus Road, Cheltenham
PROPOSAL:	16/02105/FUL: Proposed erection of gates and boundary railings, new landscaping scheme and car park reconfiguration. 16/02105/ADV: Proposed illuminated box sign containing menu board

Update to Officer Report

Recommendation – Permit and Grant

1. OFFICER COMMENTS

- 1.1. As set out in the initial officer report, amended plans and a method statement were submitted in response to concerns raised regarding the removal of certain trees but at the time of writing the report, the Tree Officer had not had the opportunity to review these fully.
- 1.2. As referred to in the initial consultation response from the Tree Officer, Thuja Plicata (T6) was originally proposed for removal, but is now to be retained and following a further site visit, the Tree Officer considers that the removal of Holly (T4) is acceptable, subject to suitable replanting to mitigate its loss.
- 1.3. The Tree Officer has now provided a further response and confirms that the species of trees to be planted are acceptable, as is the submitted method statement.
- 1.4. As such, the applicant has overcome any initial concerns in relation to trees.

2. CONCLUSION AND RECOMMENDATION

- 2.1. In conclusion, officers consider the applicant has overcome initial concerns surrounding the impact of the proposal on the conservation area. 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. The proposed menu sign is located in a prominent location at the front of the site, and whilst officers advised a lower sign would be more appropriate, it is not considered this element would warrant refusal.
- 2.2. Whilst the concerns of the residents have been noted, the proposal is not considered to have any unacceptable impact on neighbouring amenity or highway safety. Furthermore, any initial concerns from the Tree Officer have been overcome through the submission of amended information.

- 2.3. Having assessed the application with the relevant considerations in mind, the proposals are acceptable and the recommendation is to approve both applications, one for planning permission and the other for advertisement consent subject to the conditions set out below.

3. CONDITIONS

16/02105/FUL

- 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 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).
- 4 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 and in accordance with the Method Statement submitted 17th March 2017.
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.

16/02105/ADV

- 1 This consent shall expire after a period of five years from the date of this decision.
Reason: This condition is specified by Section 14 (7) of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
- 2
 - a) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
 - b) No advertisement shall be sited or displayed so as to—
 - (i) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (ii) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or

Page 247

(iii) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

c) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

d) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

e) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: These conditions are required by Section 14(1) of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

3 When the signage hereby permitted is illuminated, such illumination shall at all times be static and non-intermittent.

Reason: In the interest of local amenity, having regard to Policy BE12 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.

APPLICATION NO: 16/02105/FUL		OFFICER: Mr Ben Hawkes	
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.

Page 250

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.

Page 252

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

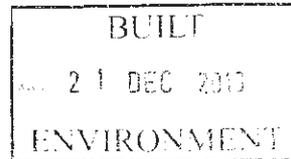
Dear Sirs, Proposal: Proposed erection of gates & boundary railings etc at Cotowold Grange Hotel, Pittville Circus Road. Having reviewed the planning application 16/02105/FUL, I have the following comments relative to the re-positioning of the waste bin store & installation of protective gates.

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

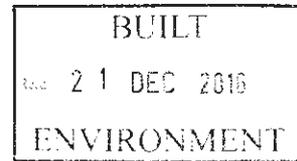
back of the hotel in to a new facility will inevitably lead to the loud evening and weekend drinking which residents deal with now very good naturedly during Race Weeks. Also, the main bedrooms of all the houses in Moorcourt Drive are at the front and developing this particular area for the use of bar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

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.

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 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.

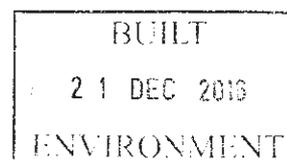
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These trees are part and parcel of the tree-lined boulevard style of Pittville Circus Road as well as established natural habitat and they are key, in this Conservation Area, to the town's cultural and destination targets.

Yours faithfully

A large black rectangular redaction box covers the signature area. A smaller black rectangular redaction box is positioned to the left of the main signature box, partially overlapping its left edge.

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.

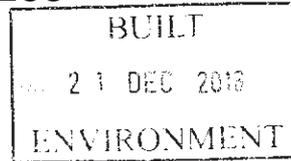
I am troubled at the wisdom of changing the existing arrangement of collecting bins - where no one is inconvenienced – to one where all Moorcourt Drive residents are inconvenienced, and one that is dangerous and unworkable – and I do not want the view from my house to change from a lovely hedge, to wooden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

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

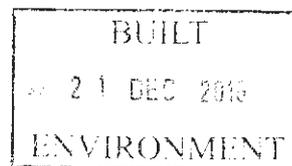
back of the hotel in to a new facility will inevitably lead to the loud evening and weekend drinking which residents deal with now very good naturedly during Race Weeks. Also, the main bedrooms of all the houses in Moorcourt Drive are at the front and developing this particular area for the use of bar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

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

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.

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 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]

&

[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.

21 DEC 2016

ENVIRONMENT

3 Moorcourt Drive
Cheltenham
GL52 2QL

20th 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.

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 the street.

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.

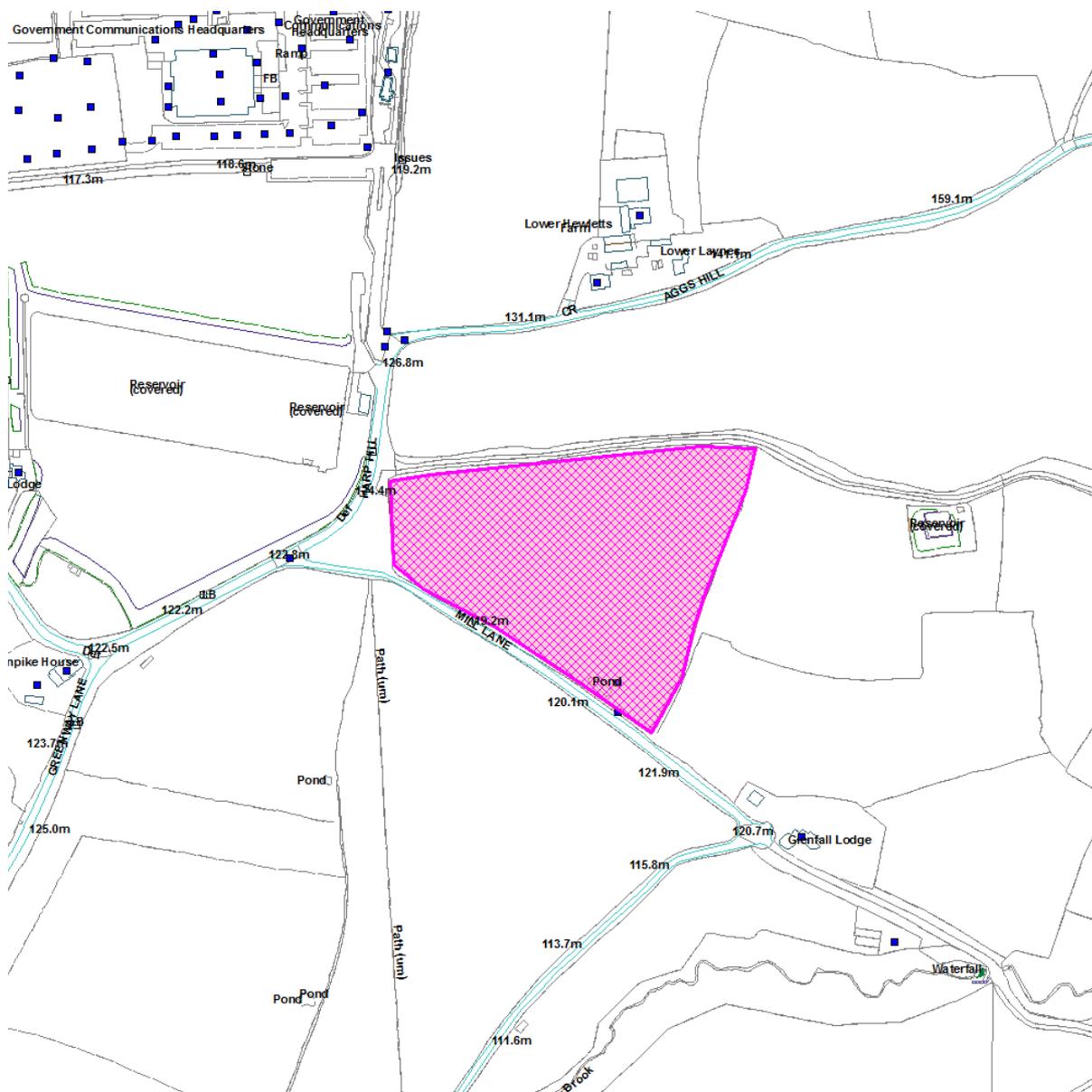
Yours faithfully



CC. Councillor Rowena Hay and Councillor Colin Hay

APPLICATION NO: 17/00129/FUL		OFFICER: Mrs Emma Pickernell	
DATE REGISTERED: 24th January 2017		DATE OF EXPIRY: 21st March 2017	
WARD: Battledown		PARISH: Charlton Kings	
APPLICANT:	Ms Jamima Cox		
AGENT:	Gatier Planning Consultants		
LOCATION:	Castle Dream Stud, Mill Lane, Charlton Kings		
PROPOSAL:	Change of use of land for the permanent residential occupation by a traveller family, retention of day room, hardstanding, access, fencing, stables and use of associated land for keeping of horses.		

RECOMMENDATION:



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is located to the north east side of Mill Lane, Ham Hill and forms the southwest corner of a wider field which is within the applicant's ownership. The site is occupied on a temporary basis following the grant of 2 previous temporary 3 year consents. It is occupied by the applicant who is of established gypsy origin and comprises two stable buildings, one static caravan, a touring caravan, hard standing and associated hard and soft landscaping. Permission has previously been granted for a detached day room building, however this has not been constructed.
- 1.2 The site lies outside the principal urban area (PUA) of Cheltenham and wholly within the Cotswold Area of Outstanding Natural Beauty (AONB).
- 1.3 Planning permission was granted for "*Change of use of land for the permanent residential occupation by a traveller family. Retention of day room, hardstanding, access, fencing, stables and use of associated land for keeping of horses*" in August 2014. This was permitted by planning committee on a temporary basis with the following conditions:

1. *The occupation of the site hereby permitted shall be carried on only by Mrs Cox and any resident dependants. The use shall cease on or before 17/1/17.
Reason: A personal temporary permission is given only to meet the specific needs of the applicant in accordance with the National Planning Policy Framework, Planning Policy for Traveller Sites and Circular 11/95.*
2. *When the land ceases to be occupied by those named in condition 1 above the use hereby permitted shall cease and all caravans, structure, materials and equipment brought onto or erected on the land, or works undertaken in connection with the use, shall be removed and the land should be restored to its condition before the development took place.
Reason: Permanent development of this type would detract from the amenity of the area and permission is given only to meet the special temporary needs of the applicant in accordance with the National Planning Policy Framework, Planning Policy for Traveller Sites and Circular 11/95.*
3. *No more than 3 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and Caravan Sites Act 1968, shall be stationed on the site at any time.
Reason: Development of this type would detract from the amenity of the area and permission is given only to meet the special temporary needs of the applicant in accordance with the National Planning Policy Framework, Planning Policy for Traveller Sites and Circular 11/95.*
4. *The stable buildings hereby permitted shall not be used for any other purposes other than for agriculture and non commercial equine uses.
Reason: The development hereby approved is given only to meet the specific needs of the applicant and the Local Planning authority wishes to have the opportunity of exercising control over any subsequent use in accordance with the National Planning Policy Framework, Planning Policy for Traveller Sites and Circular 11/95.*
5. *No more than one commercial vehicle shall be kept on the land for use by the occupiers of the caravans hereby permitted, and shall not exceed 7.5 tonnes in weight.
Reason: The parking of large vehicles would detract from the amenity of the area and permission is given only to meet the special temporary needs of the applicant*

in accordance with the National Planning Policy Framework, Planning Policy for Traveller Sites and Circular 11/95.

- 1.4 The permission has now lapsed and as such the current use of the site is technically unauthorised.
- 1.5 This current application seeks permission for the use of the site for the permanent occupation by a traveller family.
- 1.6 The circumstances of the family have changed and permission is sought for 1 'pitch' to include 1 static caravan as opposed to the 3 which were previously sought and one touring caravan. Permission is also sought for the day room as previously approved but not yet constructed.
- 1.7 The application has been brought to committee at the request of Cllr Matt Babbage.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

250 Metre Land Fill Boundary
Ancient Woodland
Area of Outstanding Natural Beauty
Residents Associations

Relevant Planning History:

02/01443/FUL 15th November 2002 PER

Block of three stables

06/00237/TEMP 23rd June 2006 REF

Retention of timber building for a temporary period (until 14 November 2007) and retention of septic tank

10/01839/COU 10th February 2011 REF

Change of use from agricultural to residential occupation by a gypsy family with the stationing of two caravans and erection of an ancillary "day room" building and construction of new access, hardstanding and associated landscaping. Retention of stable building for the purpose of keeping horses

12/00271/CLPUD 29th March 2012 CERTPU

Vehicular access and permeable hardstanding

13/01459/COU 6th August 2014 PER

Change of use of land for the permanent residential occupation by a traveller family. retention of day room, hardstanding, access, fencing, stables and use of associated land for keeping of horses

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development
CP 3 Sustainable environment
CP 5 Sustainable transport
CP 7 Design
CO 1 Landscape character
CO 2 Development within or affecting the AONB

UI 2 Development and flooding
UI 3 Sustainable Drainage Systems

National Guidance

National Planning Policy Framework (2012)
National Planning Policy for Traveller Sites (2012)

4. CONSULTATIONS

Parish Council

21st February 2017

Objection: We are objecting because in our view in the absence of an agreed and ratified JCS and Cheltenham Plan, it would not make sense or be correct to grant permanent permission at this time. Any decision would need to be in line with stated and agreed policies on this issue in these documents. Should permission be granted it should again be for a temporary period and for the named family only. According to the Dept for Communities and Local Government's Planning Policy For Traveller Sites of August 2015, 'traveller sites (temporary or permanent) in the Green Belt are inappropriate development'. Given the extra protection accorded to AONB over and above Green Belt, this would appear to rule out this site which is in the AONB. We recommend that this application goes before the Planning Committee in light of the fact that this is AONB land, may set a precedent and continues to generate local concern.

Contaminated Land Officer

22nd February 2017

In relation to application 17/00129/FUL for Castle Dream Stud, Mill Lane, Charlton Kings, Cheltenham, Gloucestershire, GL54 4EP there is no objection from a contaminated land perspective.

GCC Highways Planning Liaison Officer

7th February 2017

The site has benefited from two previous temporary planning approvals one of which was allowed at appeal, for use as a gypsy and traveller site, 10/01839/COU Temporary permission permitted and 13/01459/COU which expired on 16th January 2017. I have researched the available records and can find no evidence that the Highway Authority were consulted.

There is no proposal to alter or amend the existing access or parking / hardstanding arrangements within the site. This was dealt with by condition and discharged accordingly, following the appeal decision dated 6th September 2011. No personal injury collisions have been recorded since the site was established in 2010.

I refer to the above planning application received on 31st January 2017, with Plan(s) Nos Site location plan and block plan to which no Highway objection is raised.

Statement of Due Regard

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

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

Cheltenham Civic Society

10th February 2017

No comment

Planning Policy

31st March 2017

The National Planning Policy Framework

The NPPF contains provisions relating to Areas of Outstanding Natural Beauty (AONB). The application site is located within the Cotswolds AONB so paragraphs 115 and 116 of the NPPF are relevant. It should be noted that AONB is a landscape designation and there is no statement in the NPPF or Planning Policy for Traveller Sites indicating that traveller sites are 'inappropriate development'. By comparison, within Green Belt the NPPF does not include traveller sites within the list of exceptions to Green Belt Protection, implying they are inappropriate development and this view is confirmed within the Planning Policy for Traveller Sites.

Paragraph 115 states that local planning authorities should give great weight to conserving landscape and scenic beauty in the AONB, including consideration of wildlife and cultural heritage. Any potential impact of the development on the landscape and scenic beauty of the AONB must therefore be carefully considered. Local policies relating to the AONB are discussed later in this response.

Paragraph 116 states that planning permission should be refused for major development in the AONB except in exceptional circumstances. This is not a major development so paragraph 116 does not apply.

The key question relating to policies in the NPPF is therefore whether any potential impact of the development on the landscape and scenic beauty of the AONB would outweigh the benefits, when assessed against national and local policy requirements.

Cheltenham Local Plan Second Review 2006

The Local Plan contains policies CO1 'Landscape Character', and CO2 'Development Within or Affecting the AONB' which are relevant to this application.

Policy CO1 'Landscape Character' states that:

Development will only be permitted where it would not harm:

- (a) attributes (note 1) and features (note 2) which make a significant contribution to the character, distinctiveness, quality and amenity value of the landscape; and
- (b) the visual amenity of the landscape.

The relevant part of Policy CO2 'Development within or affecting the AONB' states that:

Development which would harm the natural beauty of the landscape within the AONB will not be permitted.

These are key local policies to assess the layout and design of the application proposal in relation to its context.

The Joint Core Strategy

The Joint Core Strategy Main Modifications document contains policy relating to the Cotswolds AONB. Policy SD8 says:

"All development proposals in or within the setting of the Cotswolds AONB will be required to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities. Proposals will be required to be consistent with the policies set out in the Cotswolds AONB Management Plan."

Although the JCS is not formally part of the local development plan it is at an advanced stage of preparation. Policy SD8 is also not subject to unresolved objections at the time of the most recent hearings on this policy during the JCS examination. Therefore weight can be attached to this policy in accordance with paragraph 216 of the NPPF.

Landscape Character, Sensitivity and Capacity Assessment of the Cotswold AONB within Cheltenham Borough

The Landscape Character, Sensitivity and Capacity Assessment of the Cotswold AONB within Cheltenham Borough was published in April 2015 (updated May 2016). The application site is situated within site reference LCA 10.11 (Greenway Wooded Pasture Slopes).

The assessment suggests that the character area has an overall landscape constraint score of major and that the landscape capacity for development is low. It is, however, important to note that the current application site was in residential use when the study was undertaken so does not represent new development. Despite this the outputs of the study are important to the determination of this application in terms of the particular landscape character of the area.

Gloucestershire County Gypsy, Traveller and Travelling Showpeople Accommodation Assessment

In March 2017 the six Gloucestershire authorities signed off a new [Gypsy and Traveller Accommodation Assessment \(GTAA 2017\)](#), which provides an assessment of current and future need for Gypsy, Traveller and Travelling Showpeople accommodation throughout Gloucestershire. The new GTAA 2017 takes into account the revised version of Planning Policy for Traveller Sites which was published in August 2015.

The GTAA 2017 recommends that there could be need for 3 new pitches within the plan period.

Two of the 3 pitches that could be required arise from the previous planning status of this site, being only a temporary permission, therefore it is suggested that 2 pitches are required within the next 5 years. If planning permission were granted for this application, this requirement would be fulfilled.

The third pitch requirement comes from the potential need arising of any teenage children on site, or concealed households who may require a pitch of their own in the future. The GTAA 2017 recognises that Castle Dream Stud is currently the only authorised Gypsy/ Traveller site within Cheltenham Borough, therefore it would not be possible for the occupiers of the site to move to other suitable accommodation within the Borough. Furthermore, there have been no other sites identified as being available for such land use through the Strategic Assessment of Land Availability.

Summary

The need for the Borough to provide pitches as identified in the GTAA 2017 weighs in favour of the application. The need identified by the assessment relates directly to the site in question because it currently does not have permanent permission. The Council has a duty to meet this need and no other suitable sites have been identified.

As the site has been occupied for several years this application would not result in new development in the AONB. The granting of a permanent permission, however, still represents a change and there is potential for harm to be caused the landscape. If approved conditions will need to be carefully drawn to mitigate the potential for any new harm to be caused to the purposes of the designation.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	42
Total comments received	21
Number of objections	21
Number of supporting	0
General comment	0

5.1 The application was publicised by way of letters to 42 households (including those who made representations to the previous application).

The main issues raised in the representations are as follows:

- Land no longer used for keeping of horses, no need for stable building
- Now a sole occupant on the site
- JCS should be resolved before status of site is changed
- Previous permissions have been temporary and personal to Mrs Cox
- Concerns about potential future occupancy and enforceability
- Detrimental to AONB
- Unsustainable location
- Concerns about the fencing

6. OFFICER COMMENTS

6.1 Determining Issues

The key issues in determining this application are considered to be (i) the policy context, (ii) the need for the development, (iii) design and layout including landscape considerations, (iv) access and highways issues.

6.2 Policy Context

A comprehensive response has been provided from the Planning Policy Team which is reproduced above. This draws attention to the very recent Gypsy and Traveller

Accommodation Assessment (GTAA). This identifies a need for 3 pitches within Cheltenham. One of these is to accommodate the potential need from a young traveller or concealed traveller household who may require accommodation in the future. It is understood that the further two pitches identified relate to the two families which were present on the site at the time of the survey (Mrs Cox and her adult children and their children). It is understood that Mrs Cox's dependants have now found accommodation elsewhere and therefore this application seeks permanent consent for 1 pitch.

A previous application was refused in 2011, as detailed in section 2 of this report. It was refused primarily for the reason that the development would not conserve or enhance the Cotswold AONB. This decision was appealed and subject to a number of conditions the development was allowed on 6th September 2011. Of particular relevance to this application were the Inspectors findings and resulting requirement to restrict the development to a temporary personal permission only. The Inspector considered that the development would not conserve or enhance the natural beauty of the AONB although it was acknowledged it would result in limited visual harm owing to existing boundary screening. In this context the Inspector considered that a temporary personal permission would *"be appropriate and reasonable until such times as less harmful, alternative sites may be identified and brought forward through the JCS process."*

The draft JCS at policy SD14 states that proposals for new gypsy and traveller sites will be assessed against criteria including the landscape sensitivity of the site, the impact on the highway network, ground conditions including flooding, sustainability of location, and servicing. The JCS will not allocate specific sites for pitches within Cheltenham. The proposal is considered to be in accordance with these criteria.

Officers consider that given the limited harm to the AONB and the prevailing need for formal pitch provision within the Borough it would be appropriate to grant consent for this site on a permanent and non-personal basis. To grant a further temporary consent results in uncertainty to the applicant and also would mean that the authority still has an unmet need resulting in a reduced ability to resist further traveller sites, potentially in more inappropriate locations.

6.3 Need for the development

The strategic need for the development has been discussed above. The gypsy/traveller status of the applicant has been established through previous appeals and decisions. They fall within the definition provided within annex 1 of the Planning policy for traveller sites:

For the purposes of this planning policy "gypsies and travellers" means: Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

In determining whether persons are "gypsies and travellers" for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters:

- a) whether they previously led a nomadic habit of life*
- b) the reasons for ceasing their nomadic habit of life*
- c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.*

There is therefore little doubt that there is an established need and this has not been disputed in previous applications and is backed up by the GTAA.

6.4 Design, layout and impact on AONB

The site is located within the Cotswold Area of Outstanding Natural Beauty. The comments from the policy team outline the policy context in which the impact on the AONB must be assessed.

Members will have the opportunity to visit the site and can assess the impact. The site comprises a small group of buildings, a static caravan and a tourer. These are relatively tightly grouped together and are well screened behind substantial boundary planting. In the previous appeal decision the Inspector found that the development would result in "limited and localised visual harm". However the Inspector also found that the proposal would not conserve or enhance the natural beauty of the AONB. For these reasons in combination with the uncertainty in terms of the policy status in terms of gypsy and traveller site provision a temporary consent was granted.

The strategic landscape assessment which has been carried out was done so with the site in use. However it is of note that the 2013 consent was proposing 3 static caravans as opposed to the 1 now sought.

It is clear that a permanent consent in this location will have a negative impact on the AONB, however in Officers view the harm is limited by the relatively small scale of the development and its location at the bottom of a slope and due to the screening.

This harm must also be weighed against the need as identified above which to date has been unmet by this authority.

6.5 Access and highway issues

The highways officer has provided comments on the proposal and concludes that there would be no harmful impact upon highway safety.

6.6 Other considerations

Were the application to be refused and enforcement action to be taken, members must be aware that there is no alternative provision for the family within the Borough and in in this scenario regard must be had to the provisions of the Human Rights Act.

7. CONCLUSION AND RECOMMENDATION

- 7.1** There is a long history associated with this site and its occupation by a gypsy/traveller family. To date the consents which have been granted have been temporary pending the outcome of the JCS. This process has identified a need for 3 pitches within the Borough. The JCS does not identify any specific sites within the Borough for these pitches to be accommodated. As such the JCS process is unlikely to result in alternative provision and no preferable sites have been forthcoming. In this context Officers consider it inappropriate to either refuse this application, or to grant a further temporary consent. There is an opportunity to formalise this site which will help the Authority in resisting future inappropriate applications in potentially more damaging locations. There is a recognised impact upon the AONB, however this is limited for the reasons outlined above and must be weighed against the benefits of the proposal. For these reasons the proposal is recommended for approval subject to the following conditions.

8. CONDITIONS / INFORMATIVES

- 1 The site shall not be occupied by any persons other than gypsies and travellers as defined within the Planning Policy for Traveller Sites.
Reason: Permission has been granted to fulfil the identified requirement for gypsy and traveller accommodation within the Borough, in line with the NPPF and Planning Policy for Traveller Sites.
- 2 No more than 2 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and Caravan Sites Act 1968, shall be stationed on the site at any time (1 static caravan and 1 tourer).
Reason: In order to control the amount of structures and equipment on the land in order to avoid adverse impact on the AONB, in accordance with policy CO2 of the Local Plan.
- 3 The stable buildings hereby permitted shall not be used for any other purposes than agriculture and non-commercial equine uses.
Reason: This is the basis upon which permission is sought and the Local Planning Authority wishes to have the opportunity of exercising control over any subsequent use in accordance with the National Planning Policy Framework, Planning Policy for Traveller Sites and Circular 11/95.
- 4 No more than one commercial vehicle shall be kept on the land for use by the occupiers of the caravans hereby permitted and shall not exceed 7.5 tonnes in weight.
Reason: The parking of large vehicles would detract from the amenity of the area and therefore should be limited, in accordance with the National Planning Policy Framework, Planning Policy for Traveller Sites and Circular 11/95.

INFORMATIVES

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

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

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

APPLICATION NO: 17/00129/FUL		OFFICER: Mrs Emma Pickernell	
DATE REGISTERED: 24th January 2017		DATE OF EXPIRY : 21st March 2017	
WARD: Battledown		PARISH: CHARLK	
APPLICANT:	Ms Jamima Cox		
LOCATION:	Castle Dream Stud, Mill Lane, Charlton Kings		
PROPOSAL:	Change of use of land for the permanent residential occupation by a traveller family, retention of day room, hardstanding, access, fencing, stables and use of associated land for keeping of horses.		

REPRESENTATIONS

Number of contributors	21
Number of objections	21
Number of representations	0
Number of supporting	0

Court Barn
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6ND

Comments: 22nd February 2017

I would like to place my objection to this application on record.

Although the residents have maintained the site well, over time there has been a harmful impact on the AONB with its incremental development. It has certainly not 'enhanced this area of the AONB' as claimed in the Design & Access Statement. The Cotswold AONB should be protected and any any changes to the previous conditions would be detrimental. Whilst allowing the appeal by Mr & Mrs Cox in 2011 and granting them temporary permission, it further stated that "change of use to a Traveller site would cause further visual harm to the AONB." Change of use is, in effect, what this application is seeking. I have seen no horses on site for several years and as this site no longer appears to be used as a 'stud', I can see no good reason why a permanent residency should be approved. Other sites locally have been refused residential planning permission and, in the current circumstances, I don't see why this site should be considered any differently.

According to The Design & Access Statement this site has been put forward for GTAA consideration in a 'Call for sites' consultation as part of the JCS and Cheltenham Plan and draws attention to the requirement of the district to provide deliverable Traveller sites now and an ongoing supply in future years. The Design & Access Statement goes on to state that "At present there is no other Traveller site within the district that benefits from planning approval and as such, a common sense approach would be to ensure this site becomes the one to be allocated through the plan. ...". I would point out that this plan has not yet been ratified. However the decision on this application is very significant and could be a source of many predictable and unpredictable outcomes.

54 King William Drive
Cheltenham
Gloucestershire
GL53 7RP

Comments: 22nd February 2017

I object to the above application as follows.

1. The Joint Core Strategy - when it was responsible for allocating gypsy sites - never allocated Castle Dream Stud.

In fact in February 2016 In JCS EXAM 187 "Note from the JCS on Gypsy, Traveller and Travelling People for the Inspector" on page 16 under b) Cheltenham Borough Council, in the table reviewing the suitability of Castle Dream Stud, it says plainly:

Suitable: NO (Available Yes) Achievable: NO

Assessment summary: Due to the site's location within the AONB and the sensitive landscape the site is not considered suitable.

2. On the same page it states that the 2015 Cheltenham Plan consultation SALA assessment did not find the site suitable for ANY form of development due to the site being wholly within the Cotswolds Area of Outstanding Natural Beauty.

3. The current draft consultation Cheltenham Plan Part 1 reiterates this. It identifies the site as CP024 and shows it in red as not for development and states that SALA found the site not to be deliverable or developable.

As both the Strategy and the Local Plan agree that the site should not be allocated for permanent residential development then a decision to allow the above application would be premature before this Plan principle is Examined in Public.

4. A full residential permission should in any case be refused as it would leave the site wide open to domestic changes likely to do further harm to this rural corner of the AONB.

5. I object to the wording: 'a traveller family' is too imprecise: for certainty, if any extension of the temporary permission is granted it should only be in the name of Mrs Cox for her immediate family.

6. If any temporary extension is permitted, the existing conditions should be re-imposed to prevent future harm to the AONB.

11 Warwick Crescent
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YZ

Comments: 21st February 2017

I object to this application on the basis that this would be a complete change to the terms of the original planning permission. This change of use could be open to all manner of uses not currently permitted, which would be unacceptable in its location within the AONB.

Fieldway
Ham Road
Charlton Kings
Cheltenham
GL52 6NG

Comments: 22nd February 2017
Letter attached.

Court Barn
Ham Road
Charlton Kings
Cheltenham
GL52 6ND

Comments: 21st February 2017

I object to the proposed planning application for the change of use of Castle Dream Stud. Yet again, planning proposals have been made for properties in the AONB. The proposal would be detrimental to the AONB which has the highest level of protection.

A permanent residence for the use of a traveller family on the AONB could well result in a number of unwelcome future developments. Some harm has already been done to the site and it is unacceptable to take further risk of more damage.

The temporary use was specifically granted to the Cox family only and it is a significant, unacceptable change to grant permission for permanent occupation.

14 Pembridge Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6XY

Comments: 19th February 2017

I am writing to object to the change of use of Castle Dream Stud to permanent usage because of the adverse effects on the Cotswold AONB in which it lies. This is a protected area and if the site were to be given permanent status it could be developed in a way detrimental to its surroundings.

Mr and Mrs Cox have been given temporary permission for the use of land for country pursuits. It would be reasonable to renew the temporary permission so that the land could be put back to the original state at the end of that time, if necessary. Some harm has been done to the site with the huge fence and hard-standing which was acknowledged by the inspector a few years ago. A site less harmful to the green environment could be found in the meantime for travellers - the JCS plan is not yet completed .

Other locations in the AONB have been refused permission for residential development. This site should not be given special treatment as it is of no benefit to the AONB. The same criteria should be applied for the applicant as for others, as per the recommendations.

Regarding the inspector's conditions of a previous appeal temporary permission was given to Mr and Mrs Cox, not to 'a traveller family' which could mean any number of people and some one without the responsibility of this family who have kept the site tidy for the past few years. The Inspector stated in 2011 'When the land ceases to be occupied by those named in the conditions, the use permitted shall hereby cease and the land shall be restored to its condition before the development took place' The permission should therefore remain temporary for use as a site for

country pursuits. The site has not been granted permission for redevelopment by other applicants in the past for good reasons. This should not be a special case.

3 Natton Cottages
Ham Lane
Cheltenham
Gloucestershire
GL52 6NJ

Comments: 22nd February 2017

I refer to the above Planning Application which is totally unsuitable for the site and the AONB area. The application has to be considered only in terms of whether a permanent development should be allowed or not as any other factors are not applicable.

The history of the site is well documented as are the refusals and temporary allowance for caravans. The fact that enforcement was carried out on the original owners of the site to remove a bungalow from it would be against natural justice if this planning application were allowed. It would also be a 'reward' for attempting to bypass the planning system on the first application for the site by putting the current caravans on it and then claiming permission.

It would also be very discourteous to all residents in the AONB who have gone through the planning process properly and for better or worse have accepted planning decisions, particularly when these decisions have gone against applications citing the AONB criteria as reason for refusal. If permission were given - then it sets a precedent regarding permissions of other very unsuitable developments within the AONB. There would then be little barrier to a permanent dwelling built in the future - again - against previous decisions for this site.

The claim that the area is being used for keeping horses is not really true. A horse has only been seen very occasionally on the site in the last several years and only sheep invited to keep the grass down have been the main animals on the site.

The site is NOT a designated traveller site and is not suitable as one going forward. If this application is permitted as permanent - there also seems to be no safeguards that the site would not be divided up and sold in parts in future and further caravans appear. The current hard standing area is still very difficult to understand if only a maximum parking area for 5 cars is required.

It is acknowledged that the site has been tidied up and kept that way - so we would support a further TEMPORARY extension of the current permission but the council has to be tasked with sorting the situation out within the current overall plans for Gloucestershire as soon as possible. The preference has to be that the site is vacated as residential and returned to purely agricultural use.

The current temporary planning is for the particular NAMED family and this should be maintained. Any permissions have to lapse if this family moves on from the site.

In conclusion, both the Council and the Planning Authorities must refuse the current application and must work to return the site to unoccupied status as was clearly intended when the original owner was refused development.

4 Pembridge Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6XY

Comments: 21st February 2017

I would like to raise an objection to this change of use in our AONB. AONB land is protected and should be kept free from residential development.

10 Acomb Crescent
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YH

Comments: 21st February 2017

This was initially a temporary measure and I object to it being made permanent. This remains an area of ANOB which is my biggest concern. But the potential number of travellers also is a significant concern.

Wadleys Farm
Ham Lane
Charlton Kings
GL52 6NJ

Comments: 9th February 2017

Letter attached.

Wadleys Farm
Ham Lane
Charlton Kings
Cheltenham
GL52 6NJ

Comments: 20th February 2017

Letter attached.

Hamfield House
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NG

Comments: 22nd February 2017

There is a long history of attempts to change the use of this AONB site away from agricultural use. A traveller family, then Mr and Mrs Cox, acquired and started residing at the site in around 2010. Following an Appeal which was decided in 2011, they were given temporary permission to continue residence at the site as set out in APP/B1605/C/11/2149107 and 2149171 dated 6 September 2011.

In reaching his decision, the Planning Inspector concluded that: "the change of use to a Gypsy and Traveller site has resulted in, and would cause further visual harm, to the AONB. This is contrary to established local development plan policies and national planning policy advice and guidance and is sufficient reason not to grant a permanent permission." His reason for giving permission on a temporary basis was the lack of sites allocated for gypsies and travellers. Permission was given, therefore, "until such times as less harmful, alternative sites may be identified and brought forward through the JCS process". The Inspector imposed a number of conditions to ameliorate the harm, many of which have yet to be undertaken or fulfilled.

In response to planning application 13/01459/COU, which again sought permanent change of use, on 16 January 2014 Cheltenham Borough Council extended the temporary permission for Mrs Cox and any resident dependants for a further period of three years until 17 January 2017. Please refer to my letter of objection to the 2013 application dated 27 December 2013.

I object to this present application, for the following reasons:

1. The fundamental reasons against change to residential use are as follows:
 - a. The site lies in the Cotswold AONB. The National Planning Policy Framework. Paragraph 115 states: 'Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.' Although the site is screened from Mill Lane, it is highly visible from the public footpath from Hewletts Reservoir to Northfield farm, which I use on a frequent basis.
 - b. Although the location is near to Cheltenham, it is outside the principal urban area of the town and away from any area that has been either allocated or proposed for any urban extension.
 - c. The site is rural and isolated and not close to other dwellings or any public transport..
 - d. There are several other areas of land in the AONB in the vicinity which are used for grazing horses and which have associated stabling similar to that at the present site. Should permission be given for permanent change of use in the present case, a precedent would have been set, making it difficult to resist proposals for change of use at any of these other sites, causing yet further damage to the AONB.
2. The reasons why the temporary change of use should not be made permanent are:
 - a. The underlying reasons at 1. above have not changed. The damage to the AONB is evident from an inspection of the site. In particular, the planting introduced by the temporary residents over the past six years is alien to the AONB and is of a type often used as screening in residential area. It therefore detracts from rather than conserves the landscape and scenic beauty. The situation would be made worse by the erection of a permanent building.
 - b. A principal reason for the Planning Inspector giving temporary permission in 2011 was that he expected permanent pitches for gypsies and travellers to be allocated under the Joint Core Strategy for Gloucester, Cheltenham and Tewkesbury. The JCS, now nearing completion, requires Cheltenham Borough to allocate one such pitch up to 2017 with a second in the period 2028-31. Specific sites were to be set out in the forthcoming Cheltenham Local Plan. 'Cheltenham Local Plan (Part One) Preferred Options' is currently undergoing consultation but this part of the Plan does not include any gypsy and traveller site allocation. It would be premature to give permanent permission to this AONB site in advance of even proposed allocations in the Local Plan.

- c. The circumstances under which the previous temporary permission was given have changed. In particular, the site is no longer being used for the keeping and breeding of horses. For at least the past three years, there have been no horses on the site, which is now mainly used, if at all, for grazing the neighbouring farmers' sheep.
- d. The proposal removes the previous condition that the temporary residency applies only to Mrs Cox and any resident dependents. Permission would therefore open the site to occupancy by any traveller family or families without restriction.
- e. A precedent would have been set, encouraging further gypsy and traveller settlements in the AONB.

I therefore urge the Planning Authority to refuse this application for permanent residential occupation. Renewal of the three-year temporary permission under the same conditions as before would be a reasonable alternative decision.

Glenfall House
Mill Lane
Charlton Kings
Cheltenham
Gloucestershire
GL54 4EP

Comments: 14th February 2017

I would like to object to this, a few of the reasons are - the original planning application; which was the same as this was refused; the duration was given until 2017 for single residency; now a similar application has been submitted.

It will be very difficult to control who will stay at the site if this is granted; which could have an impact on the surrounding highways, neighbours and businesses
I feel that this should not be granted; I am happy that the same restrictions as previously made, are given for the temporary residence of single family

Ham Stud
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6ND

Comments: 18th February 2017

I feel that any changes to the previous conditions imposed on this site for temporary planning, granted in 2013, would be detrimental to the Area of Outstanding Natural Beauty.

Clause one of this condition states that temporary planning was granted for Mrs Cox and her resident dependants only and I feel this should remain in place.

As there have been no horses grazing this site for the last three years there doesn't appear to be any need for the stable buildings to remain.

This new application for permanent occupation should be refused, and the current conditions enforced in the event of the current temporary permission being granted again

The Willows
Ham Square
Cheltenham
Gloucestershire
GL52 6NF

Comments: 21st February 2017

We object to this planning application for permanent residency of this site in the AONB. The original temporary permission was for the Cox family, and this application is very vague with no names mentioned which means a large family with lots of caravans could move on to the land, thus further harming the AONB. There are no horses on the site.

AONB land should be protected and development should not be permitted. Please refuse this application.

2 The Orchards
Glenfall Way
Charlton Kings
Cheltenham
Gloucestershire
GL52 6BJ

Comments: 22nd February 2017

This piece of land was not included in the JCS as an allocated site for travellers. This examination in 2016 also stated that this site wasn't suitable due to its AONB status.

If this application were to be permitted then it would be opening up this pocket of land to potential damage in the future. The planning status should remain as temporary.

(address withheld)

Comments: 22nd February 2017

I would like to register my objection to the above planning application, but have been told by your colleagues that there is no way to do this online without showing my address. I hope that it is still possible for you to take my views into consideration via this email, but do not want it (my name or address) to be published. My views are broadly the same as those of others.

My objection is based on the location of this site in the AONB. This land is protected for the enjoyment and benefit of all, and I feel it should be kept free from permanent residential development. As others have commented, it has not been used to graze horses for some years.

The current temporary development of the site has damaged the character of the AONB, with tall, suburban-style fencing and gates and a large area of hardstanding. It seems likely therefore that making this arrangement permanent would secure that damage and add more.

Finally, I believe this application would open the way for the development of other plots along Mill Lane for residential use, destroying the quiet character of the area and increasing traffic problems.

146 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LY

Comments: 1st March 2017

How this development ever got temporary planning permission is astonishing.

The site is in the AONB.

The site is also completely unsustainable - how is the site accessed on foot - how is it drained - how is it serviced?

Why have the landowners been allowed to erect 6ft high panel fencing immediately adjacent to the highway?

Everything the landowners have done to the site to date has smacked of permanence and this application should have been foreseen when the original temporary application was granted permission. If this development is permitted it will only encourage other developers looking to develop within the AONB in the Ham area.

The proposal has no merit whatsoever and I object to it in the strongest terms.

3 The Orchards
Glenfall Way
Charlton Kings
Cheltenham
Gloucestershire
GL52 6BJ

Comments: 21st February 2017

I am writing to object to this change of use in AONB. This is a protected area and the land should be kept free from residential development.

19 Lawrence Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NN

Comments: 22nd February 2017

This is simply gradual urban development of agricultural land use, and should not be permitted. Traveller sites are for travelling population, not permanent residence - which is just C3 use.

The precedent would open up all manner of urban development on agricultural land and green spaces in the Borough.

The increased vehicular use of the site should be avoided, as passing traffic cannot see emerging vehicles in safe stopping distance. Car towing horse box entering site would sit on highway until gate is open, creating traffic hazard.

The existing temporary use generates significant surface water discharge onto the highway, even after small amounts of rainfall. Any further development will simply make road conditions worse, even treacherous in icy conditions.

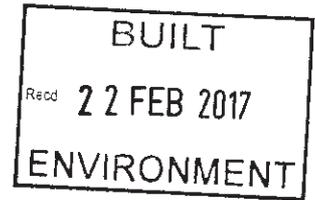
1 Lawrence Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NN

Comments: 21st February 2017

I walk past the so called stud daily and have never seen a horse there Nor any sign of horses.
Blatantly playing the planning rules to get a positive outcome for themselves.

**Fieldway Ham Road Charlton Kings Cheltenham
GL52 6NG**

Case Officer Mrs E Pickernell
Cheltenham Borough Council
Planning and Built Environment
Municipal Offices
Promenade
Cheltenham GL50



19th February 2017

Dear Mrs Emma Pickernell

Ref: 17/00129/FUL Castle Dream Stud

This application is a repeat of the previous one in 2013 which was refused. Permission was originally granted by the Inspector at the Public Enquiry to Mr and Mrs Cox and their dependants as the named residents, for temporary use for 3 years of this piece of land in the Area of Outstanding Natural Beauty, for the keeping of horses.

Shortly after the initial permission was granted the land was grazed by horses for a short period but since then the field has been unused, sometimes grazed by sheep but certainly not for keeping horses nor for breeding them. It is evident that the need for this land for keeping horses is no longer required personally by Mrs Cox and in the meantime, her dependants have grown up and left home.

The temporary period and its extension has now expired so the current situation now calls into question the validity of the occupation of the land by Mrs Cox, now the sole occupant, and the presence of all the ancillary buildings. Nevertheless, we do not ask that the existing temporary land use be changed until all related matters are resolved by the Joint Core Strategy which is currently going through a period of public consultation.

However, this latest application for permanent residency for a 'traveller family' is completely contrary in both spirit and actuality to the original, and ~~personal~~, permission granted. It is an application for an open-ended occupation of the land in perpetuity. If permission were granted it would be impossible to monitor and/or limit the land use to horse keeping or users of the land to a single 'traveller family'.

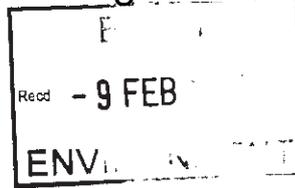
We strongly object to this application and urge Cheltenham Borough Council to refuse it.

Yours sincerely,



WADLEYS FARM,
HAM LANE,
CHARLTON KINGS,
CHELTENHAM,
GL52 6NJ.
7-2-17

Page 290



17/00129/FUL.

Dear Mrs. Pickernell,

The wording on this present application is exactly the same as the previous application 13/01459/COU on the 17th September 2013, when the applicant wished to change the temporary permission to permanent, and the applicant named as Mrs. Cox to 'a traveller family'.

Permission was granted on the 22nd August 2013 for only Mrs. Cox and resident dependants to live there and only until 17-1-17.

The cycle is now repeating, and surely the same conditions apply today as were present in August 2013?

If permission moves away from Mrs. Cox to 'a traveller family' there could be no control over the quantity of residents, as some traveller families may stretch over 3 generations, together with all their caravans, trucks etc.

The temporary permission for 3 years only should be continued, in my estimation, especially as the U.C.S. policy is still not sorted out, and no permanent decision should even be considered until that policy is settled.

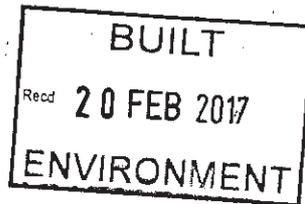
I would urge you to refuse this application and maintain the conditions as they apply at present.

Yours faithfully,



Wadleys Farm,
Ham Lane,
Charlton Kings,
GL52 6NJ
17th Feb. 17.

Ref: 17/00129/FUL.



Dear Madam,

I have a document dated 16th Jan. 16 where it clearly states "The occupation on the site hereby permitted shall be carried on only by Mrs. Cox and any resident dependents," and this is in accordance with the National Policy Framework planning policy for Traveller Sites and Circular 11/95.

The history of this "traveller site" goes back several years - the site initially having been occupied by Mr. & Mrs. Cox without planning permission.

When retrospective permission was refused, there was a Public Enquiry and the result of that, quite clearly states that "when the land ceases to be occupied by those named" (i.e. Mr. & Mrs. Cox) all activities should cease and all structures and caravans should be removed.

In NO way was any other "Traveller Family" permitted to occupy the site as requested in this latest application. Mrs. Cox (and any resident DEPENDENTS, of which there are none) was the named resident only, once Mr. Cox had left.

I am totally opposed to PERMANENT permission being granted on this site for Mrs Cox

and certainly NOT for Page 292 traveller family - the site being within the AONB and as such should not even be there.

Cheltenham Borough Council has been generous in allowing Mrs. Cox Temporary residency permission, more especially because the original occupation was based on the fact that it was land for the keeping and breeding of horses - the name of the property being "Castle Dream STUD"

There has been no breeding of horses or the grazing of them, during the past 3 years, so even Mrs. Cox's occupancy is flawed.

I would urge you, please to REFUSE this application for a traveller family to have permanent residency on this site, which could have serious implications for the AONB and the neighbourhood. However I would be satisfied if Mrs. Cox ONLY were to be granted permission for a further 3 years on a TEMPORARY basis, by which time the J.C.S., in relation to Traveller sites would be in operation.

I sincerely hope you will consider my views when making your decision, and thank you for the opportunity to state them.

Yours faithfully,



APPLICATION NO: 17/00129/FUL		OFFICER: Mrs Emma Pickernell	
DATE REGISTERED: 24th January 2017		DATE OF EXPIRY : 21st March 2017	
WARD: Battledown		PARISH: CHARLK	
APPLICANT:	Ms Jamima Cox		
LOCATION:	Castle Dream Stud Mill Lane Charlton Kings		
PROPOSAL:	Change of use of land for the permanent residential occupation by a traveller family, provision of day room, retention of hardstanding, access, fencing, stables and use of associated land for keeping of horses.		

ADDITIONAL REPRESENTATIONS

54 King William Drive
Cheltenham
Gloucestershire
GL53 7RP

Comments: 18th April 2017

I was very disappointed indeed to find out that Castle Dream Stud has been recommended for permanent permission despite the Borough's efforts so far to maintain the sensible, humane 2011 Appeal decision. This safeguarded Cheltenham's precious AONB while allowing the Cox family temporary conditioned permission but not rewarding them for illegally occupying the site.

This choice to recommend full permission seems to me to be in desperation as the result of CBC not being able to find alternative sites of less value.

I note from Cheltenham Plan (Part 1) Preferred Options that the Borough-owned Arle Nurseries are included indicatively for development. As I understand it, it is being considered for allocation by the JCS with consequent removal from the Green Belt, thus removing the bar on gypsy sites in the Green Belt.

The Arle development could be PLANNED to include the 3 permanent sites following the NPPF requirement for all development to be plan-led.

Surely this would be better planning practice than acting out of expedience, forgetting Cheltenham's CRoW obligations and making a nonsense of previous careful decisions on the Mill Lane land.

23 Ham Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NP

Comments: 18th April 2017

I object to the request for permanent permission to be granted for this gypsy site.

Temporary permission & existing conditions could still be granted & therefore the current family have a home & there is no further damage to the AONB. In addition, I understand that the Borough does not find this site suitable for any form of development.

Hamfield House
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NG

Comments: 18th April 2017

I am contacting you as a member of Cheltenham Borough Council Planning Committee in connection with the above application. I understand that this is on the agenda for the 20 April meeting and that Council Officers are recommending permission, although this is not yet public (so I have not seen it).

I attach a copy of my letter of objection to this application (which you should have been made available to you).

The site has hitherto had temporary permission for use by a named traveller family. The present application is for this to be made permanent residential application by any traveller family. This should not be permitted because of:

- It is in the Cotswolds AONB. To do so would be against government policy and would create a dangerous precedent.
- There has already been damage to the AONB, for example from planting of a suburban nature.
- Residential permission would not be given for normal residential use. It is current government policy that without clear evidence of mobility traveller families should not be given different treatment. There is no such evidence of mobility in the present case.
- There have been no horses kept on the site for some years.

While there may be a requirement as part of the JCS for Cheltenham Borough to provide a small number of gypsy and traveller sites, the AONB is not the place to put them. There are however alternative locations within the Borough. For example, Cheltenham Plan Part 1 includes the Borough-owned site at Arle Nurseries in west Cheltenham as an area for development. It is part of a wider area recommended by the JCS for removal from the Green Belt, thus removing the bar on gypsy sites in the Green Belt. As part of the next phase of the Cheltenham Plan, the Arle development could include the planned allocation of the permanent gypsy sites required.

Surely this would be a better outcome than awarding permanent status to a site in the AONB? Meanwhile, a further 3 year temporary permission, on the same terms, could be given at Castle Dream Stud.

I am copying this to planning officers.

Ham Stud
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6ND

Comments: 18th April 2017

I feel that any changes to the previous conditions imposed for this site for temporary planning permission, granted in 2013, would be detrimental to the AONB.

Page 295

Clause 1 of this temporary planning was granted for Mrs Cox and her resident dependants only, and I feel this should remain in place.

As there have been no horses grazing this site for the last 3 years there does not appear to be any need for the stable building to remain.

This new application for permanent occupation should be refused, and the previous conditions enforced, in the event of the current temporary permission being granted again

2 The Orchards
Glenfall Way
Charlton Kings
Cheltenham
Gloucestershire
GL52 6BJ

Comments: 18th April 2017

I understand that the Case Officer for the Mill Lane AONB site has recommended permanent permission for the Castle Stud gypsy site (just down from Glenfall House) and I believe this is to be heard at the Committee meeting this Thursday 20th April.

I'm appealing to you to continue the temporary permission this family has on this site. I can not understand why this needs to change? The JCS Inspector doesn't find this site suitable for any sort of development and the current Cheltenham Plan Part 1 does not propose any developments within the AONB and repeats the SALA assessment of the site as 'not to be deliverable or achievable'.

Please stop people from trying to ruin our Areas of Outstanding Natural Beauty, they are supposed to be protected and have been designated for a reason. It seems in Cheltenham people don't care about this designation and will try their luck at building anything on them, and sometimes the council allow this to go through! This can not happen, and the Council needs to be setting a precedent on protecting land in the AONB going forward.

We hope you hear and agree with our suggested way forward. We will watch in anticipation.

4 Carisbrooke Drive
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YA

Comments: 18th April 2017

I would like to add my voice to those objecting to the recommendation that the Castle Stud Gypsy site in Mill Lane, Charlton Kings, Cheltenham be granted permanent permission to exist there. My opinion is that the permission should remain as temporary, allowing the family to continue living there for the time being, but not having a harmful impact on the AONB of this area. Since Cheltenham Borough's Strategic Assessment of Land Availability does not find this site suitable for any form of development. To change the permission from temporary to permanent is likely to set a dangerous precedent for development within the AONB, already in a fragile state because of the continuing unwelcome applications by builders to build houses nearby.

1 Ham Close
Charlton Kings
Cheltenham
GL52 6NP

Comments: 18th April 2017

I would draw attention to the application to make permanent the development of Castle Stud (Gypsy site) Mill Lane, Charlton Kings. This area of Charlton Kings is on the lower slopes of the Cotswold escarpment and is a designated AONB. We have had recently other applications for development in the area. One on land opposite Ham Close which has been refused. Another adjacent to this site is pending but planning permission in the past has been refused. The Castle Stud site currently enjoys temporary status. I would urge the planning committee to retain this status, otherwise I fear once the AONB status of the area has been breached we will have applications to build everywhere on this AONB.

60 Horsefair Street
Charlton Kings
Cheltenham
Gloucestershire
GL53 8JH

Comments: 18th April 2017

Like many other people, I am concerned about making a temporary arrangement which has a negative impact on the AONB into a permanent one. This site is not suitable for permanent residential development by anyone.

The visual impact of the current temporary arrangement is negative with high fencing around the site to give privacy, wide gates, a large parking area and lots of internal fencing. The effect in the otherwise rural surroundings is very uncomfortable, and reduces the overall very positive character of Mill Lane.

However, I would be happy to support the current temporary arrangement extended for as long as the particular lady to whom it now applies requires it for herself.

Granting permission for permanent residential use here by an unspecified number of people seems likely to make the current arrangement worse in terms of more vehicles, and will open the way for residential planning applications on other packages of roadside land along Mill Lane.

APPLICATION NO: 17/00149/FUL	OFFICER: Mr Gary Dickens
DATE REGISTERED: 3rd February 2017	DATE OF EXPIRY: 31st March 2017
WARD: Park	PARISH:
APPLICANT: Mrs C Baglow	
AGENT:	
LOCATION: 22 Dagmar Road, Cheltenham, Gloucestershire	
PROPOSAL: Two storey rear extension (revised scheme following recently approved application ref: 16/02141/FUL)	

RECOMMENDATION: Refuse



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application relates to 22 Dagmar Road. The site is a two storey mid terraced dwelling located on a residential road in the central conservation area.
- 1.2 The application proposes a two storey rear extension. The proposed extension will extend the full width of the existing property and will be brick built with a render finish and flat roof. This is a revised scheme to a previously approved application (ref: 16/02141/FUL).
- 1.3 The application is before the planning committee at the request of Cllr Tim Harman on behalf of the applicant. Members will visit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area
Non Contact Residents Association

Relevant Planning History:

16/01916/PREAPP 4th November 2016 ALLOC
Two storey rear extension

16/02141/FUL 20th January 2017 PER
Two storey rear extension

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development
CP 4 Safe and sustainable living
CP 7 Design

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)
Central conservation area: Tivoli Character Area and Management Plan (July 2008)

National Guidance

National Planning Policy Framework
Planning (Listed Buildings and Conservation Areas) Act 1990

4. CONSULTATIONS

None.

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 Four letters were sent to neighbouring properties and a site notice was published, together with an advert in the Gloucestershire Echo. One response was received objecting to the proposal.
- 5.2 All representations have been circulated in full to Members but, in brief, the main objections relate to:
- Unacceptable level of overbearing and loss of daylight to habitable rooms and garden space.
 - The proposal not in character with the surrounding area.

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The main issues in considering this application are the design of the proposal and the impact it will have upon the character of the original dwelling, the impact upon the character of the area and the impact on neighbouring amenity.

6.3 The site and its context

6.4 The site is located on the eastern side of Dagmar Road and is within the Tivoli character area of the central conservation area. The applicant had a recently approved application for a part two storey rear extension and this revised scheme has seen the proposed width of the first floor element increased and the overall depth reduced.

6.5 Design and layout

6.6 Local Plan Policy CP7 requires development to be of a high standard of architectural design and to complement and respect neighbouring development. Paragraph 4.18 of the Local Plan advises that *'Extensions to existing buildings need to be carefully designed to respect the character and scale of the existing building or group of buildings....The most important consideration is that an extension should not detract from the original.'*

6.7 Expanding upon this, the Authority has adopted design guidance relating to residential alterations and extensions through a Supplementary Planning Document (SPD). One of the five basic design principles set out within this document relates to subservience. Here the document advises that *"an extension should not dominate or detract from the original building, but play a supporting role"*.

6.8 The current application, which was subject to a pre-application, proposes a two storey extension which will extend beyond the rear elevation of the property by approximately 4.1m and would measure the full width of the property.

6.9 Although the proposed materials and elements of the design will match the existing, the extension fails to achieve the desired level of subservience to the parent dwelling. The excessive width of the proposal would dominate the property to an unacceptable level and would fail to retain the character of the original dwelling. The extension detracts from the original building resulting in an addition that is out of keeping with the scale and design of the dwelling and which is harmful to its original character and appearance.

6.10 The proposal fails to follow the advice within the SPD (as referenced in 6.7 above) relating to subservience. The result is that the extension detracts from the original dwelling and causes harm to its architectural integrity.

- 6.11** The Planning (Listed Buildings and Conservation Areas) Act 1990 states how special attention is to be made to the preserving or enhancing the character or appearance of a conservation area. The National Planning Policy Framework (NPPF) also contains a section relating to 'conserving and enhancing the historic environment'. The extension would be confined to the rear and not visible from the road side, therefore the impact on the conservation area would be limited. However, with the stated points in 6.9 and 6.10 above in mind, an extension of this width is not considered to preserve or enhance the area.
- 6.12** A more traditional form of development to the rear of these property types and in this area would be a two storey rear wing, which the previously approved application proposed. The approved scheme was more sympathetic to the existing building and its surroundings, and although a mono pitch roof would have been preferred, a flat roof with parapet was considered acceptable.
- 6.13** In light of the points raised above, the proposed development conflicts with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and is contrary to policy CP7 of the Local Plan, and advice contained within the NPPF and SPD.
- 6.14** It is officer's opinion that the recently approved application for a part two storey rear extension is the extent to which this property can realistically be extended. Any further increase would start to compromise the original dwelling beyond an acceptable level.
- 6.15 Impact on neighbouring property**
- 6.16** Local Plan Policy CP4 (a) refers to development not causing "*unacceptable harm to the amenity of adjoining land users....*". The potential loss of sunlight and or/daylight, loss of outlook and loss of privacy is taken into account when assessing the impact on the amenity.
- 6.17** The Supplementary Planning Document also includes maintaining privacy and ensuring adequate daylight as two of the five basic design principles when contemplating residential alterations and extensions.
- 6.18** One letter of objection has been received from the neighbouring property (number 20 Dagmar Road) and the main concerns raised are noted in 5.2 above. The comments relating to the design have been discussed in detail under the '*Design and Layout*' section above.
- 6.19** With regards to the impact on light levels, it is noted that a single storey extension currently exists to the rear of number 20 (and also number 24) which runs along the boundary with the application site. The proposed two storey rear extension would not extend beyond these extensions. Had these extensions not been in situ then it is likely light levels to ground floor rooms to the rear would be affected.
- 6.20** It is acknowledged that the proposal will be visible from number 20 Dagmar Road and there will be an impact on this property and number 24. However, officers do not consider this to have an unacceptable level of overbearing or loss of light which would be significant enough to warrant refusal of the application. There are no issues with regards to loss of privacy or overlooking.
- 6.21** Taking all of the above into account, the proposal is considered to be in accordance with Local Plan Policy CP4 and advice provided with the Supplementary Planning Document.

7. CONCLUSION AND RECOMMENDATION

- 7.1 To conclude, it is felt the proposed extension fails to comply with Local Plan Policy CP7 and the advice provided within the Supplementary Planning Document: Residential Alterations and Extensions.
- 7.2 It is recommended that members resolve to refuse planning permission based on the analysis set out within this report and for the reasons set out below. The proposal fails to achieve the desired level of subservience and neither preserves or enhances the conservation area.

8. REFUSAL REASONS

- 1 The proposed extension is considered unacceptable by virtue of its scale and mass. The extension would harm the balance and visual integrity of the original building, failing to respect the character of the existing building within its wider locality. The proposal spans the full width of the original building resulting in an extension that would dominate the property to an unacceptable level and thereby fail to achieve the desired level of subservience set out within the Council's adopted Supplementary Planning Document: Residential Alterations and Extensions (February 2008).

Accordingly, the proposal is contrary to policy CP7 of the Cheltenham Borough Local Plan (Adopted 2006), advice contained within the Council's adopted SPD 'Residential Alterations and Extensions' and guidance set out within the NPPF.

APPLICATION NO: 17/00149/FUL		OFFICER: Mr Gary Dickens	
DATE REGISTERED: 3rd February 2017		DATE OF EXPIRY : 31st March 2017	
WARD: Park		PARISH:	
APPLICANT:	Mrs C Baglow		
LOCATION:	22 Dagmar Road, Cheltenham		
PROPOSAL:	Two storey rear extension (revised scheme following recently approved application ref: 16/02141/FUL)		

REPRESENTATIONS

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

20 Dagmar Road
Cheltenham
Gloucestershire
GL50 2UG

Comments: 23rd February 2017

Thank you for your correspondence, dated 3rd February 2017.

I would like to make you aware of a number of strong objections that I have with regard to the proposed development of 22 Dagmar Road, application number referenced above. As an immediate neighbour to the site, I am of the view that the proposed development will have a serious impact on my standard of living. My specific objections are as follows:

Local Plan Policy CP4 requires development to protect the existing amenity of neighbouring land users

The proposed size and proximity of the 2-storey development is such that it would have an oppressive and visually overbearing impact and lead to an impression of enclosure. It would, therefore, have an adverse impact on the primary amenity area of my garden, a terrace with seating, and because of its size and siting it would cut out natural sunlight to an unacceptable degree. Furthermore, the level of natural daylight would be substantially reduced, resulting in the habitable rooms of my property to have a reduced right to light.

Policy CP7 requires development to be of a high standard of architectural design to complement and respect neighbouring development

The proposed development does not respect local context and street pattern and particularly, the scale and proportions of surrounding buildings, and would be entirely out of the character of the area, to the detriment of the local environment.

Party wall survey and environmental considerations

I can see no evidence that a party wall surveyor has been appointed to carry out a full survey into the environmental considerations of this proposed development, including drainage and structural changes.

I would also like to request that, should the application be approved, firstly, that the council consider using its powers to enforce controlled hours of operation and other restrictions that might make the duration of the works more bearable. The proposed site of development is very small and contained, with no side access, so I would ask that consideration be made about how and where construction vehicles and staff would gain access to the site for unloading and parking without causing a highway hazard or inconveniencing neighbours. Secondly, that I be kept informed of any developments throughout the application process.

I do hope that you take my objections into consideration when deciding this planning application. I would also welcome the opportunity for you, or one of your representatives, to visit my property in person to allow me to illustrate my objections first hand.

1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site comprises a parcel of land adjacent to a terrace of properties which front Gloucester Road, opposite Cheltenham Spa Railway Station, within St Marks ward. The existing terrace to the east contains shops and other commercial uses at ground floor, and forms part of larger Neighbourhood Shopping Centre. The terrace presents two storeys to Gloucester Road, and three to the rear which face onto a lane leading off Roman Road. The remaining boundaries are adjoined by residential properties in Roman Road and Libertus Court. Presently the application site is rough ground with no defined use. Pedestrian access is provided to the side of the site along with entrance to the existing property.
- 1.2 Planning permission was recently granted by committee, in August 2016, for the erection of 4no. dwellings on the site. The approved scheme comprises 2no. two bed semi-detached properties to the rear and, to the front, in a building facing towards Gloucester Road, 2no. two bed flats. The buildings are two storeys with pitched roofs, and predominantly faced in red brick, with access and 3no. off-street car parking spaces provided via Roman Road.
- 1.3 Prior to this, in February 2014, committee members refused planning permission for the erection of a three storey extension to the terrace comprising 6no. one bed flats. The refused scheme proposed an extension 8.6m wide and 17m deep, with the roof following through from the existing building. No off-street parking was proposed. The refusal reason was threefold; size and design, amenity, and lack of parking.
- 1.4 This application is now seeking planning permission for an alternative scheme comprising 2no. two bed semi-detached houses to the rear and, to the front, in a three storey building facing towards Gloucester Road, 6no. one bed flats. The buildings have flat roofs, and are faced in red brick and painted render, with vehicular access and 6no. off-street car parking spaces provided via Roman Road.
- 1.5 The application has been referred to committee by Cllr Coleman; the previous two applications having been determined by committee. Members will revisit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Honeybourne Line
Neighbourhood Shopping Area

Relevant Planning History:

13/02180/FUL	REFUSE	24th February 2014
Erection of three storey extension comprising 6no. flats		

16/00243/FUL	PERMIT	19th August 2016
Erection of four dwellings on land adjacent 259 Gloucester Road Cheltenham		

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development
CP 3 Sustainable environment
CP 4 Safe and sustainable living

CP 7 Design
HS 1 Housing development
TP 1 Development and highway safety

Supplementary Planning Guidance/Documents

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

National Guidance

National Planning Policy Framework

4. CONSULTATION RESPONSES

Cheltenham Civic Society

10th February 2017

This is a difficult site. We think the apartment block would be better in brick throughout. We are less happy with the semi-detached houses.

Architects Panel

6th March 2017

Design Concept - The panel had already commented on previous development proposals on this site when the principle of the development was accepted. This scheme is for a larger number of one bedroom units on the site.

Design Detail - The panel felt the scale of the front building was too large when viewed in its setting. The mono-pitched roof detailing also appears inappropriate.

The enlarged rear building plan looks like a sensible layout improvement but the elevations of this block have unattractive proportions.

Recommendation - Not supported.

5. PUBLICITY AND REPRESENTATIONS

5.1 Letters of notification were sent out to 45 neighbouring properties on receipt of the application. Further letters were sent out on receipt of the revised plans. In response to the publicity, objections have been received from 7 local residents in Roman Road and Libertus Court. The comments have been circulated in full to Members but the main concerns relate to:

- Design / not in keeping with surrounding properties
- Parking and access issues
- Loss of privacy / overbearing impact
- Adequacy of drainage

6. OFFICER COMMENTS

To follow in an update

APPLICATION NO: 17/00165/FUL		OFFICER: Miss Michelle Payne	
DATE REGISTERED: 26th January 2017		DATE OF EXPIRY : 23rd March 2017	
WARD: St Marks		PARISH:	
APPLICANT:	Homeward Properties Ltd		
LOCATION:	259 Gloucester Road, Cheltenham		
PROPOSAL:	Erection of 6no. one bedroom units within an apartment block and a pair of semi-detached two bed houses on land adjacent to 259 Gloucester Road		

REPRESENTATIONS

Number of contributors	8
Number of objections	8
Number of representations	0
Number of supporting	0

18 Roman Road
 Cheltenham
 Gloucestershire
 GL51 8AA

Comments: 3rd April 2017

We completely agree with the views of our neighbours and object to the proposed building plans. We feel that as well as infringing on our neighbours' privacy there is a strong likelihood that the menial number of car parking spaces being allocated will result in a dramatic increase in cars trying to park in Roman Road, a one way street that is already nearing full capacity. Furthermore, the amount of cars that currently park on the land behind 259 Gloucester Road will be forced to re-locate onto Roman Road, again adding to the extra traffic. As parents to very young children it is already a gamble to obtain a parking space outside or near to our property.

Safety is also a prime concern as cars already drive with considerable speed up the road and swing into the narrow lane adjacent to No.2. Visibility is poor when emerging onto Roman Road from the lane and should cars be forced to reverse it adds further risks to pedestrians.

24 Libertus Court
 Cheltenham
 Gloucestershire
 GL51 7HX

Comments: 7th February 2017

Letter attached.

10 Roman Road
 Cheltenham
 Gloucestershire
 GL51 8AA

Comments: 6th March 2017

Letter attached.

8 Roman Road
Cheltenham
Gloucestershire
GL51 8AA

Comments: 22nd February 2017

I wrote a long objection to this application only to find that when it was submitted the session had "timed-out" and what I've written has been lost.

This time I will therefore keep it short and say that I whole heartedly agree with the objections of my neighbours and those of the surrounding area which I would like the council to deem as repeated for the purposes of my objection.

The design is poor, the parking and access issues have not been solved and the building will infringe residents right to privacy. The reconfiguration of the land so that more one bedroom units is available only increases the parking issues not diminishes them. I would object to any suggestion that such a reconfiguration would lead to less cars - especially as households often have two cars and one bedroom flats do not deter couples (it simply means they will sacrifice a guest bedroom).

I am also dubious of the applicant's decision to reconfigure this land to more one bedroom flats - this wasn't a requirement of the council's approval last time nor does it address any of the council's concerns. In the absence of any other explanation it can only be that applicant is seeking to further exploit the land for maximum financial gain without due consideration to the impact on the existing residents in this area.

4 Roman Road
Cheltenham
Gloucestershire
GL51 8AA

Comments: 20th February 2017

Whilst we are keen to see the land put to residential use in an appropriate way, we object this to speculative, poorly thought-out application, particularly when a previous proposal (16/00243/FUL) for the same site has already been (narrowly) approved.

We feel that, having been given permission for properties on the site, the applicant is seeking to increase the number and density with plans that are poor in design and layout, using basic materials, and with little or no consideration on the impact for existing residents.

This is the fifth application in less than three years that has been proposed and we have been asked to comment on. A first application was submitted and withdrawn before being amended and refused. A second application was then submitted and also withdrawn, before being resubmitted and approved. This latest application has now been submitted.

Residents with little or no knowledge of the planning process have been left confused and worn out by a barrage of applications. Some people have even suggested it has been a deliberate attempt to create 'consultation fatigue' amongst residents to minimise negative comments.

We would therefore ask that the legitimate, consistent concerns previously raised by residents on the previous proposals about privacy, amenity, traffic and road safety, and refuse collection are also taken into account here.

Our principal concerns are:

- Design

- Loss of privacy and amenity
- Parking and traffic safety

* DESIGN

The slab-sided, flat roofed form of the two homes in particular is not in keeping with any surrounding property and would have an ugly, overbearing effect on Victorian properties in Roman Road.

In our opinion, the design is basic, bland and a step backwards from the more considerate pitched roofs previously proposed and permitted, which at least made some effort to incorporate the buildings into their surroundings.

LOSS OF PRIVACY AND AMENITY

The new proposals now include windows in the side of the properties looking broadly east and west. The previous approved design made efforts to only face towards Gloucester Road and into the Libertus Court car park, to avoid overlooking other properties.

There is nothing to prevent owners of the two houses replacing the proposed 'frosted' bedroom windows with plain glass, allowing them to directly look down into our home and those of our next door neighbours and in Libertus Court. This would result in substantial loss of our privacy and amenity of our property, in particular our rear bedrooms, kitchen and garden.

We believe that the design is therefore contrary to the National Planning Policy Framework that requires proposals to be designed such that they have an acceptable impact on the amenity of neighbours.

* PARKING AND TRAFFIC SAFETY

We and many other residents continue to have serious genuine concerns about the issues of parking and traffic & pedestrian safety that such a scheme would seriously exacerbate.

I would urge the planning officer and committee to visit the site in person to see quite how narrow Roman Road and the access lane is.

A number of vehicles belonging to existing residents of 259 Gloucester Road already use the area to park at the moment, all of which would be permanently displaced onto Roman Road making existing issues much worse.

No parking beat survey has been submitted with this application.

Photos, taken randomly at approximately 11.40am on a Saturday (so not weekday commuters) and submitted with the previous application, show a total of seven cars are parked on the land.

Cars park outside No.2 Roman Road (yellow line restrictions for which were recently removed without explanation) and opposite the mouth of the narrow lane. This makes it extremely difficult to turn into and exit safely with cars parked either side, and causes real visibility problems for cars entering and exiting. Residents' cars frequently get damaged.

The lane is also the main front door access of No. 2 Roman Road. If you visit the lane, you can see multiple marks along the wall where vehicles have already struggled to turn in and struck their wall or that of Station Cottages on the left-hand side.

The layout of the parking spaces in the design seems to allow inadequate space for a turning circle. This is very likely to result in vehicles having to reverse out of an unlit narrow lane blind,

across a pavement and into a busy, narrow one-way road. This is a real and genuine risk to traffic and pedestrian safety.

We believe that the lack of adequate off-street parking provision that the development would create, and the lack of consideration of displacing existing parking, is contrary to the adopted local plan policies TP1 (development and highway safety) and TP six (parking provision in development) and the advice contained in the NPPF.

Comments: 24th February 2017

Additional comment and photographs attached.

2 Roman Road
Cheltenham
Gloucestershire
GL51 8AA

Comments: 17th February 2017

As the owner of 2 Roman Road, I have enormous concerns relating to the increased application for 6 one bedroom units within an apartment block and a pair of semi-detached two bedroom houses. My concerns relate to traffic, parking, access and road safety as well as disturbance, noise and privacy. On the basis of these I object as I consider the application is unsuitable and must be refused. On previous occasions this application has been refused and I am shocked and disappointed in Cheltenham borough council that they have allowed various plans to be approved.

There is mention in the plan of the requirement for no cars of people residing in these proposed properties. I do not believe this is a basis to allow the building of properties to take place. If all properties were to be occupied there could be 20 cars accessing the property and requiring parking space. Where will the current volume of cars that are parked there be placed as well? Roman Road itself is a narrow one way high traffic road that provides parking for more than 80 properties as well as customers and employees of the shops. Roman Road is also used as daytime parking by train station commuters to avoid parking charges.

In the application it states the following:

The courtyard between the two blocks will be a shared surface and will provide parking for up to six vehicles. We would propose to allocate one space to each of the two bed houses with the remaining four spaces being available to residents and visitors on a first come first serve basis. So where would the other residents park? Presumably this would add to the load on Roman Road?

The entrance to my property is directly onto the lane that cars would use to access the proposed houses and flats. This would be a serious health and safety risk and a danger to those entering or leaving my property. It would also be a loss of amenity, noise and disturbance to my home. An increase of traffic turning off and onto the public highway to use the lane is likely to increase the risk of accidents with other vehicles and pedestrians. The proposal even affirms that the vehicular access to the site is off Roman Road. The access is narrow and sufficient space has been allowed within the site to ensure that vehicles can turn around to leave the site in a forward gear. However it does not mention the poor visibility turning into Roman Road and the main entrance to my property being blocked by additional 20 cars arriving and departing as well as any privacy being lost and the increased safety risk of those entering or leaving my property.

The proposal incorporates communal general waste and recycling storage on site within a gated area to the side of the building in a similar area to the extant approval. The gated access would be key coded to permit collection of waste and recycling by Local Authority operatives and prevent unwarranted access. However the council still need to access this area with their vehicles

with an extremely narrow lane or alternatively it is entirely reasonable to assume that the residents will place all of the waste and recycling storage at the entrance to the narrow lane on collection days.

This would equate to 8 more additional wheelie bins, 8 additional food caddies and up to 8 additional recycling boxes put out and collected on a fortnightly rotating basis. This reduces the amount of space for access as well as causing a nuisance and health and safety hazard to my property with the entrance being directly onto the lane.

With the proposed increase in height of the properties this will once again mean that all privacy for my property will be lost. In the proposal it mentions that all units will have large format windows will be used to ensure plenty of natural light enters the living and bedroom accommodation. These will overlook our properties on Roman Road and Libertus Court and in another regard lead to all privacy being lost. I also believe strongly that the new design of these properties is not in keeping with the local area at all. Flat, metal roofs are a poor and basic design that will not be in keeping with the pointed roofs that are predominant along Roman Road.

In previous years we have had extremely serious problems with drainage on Roman Road, affecting a number of properties. Would the addition of more flats and more pipes add more problems to the drainage?

I believe strongly that this application should be refused. This is the 5th application that has been submitted for this land in 3 years and the residents have repeatedly expressed their views and opinions both on the website as well as verbally to the council. Despite having previous planning approved, the applicant is once again proposing more changes to the same small space. The applicant has deliberately worn the local residents down and therefore residents are less likely to comment on this occasion due to the repeated proposals that have been submitted, refused and then more recently approved. If this application is approved I believe it would have a detrimental effect on Roman Road.

18 Libertus Court
Cheltenham
Gloucestershire
GL51 7HX

Comments: 19th February 2017

I object to the proposal on numerous grounds.

Firstly, I consider the existing approved planning is more than sufficient given the limited space.

Secondly, I have concerns regarding privacy and believe we may lose privacy given the proposed side windows and height of the building. The proposed height is inconsistent with surrounding buildings namely those in Libertus Court which will result in them being overlooked and potentially amount to a contravention of Article 8 of Human Rights Act 1998.

Thirdly, I have concerns about the impact this increased footprint would have on the drainage system. Historically there have been issues with overflowing storm drainage tanks causing harm to the nearby environment and properties.

Lastly I believe there will be a detrimental impact on parking for residents. Parking in this area is already scarce and dangerous given the narrow width of nearby roads. The plans shown do not allow for sufficient parking meaning new residents will likely encroach on existing problematic roads.

20 Libertus Court
Cheltenham
Gloucestershire
GL51 7HX

Comments: 16th February 2017

We think the new planning application 17/00165/FUL is overbearing to Libertus Court and the developer should revert back to his original planning permission 16/00243FUL.

We consider the flat roofs are not in keeping with the surrounding properties and the side windows remove any privacy to the houses in Roman Road and Libertus Court.

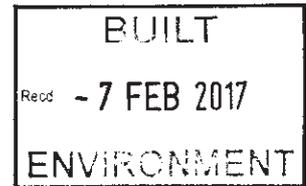
There are already a number of flats existing within 249 Gloucester Road. The proposal is for another 6 1-bedroom flats and 2 semi-detached houses, therefore we think 14/16 parking spaces may be adequate for all the flats including existing flats and houses but the proposal shows room for only 6 parking spaces.

17/00165/FUL

Page 315


24 LIBERTY COURT,
CHELTENHAM GL51 7HX

There is too much building in too small
a space.



BUILPage 316' ROMAN ROAD.
Recd - 6 MAR 2017 C HELTENHAM.
ENVIRONMENT ELOS,

Ref 17/00165/FUL

Just like to say I can't believe this
as been put forward.

There are ten cars parked in the car park
which shouldn't be there anyway since on
the deeds.

The road to our back entrance is in
bad repair. Some one blocked off our back
entrance with rubbish and a mattress.

6 units to semi detached buildings so
at least another 10 cars plus the ten already
in the car park so that's 20 cars extra
on our road which is over crowded anyway
I know what it like to park because
I have to park 10 mins away from my house
everyday.

2.

I'm sure people Page 317 want to do this
would not like to do this themselves
So please tell me where 20 cars are
going in Roman Rd & Glas Rd
Thiers. an old saying you can't
get 2 pints in a pint pot.

[REDACTED]

o

[REDACTED]

3.3.17-

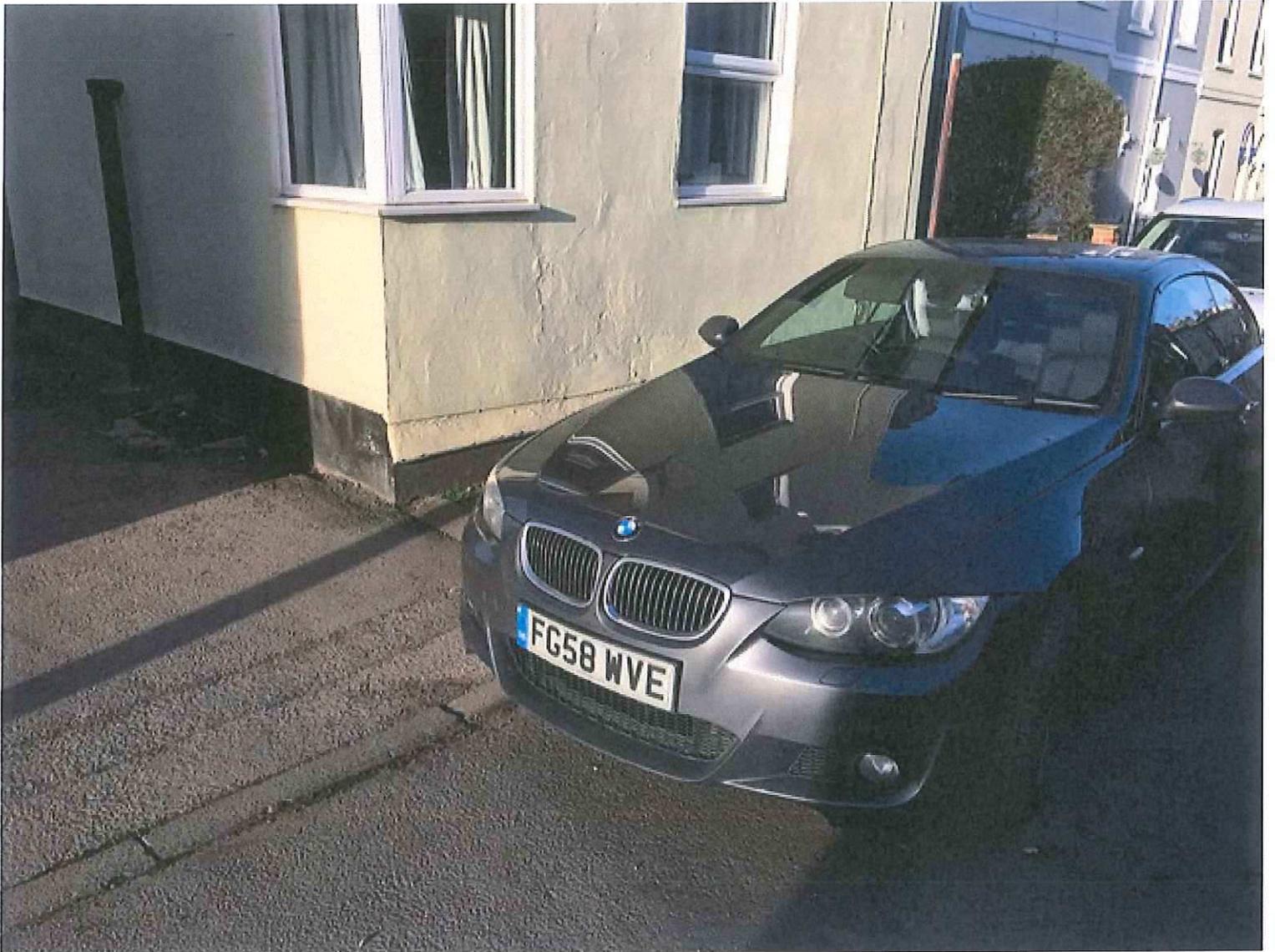
Page 318

Please see the enclosed photos as an example of parking at the junction of Roman Road and the narrow lane leading to the applicant's site.

These photos were taken today, Friday 24 February at approximately 08:40. As vehicles are coming from right of photo, they are physically unable to turn right into the lane. Equally it is problematic for a vehicle of any size to exit the lane.

This illustrates the pressure on parking in the road, as well as the likely highway safety issues the development would severely exacerbate.





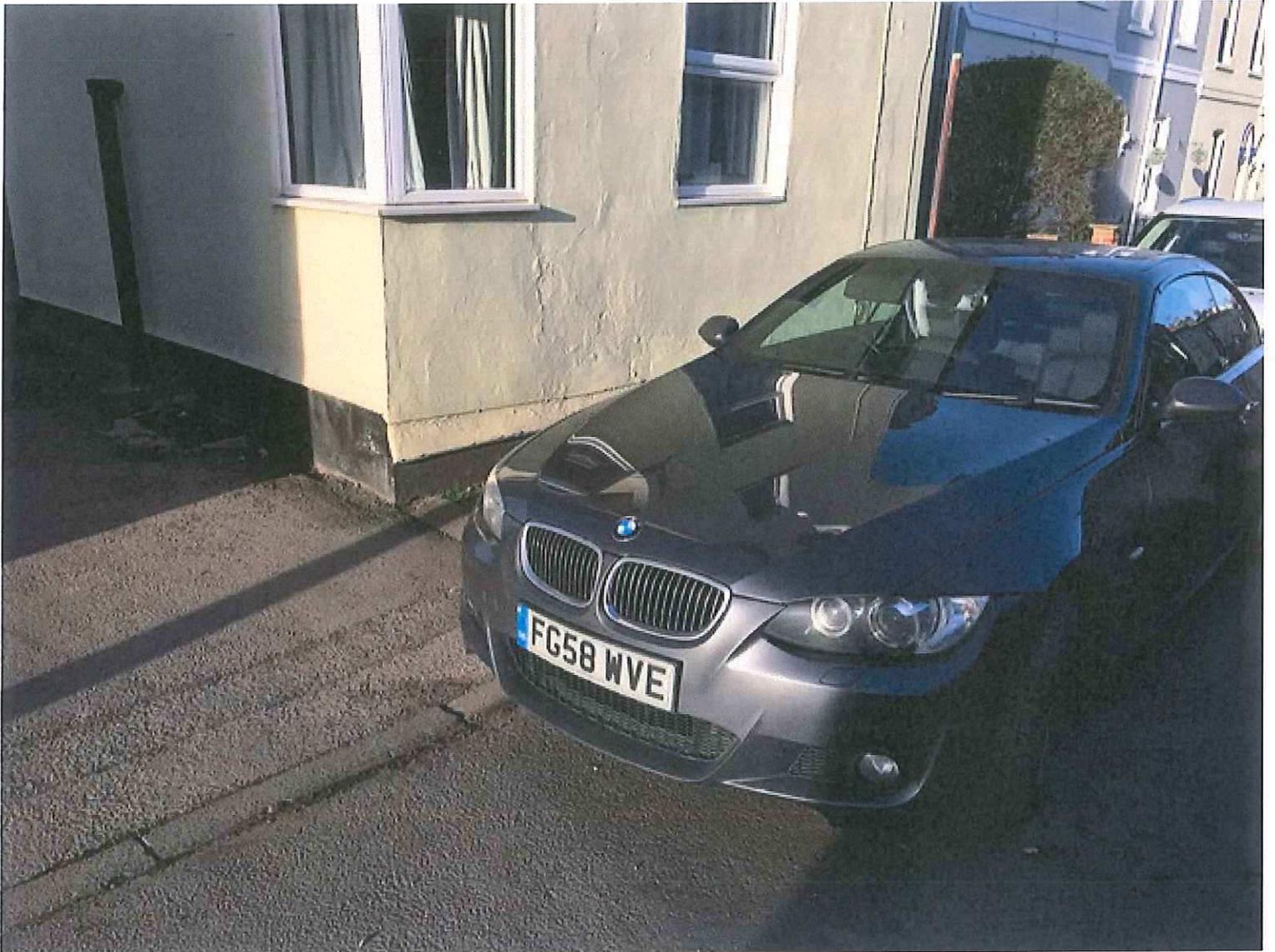
Page 321

Please see the enclosed photos as an example of parking at the junction of Roman Road and the narrow lane leading to the applicant's site.

These photos were taken today, Friday 24 February at approximately 08:40. As vehicles are coming from right of photo, they are physically unable to turn right into the lane. Equally it is problematic for a vehicle of any size to exit the lane.

This illustrates the pressure on parking in the road, as well as the likely highway safety issues the development would severely exacerbate.





APPLICATION NO: 17/00165/FUL		OFFICER: Miss Michelle Payne	
DATE REGISTERED: 26th January 2017		DATE OF EXPIRY: 23rd March 2017	
WARD: St Marks		PARISH: N/A	
APPLICANT:	Homeward Properties Ltd		
AGENT:	Coombes Everitt Architects Ltd		
LOCATION:	259 Gloucester Road, Cheltenham, Gloucestershire		
PROPOSAL:	Erection of 6no. one bedroom units within an apartment block and a pair of semi-detached two bed houses on land adjacent to 259 Gloucester Road		

Update to Officer Report

1. OFFICER COMMENTS

1.1 Determining Issues

1.1.1 The main considerations when determining this application relate to the principle of development, design and layout, impact on neighbouring amenity, and parking and highway safety.

1.2 Principle of development

1.2.1 Paragraph 49 of the NPPF advises that when determining applications for housing they “*should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites*”; as it stands, the Council is currently unable to demonstrate such a five year supply.

1.2.2 Where housing policies are not considered to be up-to-date, the NPPF is quite clear that development proposals should be approved without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF policies as a whole, or specific NPPF policies indicate that development should be restricted.

1.2.3 In this instance, the principle of developing the site for housing has been previously established by the recent grant of planning permission ref. 16/00243/FUL (see paragraph 1.2). The application site is located within the built up area of Cheltenham in a highly sustainable location and therefore the principle of developing this site for housing must remain acceptable, subject to a number of material considerations set out below.

1.3 Design and layout

1.3.1 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.

1.3.2 Further guidance is set out within the NPPF at paragraph 56 which advises that “*Good design is a key aspect of sustainable development, is indivisible from good*

planning, and should contribute positively to making places better for people". It goes on to say at paragraphs 59 and 60 that design policies "*should concentrate on guiding the overall scale, density, massing, height*" etc. and "*should not attempt to impose architectural styles or particular tastes*".

1.3.3 As the Civic Society suggests, this is a particularly difficult site to develop given the widely disparate buildings on either side, fronting Gloucester Road. Indeed, the officer report to committee in August 2016, whilst recommending that the previous scheme be permitted, advised that officers felt that there may be a better way to develop the site; this scheme is considered to be an improvement to that previously approved.

1.3.4 It is noted that local residents do not like the design approach that has been taken in this revised scheme; however, design is subjective, and following revisions to the external design details, most notably the omission of the mono-pitch roof to the apartment building, officers consider the design to be of an acceptable quality.

1.3.5 The layout provides for private amenity land for the houses to the rear, together with cycle and car parking, access and turning facilities, and refuse storage. The layout makes for an efficient use of the land and would not be at odds with the surrounding established pattern of development.

1.3.6 The proposed development is therefore considered to be in accordance with policy CP7 and the general design advice set out within the NPPF.

1.4 Impact on neighbouring amenity

1.4.1 Local plan policy CP4 advises that development which would cause unacceptable harm to the amenity of adjoining land users and the locality will not be permitted. Similarly, paragraph 17 of the NPPF states that planning decisions should always seek "*a good standard of amenity for all existing and future occupants of land and buildings.*"

1.4.2 It is acknowledged that a development of this nature would undoubtedly impact on surrounding residential properties; however, it is not considered that any impact on neighbouring amenity resulting from this proposal would be so harmful as to warrant a refusal of planning permission.

1.4.3 The scale and mass of the proposed dwellings to the rear of the site has been reduced from that previously approved. Previously, the approved dwellings had an eaves height of 5m and an overall ridge height of 7.8m; the flat roofed dwellings now proposed have a maximum height of 6.3m. The dwellings have also been designed so as to ensure that the first floor bedrooms look out over the site itself, with only obscure glazed bathroom windows and landing windows to the rear elevation, and high level windows to the side elevations.

1.4.4 Conversely, the apartment building to the front of the site has increased in size, adopting a larger footprint and incorporating an additional floor of accommodation. Despite, this increase in size it is not considered that the building would result in any significant, unacceptable impact on neighbouring amenity. The property immediately adjacent to the site, no.17 Libertus Court, has no windows in its side elevation, and the proposed building marginally passes the 45° degree daylight test. Additionally, given the orientation of the building, neighbouring properties would not be significantly affected in terms of sunlight.

1.4.5 All upper floor windows in the side elevation of the apartment building are obscurely glazed, and the rear windows look back into the site, resulting in only limited, oblique views into any neighbouring rear gardens.

1.4.6 The proposals are therefore in accordance with policy CP4 and national guidance set out within the NPPF.

1.5 Parking and highway safety

1.5.1 Local plan policy TP1 seeks to resist development which would endanger highway safety; however, paragraph 32 of the NPPF identifies that “*development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe*”.

1.5.2 Paragraph 35 of the NPPF goes on to say that developments should be located and designed to “*give priority to pedestrian and cycle movements, and have access to high quality public transport facilities*” and “*create safe and secure layout which minimise conflicts between traffic and cyclists or pedestrians*”.

1.5.3 It is noted that local residents continue to have concerns in relation to parking and highway safety, and that this proposal may result in future occupants adding to existing problems in surrounding streets. Neighbour comments suggest that these streets are already nearing capacity and are heavily parked due to the close proximity of the train station.

1.5.4 The recently approved application was accompanied by a parking survey and included 4no. off-street parking spaces to serve the 4no. two bed units, which equates to 1 space per unit or 0.5 space per bedroom; no visitors spaces were proposed. Such parking provision was considered acceptable and GCC Highways Development Management Team raised no objection, acknowledging that the site is in a highly sustainable location.

1.5.5 Additionally, UBICO confirmed that the site would be serviced by refuse vehicles which would reverse into the site. Access to the site would continue to be provided from Roman Road.

1.5.6 This application is now proposing 6no. off-street car parking spaces to serve 2no. two bed units, and 6no. one bed units, which equates to 0.75 space per unit or 0.6 space per bedroom.

1.5.7 Given the recent grant of planning permission for a scheme which proposed a very similar albeit slightly higher level of car parking, and the comments previously provided by the GCC Highways Development Management Team, this revised proposal is considered to be acceptable in terms of parking and highway safety, and accords with policy TP1 and advice contained in the NPPF. Members will be aware that currently there are not any local car parking standards for Gloucestershire.

2. CONCLUSION AND RECOMMENDATION

2.1 Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

- 2.2 The proposal would provide for 8no. additional dwellings within a highly sustainable location, and would make a positive, if limited, contribution to the supply of housing in the Borough. Additionally, the proposal would also bring about economic benefits through the construction process and from the occupation of the proposed dwellings.
- 2.3 Officers are mindful of the need to consider the NPPF advice on the presumption in favour of sustainable development and the implications of not being able to demonstrate a 5 year supply of housing as set out at paragraphs 1.2.1 and 1.2.2 above.
- 2.4 In considering the planning balance with regard to economic, social and environmental matters, officers are of the view that the planning balance is firmly in favour of the proposal and the application is therefore recommended for permission, subject to the conditions set out below:

3. CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

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

- 3 No development shall commence on site unless a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority.

The Management Plan shall:

- a) specify the type of vehicles used during construction
- b) provide for the parking of vehicles of site operatives and visitors
- c) provide for the loading and unloading of plant and materials
- d) provide for the storage of plant and materials used in constructing the development
- e) provide for wheel washing facilities; and
- f) specify the access points to be used and maintained during the construction phase.

The development shall not be carried out unless in accordance with the details so approved.

Reason: In the interests of highway safety and visual amenity and having regard to Policies TP1 and CP4 of the Cheltenham Borough Local Plan (adopted 2006). This information is required up front because highway safety could otherwise be compromised at the beginning of construction.

- 4 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).

- 5 Prior to the implementation of any landscaping, 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; details of the hard surface treatment of open parts of the site which shall be permeable or drained to a permeable area; 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.

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).

- 6 The development hereby permitted shall not be occupied until the parking and turning areas have been provided in accordance with the approved plans. Such areas shall not be used for any purpose other than the parking and turning of vehicles and shall remain free of obstruction for such use at all times.

Reason: To ensure adequate provision and availability of car parking within the site, having regard to Policy TP1 of the Cheltenham Borough Local Plan (adopted 2006).

- 7 The development hereby permitted shall not be occupied unless secure, covered cycle storage has been constructed in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The cycle storage shall at all times be retained in accordance with the approved details.

Reason: To ensure adequate provision and availability of cycle parking facilities, having regard to Policy TP6 of the Cheltenham Borough Local Plan (adopted 2006).

- 8 The development hereby permitted shall not be occupied until refuse and recycling storage facilities have been provided in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. Such areas shall not be used for any purpose other than the storage of refuse and recycling and shall remain free of obstruction for such use at all times.

Reason: To ensure adequate provision of refuse storage, having regard to Policy W36 of the Gloucestershire Waste Local Plan.

- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and/or re-enacting that order), all windows annotated on the approved plans as being obscured 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 Policy CP4 of the Cheltenham Borough Local Plan (adopted 2006).

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and/or re-enacting that order with or

without modification), no extensions, garages, sheds, outbuildings, walls, fences or other built structures of any kind (other than those forming part of the development hereby permitted) shall be erected without express planning permission.

Reason: Any further extension or alteration requires further consideration to safeguard the amenities of the area, having regard to Policies CP4 and CP7 of the Cheltenham Borough Local Plan (adopted 2006).

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and/or re-enacting that order with or without modification), no additional windows, doors and openings shall be formed in the development without express planning permission.

Reason: Any further openings require detailed consideration to safeguard the privacy of adjacent properties, having regard to Policy CP4 of the Cheltenham Borough Local Plan (adopted 2006).

INFORMATIVE

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

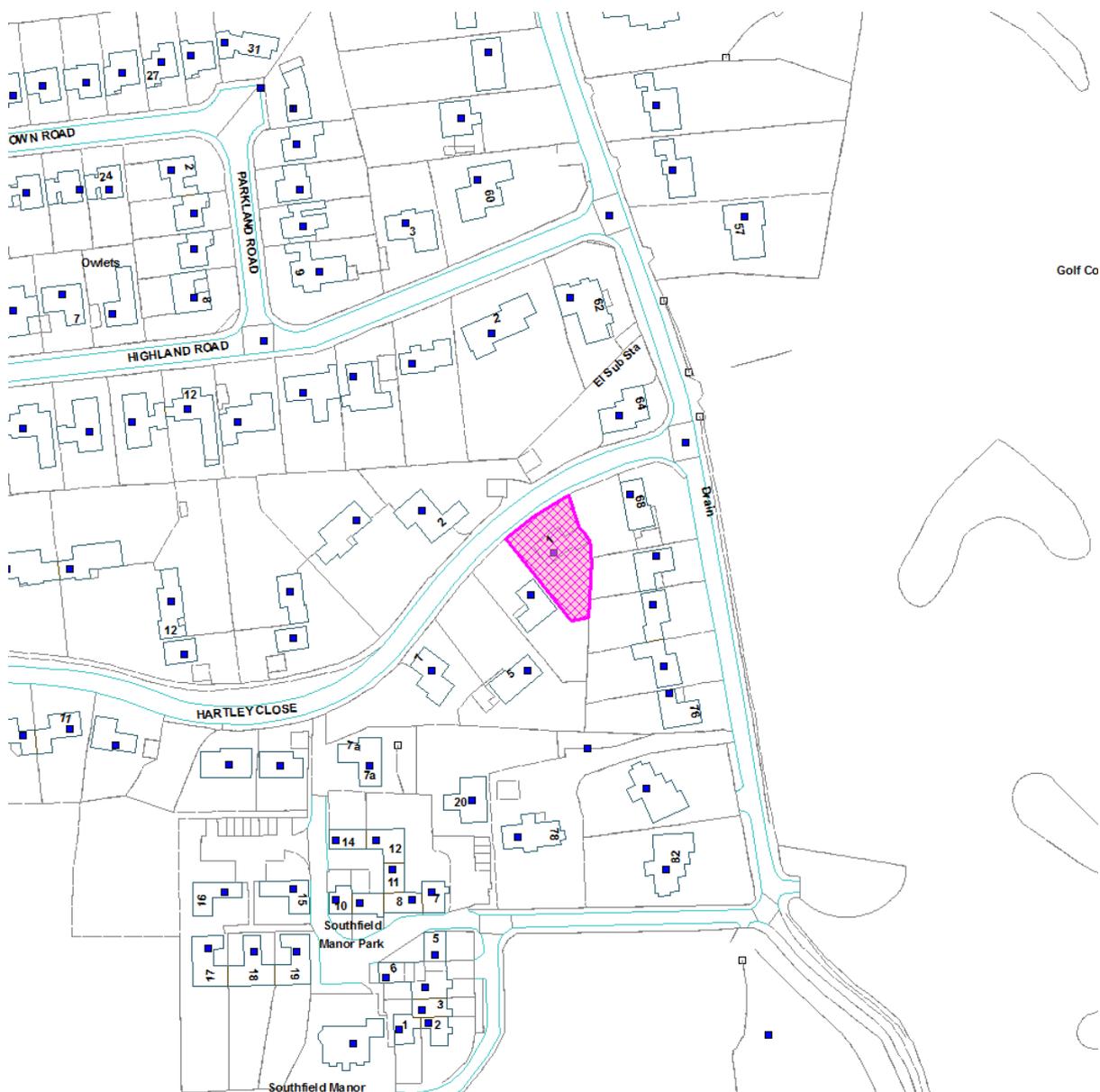
At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in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

In this instance, the authority sought revisions to the external design to secure a more satisfactory form of development.

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

APPLICATION NO: 17/00218/FUL		OFFICER: Miss Chloe Smart
DATE REGISTERED: 2nd February 2017		DATE OF EXPIRY: 30th March 2017
WARD: Charlton Park		PARISH:
APPLICANT:	Mr & Mrs R & A Phillips	
AGENT:	VJM Design House Ltd	
LOCATION:	1 Hartley Close, Cheltenham, Gloucestershire	
PROPOSAL:	Proposed two storey side, single storey rear & single storey front extensions	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application proposes the erection of a two storey side extension and single storey additions to the front and rear of the property.
- 1.2 The application is brought to committee because a senior member of staff lives in close proximity to the application site.
- 1.3 Members will visit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Smoke Control Order

Relevant Planning History: None

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)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Gloucestershire Centre For Environmental Records

17th February 2017

Report available to view on line.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	8
Total comments received	1
Number of objections	1
Number of supporting	0
General comment	0

- 5.1 Letters were sent to 8 neighbouring properties. In response to this publicity, one representation has been received. The main concern from this letter relates to a potential loss of privacy.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.1.1** The key considerations when assessing this application relate to the design of the proposed extension and its potential impact on neighbouring amenity.

6.2 Design and layout

- 6.2.1** Local plan policy CP7 requires development to be of a high standard of design that complements and respects neighbouring development. This policy is supported by adopted Supplementary Planning advice in relation to residential alterations and extensions.
- 6.2.2** When assessed against the requirements of local policy, the design of the proposal is entirely appropriate. The first floor element of the scheme is suitably set back from the front of the property which enables the ridge height to be reduced, thereby ensuring that the proposal achieves an appropriate level of subservience to the parent dwelling.
- 6.2.3** The lean-to extensions to the front and rear of the property are also considered to be appropriate additions to the building.
- 6.2.4** The proposal is fully compliant with local plan policy in respect of design.

6.3 Impact on neighbouring property

- 6.3.1** Local plan policy CP4 requires development to safeguard neighbouring amenity. As originally submitted, the layout of the first floor extension gave cause for concern due to the proximity of a first floor bedroom window to a shared boundary. Revisions were subsequently requested to reconfigure the internal accommodation, ensuring that the rear facing window changed to an en-suite bathroom. This change was also suggested in the neighbouring representation and represents a common-sense alteration to the scheme.
- 6.3.2** The representation also refers to a landscaping scheme to soften the impact of the extension. This is not considered to be necessary for the scheme to be supported. Now that the first floor window is to be glazed with obscure glass, there is no concern in relation to loss of privacy. Furthermore, the proposal will not constitute an overbearing form of development. In its revised form, the proposal is entirely compliant with local plan policy CP4 and does not need to be hidden or screened from neighbouring properties; the level of impact simply does not justify it.

7. CONCLUSION AND RECOMMENDATION

- 7.1** The proposal complies with the requirements of policies CP4 and CP7 and is 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.

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- 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 All external facing and roofing materials shall match those of the existing building unless otherwise first agreed in writing by the Local Planning Authority.
Reason: In the interests of the character and appearance of the area, having regard to Policies CP3 and CP7 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, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.

APPLICATION NO: 17/00218/FUL		OFFICER: Miss Chloe Smart	
DATE REGISTERED: 2nd February 2017		DATE OF EXPIRY : 30th March 2017	
WARD: Charlton Park		PARISH:	
APPLICANT:	Mr & Mrs R & A Phillips		
LOCATION:	1 Hartley Close, Cheltenham		
PROPOSAL:	Proposed two storey side, single storey rear & single storey front extensions		

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: 10th March 2017

We live in the property to the rear No.70 Sandy Lane, that the bedroom of the new proposed extension would look towards. As the extension projects to the east of the existing building, this increases the number of windows that overlook our property and brings view from the first floor windows closer to our rear garden and outdoor private amenity space to the rear of the property. As the first floor element of the extension also projects to the rear - it would also bring it closer to our property, increasing this impact.

There is currently a mature evergreen hedge between the two that provides screening - which will significantly mitigate any overlooking. However, this hedge / shrub is in the garden of No. 68 Sandy Lane, not the application site. It would therefore not be possible to control the future of this natural screen. If it were to be removed / die or lopped the overlooking when then become significantly worse and neither us or the applicant would have any control over this.

There appears to be a simply solution that would overcome our objection - that would be by reversing the first floor room layout and therefore having the bedroom window looking towards the street and the bathroom window (that would be obscure glass) facing the rear and towards our garden, private outdoor living area and ground floor windows.

We would also propose a landscaping / screening proposal along the boundary, that would increase the screen between the properties - as this would soften the appearance of the development and further mitigate any sense of overlooking and domination. If this could be agreed for some semi-mature trees / shrubs it would be highly desirable. This could possibly controlled by condition to avoid delay to the scheme progressing.

If these amendments were made we would be happy to support the application. This would hopefully not cause any loss of enjoyment / value to the applicant in undertaking the scheme.

APPLICATION NO: 17/00218/FUL	OFFICER: Miss Chloe Smart
DATE REGISTERED: 2nd February 2017	DATE OF EXPIRY : 30th March 2017
WARD: Charlton Park	PARISH:
APPLICANT:	Mr & Mrs R & A Phillips
LOCATION:	1 Hartley Close, Cheltenham, Gloucestershire
PROPOSAL:	Proposed two storey side, single storey rear & single storey front extensions

ADDITIONAL REPRESENTATION

70 Sandy Lane
Charlton Kings
Cheltenham
Gloucestershire
GL53 9DH

Comments: 12th April 2017

We previously made representations regarding two matters 1) a potential loss of privacy and 2) potential visual impact of the first floor rear project part of the extension in relation to the existing screening. We are pleased to see that amended plans have been received in relation to point 1) that addresses this - swapping the location of the bedroom and ensuite bathroom, so the rear first floor window would be obscure. We would like to thank the applicant for taking this on board.

In relation to point 2, we raised concern regarding the potential visual impact of the first floor rear projecting element of the proposed extension. This would project closer to our property than any part of the existing first floor area, resulting in a minimum gap of only 15m between the rear of both properties (using measurements from application location plan). There are currently two large mature evergreen trees, that are neatly shaped, which form a very effective screen between the proposed location of the two storey extension and the private amenity area and windows serving habitable rooms to the rear of our house. These mature and attractive trees significantly reduce the visual impact of the proposed extension, that would otherwise appear rather dominant and overbearing when viewed from the rear of No. 70 Sandy Lane. This would be in conflict with the council's design guidance and Local Plan Policy CP7 requiring proposals to respect neighbouring amenity and space between properties.

Unfortunately, these mature trees that create the visual screen are not either in our garden or the application site. They are in the garden of the adjacent property No.68 Sandy Lane. Thus, there is no control over their retention, maintenance or future replacement. If the long term retention of these trees cannot be secured by condition and no adequate additional mature screening be provided (similar to the visual protection afforded by the screening in No. 68's garden) within the application site, we would ask that a further amendment be made to reduce the potential visual impact.

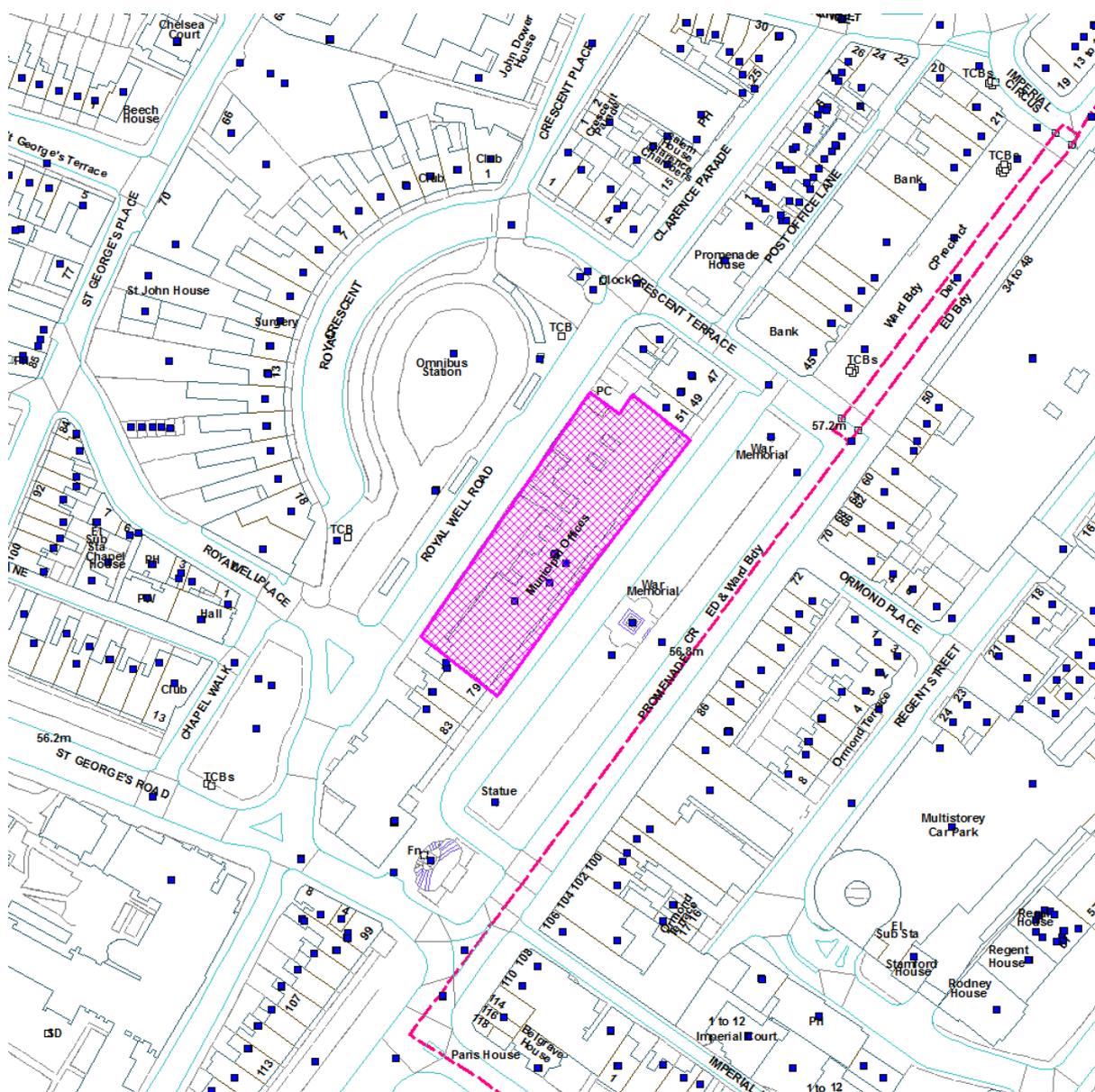
We suggest that this could be achieved by removing the rear projecting first floor element and pushing the two storey element forward to be in line with the main building line of the front and rear of the existing house; resulting in a two storey side extension with no set

back. This would result in a similar internal floorspace for the bedroom and en-suite facilities. It would also result in a more cost effective design, with no need for additional supporting beams and small single storey pitches. It would be compliant with the council's adopted design guidance for two storey extensions as there is a considerable open space to the east of the application site, there is no established building line or potential terracing effect. It would also significantly reduce the potential impact on our property without reducing the floor space proposed, so a full two storey side and rear single storey extension can be achieved.

We hope this is taken as a positive representation as we are not objecting to the proposal to extend the house, just hoping to find a sensible compromise with regards to the design, when the shape of the site makes it difficult to provide additional screening. We would be happy to discuss further with the applicant to find an agreeable solution.

APPLICATION NO: 17/00268/LBC	OFFICER: Mr Adam Dyer
DATE REGISTERED: 8th February 2017	DATE OF EXPIRY: 5th April 2017
WARD: Lansdown	PARISH:
APPLICANT:	Cheltenham Borough Council
AGENT:	Cheltenham Borough Council Property Services
LOCATION:	Municipal Offices, Cheltenham Borough Council, Promenade
PROPOSAL:	Replacement of some of the fire doors in the Municipal Offices

RECOMMENDATION: Grant



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The Municipal Offices (currently the home of Cheltenham Borough Council) is part of a Grade II* listed terrace of 19 houses constructed in the early 19th century. The application seeks to remove and replace 24 mid twentieth century fire doors, painting 3 heritage fire doors and apply smoke/heat seals to bring them up to the required fire resistance standards.
- 1.2 The application is going to committee as due to the Arrangements for Handling heritage application Direction 2015, all applications for Local Authority owned heritage assets must go before planning committee for a decision.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area
Core Commercial Area
Flood Zone 2
Flood Zone 3
Listed Buildings Grade 2star
Smoke Control Order

Relevant Planning History:

None relevant to this application

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 7 Design
BE 9 Alteration of listed buildings

Supplementary Planning Guidance/Documents

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

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Historic England

27th February 2017

Thank you for your letter of 8 February 2017 regarding the above application for listed building consent. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation adviser.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

5. PUBLICITY AND REPRESENTATIONS

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

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

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The key consideration in relation to this application is the impact of the works on the listed building. 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 any features of special architectural or historic interest which it possesses.

6.3 The application seeks to carry out a number of works to the internal doors in the Municipal Offices in order to achieve the required Fire Risk rating. The work aims to reduce to a minimum the removal of existing historic material.

6.4 The proposal includes removing 24 mid twentieth century fire doors and replace with new fire doors of a similar design, with ironmongery and hinges to match existing with new smoke/heat seals. Visually, the impact of removing and replace 24 mid twentieth century fire doors will be negligible. Whilst this will not result in the reinstatement of original style doors it will not adversely impact the historic or architectural interest of the building any more than the current doors.

6.5 Furthermore, 3 historic doors will be painted with intumescent paint, and along with other modern doors smoke/heat seals will be applied to bring them up to the required fire resistance.

6.6 The application has used and referred to the detailed Historic Assessment of the Municipal Offices by Architect Design Partnership. This has clearly identified original and historic fabric, with all significant historic fabric retained.

7. CONCLUSION AND RECOMMENDATION

7.1 For the above reasons it is recommended that consent is granted.

8. CONDITIONS / INFORMATIVES

- 1 The works hereby granted shall be begun before the expiration of five years from the date of this consent.
Reason: To accord with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

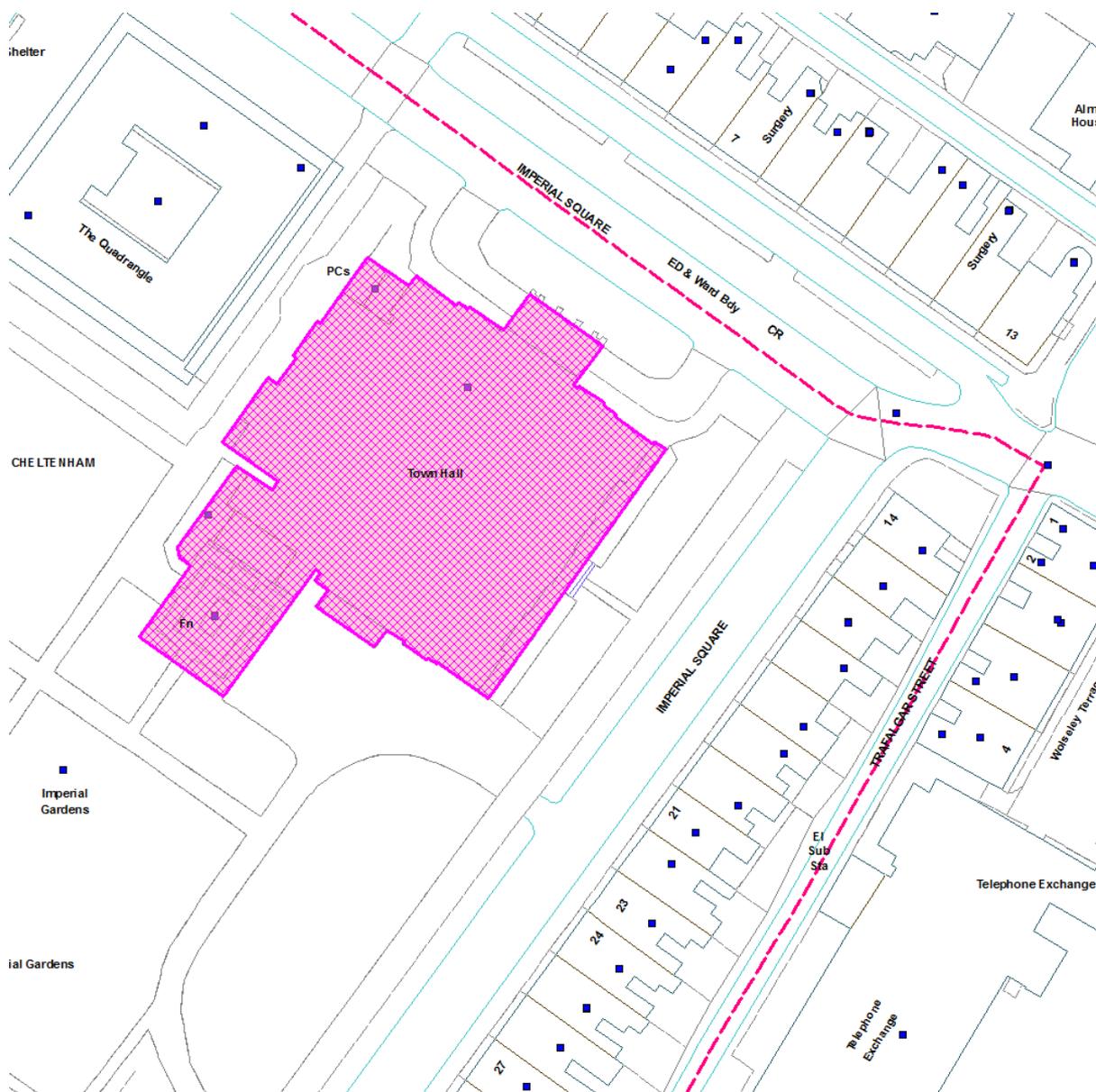
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- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.
Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 All disturbed surfaces shall be made good using materials to match the existing materials, composition, form, finish and colour of the existing building.
Reason: In the interests of the special architectural and historic qualities of the Listed Building, having regard to Policy BE9 of the Cheltenham Borough Local Plan (adopted 2006) and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Historic Environment Good Practice Advice (note 2).

APPLICATION NO: 17/00291/LBC		OFFICER: Mr Adam Dyer	
DATE REGISTERED: 9th February 2017		DATE OF EXPIRY: 6th April 2017	
WARD: Lansdown		PARISH:	
APPLICANT:	Cheltenham Borough Council		
AGENT:	n/a		
LOCATION:	Cheltenham Town Hall Imperial Square Cheltenham		
PROPOSAL:	Roof repairs		

RECOMMENDATION: Grant



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 Cheltenham Town Hall is a Grade II listed building dating from 1907 and forms a major element of Imperial Gardens. The area of the proposed work is from a later extension, thought to date from the mid twentieth century. The application seeks to recover the flat roof over the Porte-cochre, offices at the front of the property, and for the removal and renewal of skylights.
- 1.2 The application is going to committee as due to the Arrangements for Handling heritage application Direction 2015, all applications for Local Authority owned heritage assets must go before planning committee for a decision.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area
Core Commercial Area
Flood Zone 2
Listed Buildings Grade 2
Smoke Control Order

Relevant Planning History:

None relevant to this application

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 7 Design
BE 9 Alteration of listed buildings

Supplementary Planning Guidance/Documents

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

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Historic England

16th March 2017

Thank you for your letter of 6 March 2017 regarding the above application for listed building consent. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation adviser.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

5. PUBLICITY AND REPRESENTATIONS

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

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

7. OFFICER COMMENTS

7.1 Determining Issues

7.2 The key consideration in relation to this application is the impact of the works on the listed building. 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 any features of special architectural or historic interest which it possesses.

7.3 The application is for recovering of flat roofs to the front of the property over offices and Porte-cochere and for the removal and/or renewal of skylights.

7.4 The current roof materials are in a poor condition and in urgent need of replacement due to causing major leaks within the building. The works would replace the existing roof materials on a like for like basis and propose to colour match the existing asphalt. For the works, the application provides a detailed method statement on how the Bauder LiquiTEC Roof System will be applied. This is suitable and will preserve the historic and architectural interest of the building.

7.5 Whilst unseen from the ground level, the removal of roof lights is a positive step, resulting in the de-cluttering of the roof. The renewal on a like for like basis of roof lights in a poor condition will also not impact on the architectural or historic interest of the listed building.

8. CONCLUSION AND RECOMMENDATION

- 8.1 In order to ensure the building remains water tight and preserve its architectural and historic interest it is recommended that consent if granted.

9. CONDITIONS / INFORMATIVES

- 1 The works hereby granted shall be begun before the expiration of five years from the date of this consent.
Reason: To accord with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) 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 All disturbed surfaces shall be made good using materials to match the existing materials, composition, form, finish and colour of the existing building.
Reason: In the interests of the special architectural and historic qualities of the Listed Building, having regard to Policy BE9 of the Cheltenham Borough Local Plan (adopted 2006) and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Historic Environment Good Practice Advice (note 2).

1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a semi-detached bungalow located in a residential cul-de-sac on Leyson Road.
- 1.2 The applicant is seeking planning permission for a two storey side extension to provide a kitchen, bathroom and bedroom at ground floor and a bedroom, bathroom and storage area at first floor.
- 1.3 The application is at planning committee at the request of Councillor Wheeler, who would like members to consider the impact of the development on the neighbouring land user's amenity and the impact on the character of the locality.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport safeguarding over 10m

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)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Gloucestershire Centre For Environmental Records

16th March 2017

Report available to view on line.

5. PUBLICITY AND REPRESENTATIONS

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

- 5.1 5 letters were sent to neighbouring properties, one letter of objection has been received from the adjacent land user at number 22 Leyson Road. The main objections relate to:
 - Overbearing and oppressive impact
 - Scale, character and appearance
 - Loss of privacy

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The main considerations in relation to this application are the design and the impact of the proposal on neighbouring amenity.

6.3 Design

6.4 Initial concerns were raised by officers with regard to the proposal of a front dormer in the new extension. Its proposed style and form was not considered to be an appropriate addition to the existing building and would have resulted in unacceptable harm to its character. The location of the proposed dormer would also have resulted in the extension appearing as the more dominant part of the building and not appearing subservient to the existing building. Revised plans have been submitted and show the omission of the proposed front dormer and its replacement with a velux window.

6.5 The front elevation of the proposed extension would replicate a similar scale and form of other extensions recently carried out at neighbouring properties. In particular those at number 26 and number 28 Leyson Road (16/00112/FUL & 06/01455/FUL).

6.6 Whilst the description refers to the proposal as a 'Two storey side extension' it will in fact read as a single storey addition. The proposed first floor living accommodation is to the rear of the extension and is accommodated within the gable end roof form. In terms of subservience, the extension is set back from the front elevation by 1 metre and has a lower ridge height than the existing dwelling. Officers consider the proposal to sit comfortably within the plot and to read suitably as a subservient addition to the existing building.

6.7 The overall design will reflect the design and character of the existing building, with proposed materials to match the existing building which is wholly appropriate and acceptable.

6.8 Given that the proposal will read as a similar scale and form as other additions in the immediate locality it is considered that the extension will sit comfortably within the street scene and will not result in any unacceptable harm to the character of the area.

6.9 The proposal is compliant with the requirements of the local plan policy CP7 and the Supplementary Planning Document – Residential Alterations and Extensions (adopted 2008)

6.10 Impact on neighbouring property

6.11 A number of concerns have been raised by the neighbouring land user at number 22 Leyson Road with regards to overbearing and oppressive impact and a loss of privacy.

6.12 The proposal is a generous addition to the existing building; however the property sits in a relatively large plot for its size. At its closest, the single storey addition towards the front of the site is approximately 4 metres away from the shared boundary and the two storey element is approximately 10 metres away. It is the view of officers that the generous gap between the proposal and the neighbouring land user will limit the impact on the neighbour's amenity. Due to the scale of the development, its position in the plot and the distance away from the neighbouring property, the proposal is not considered to result in any unacceptable loss of light or overbearing impact on this or any other neighbouring land user.

6.13 The proposed first floor side elevation window is to serve a bathroom and therefore a condition has been added for this window to be obscurely glazed and to be non-opening

unless the opening parts are 1.7 metres above floor level. Officers consider this to suitably protect the adjacent land owner's privacy.

6.14 With regard to the proposed first floor Juliet balcony in the rear elevation, this opening arches in excess of 15 metres to the rear boundary. In addition there is no residential property at the rear of the site.

6.15 The proposal is therefore considered to be compliant with Local Plan policy CP4 which requires development to protect the existing amenity of neighbouring land users and the locality.

6.16 Environmental Impact

6.17 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 small scale development will have any impact on these species.

7. CONCLUSION AND RECOMMENDATION

7.1 For the reasons discussed above it is considered that the proposal is in accordance with policy CP7 and CP4 in terms of achieving an acceptable standard of design and protecting the amenity of neighbouring land users.

7.2 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 All external facing and roofing materials shall match those of the existing building unless otherwise first agreed in writing by the Local Planning Authority.
Reason: In the interests of the character and appearance of the area, having regard to Policies CP3 and CP7 of the Cheltenham Borough Local Plan (adopted 2006).
- 4 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 first floor side elevation window to serve the bathroom shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor level of the floor that the window serves.
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 omit the proposed front dormer;

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

APPLICATION NO: 17/00395/FUL		OFFICER: Mr Ben Hawkes	
DATE REGISTERED: 24th February 2017		DATE OF EXPIRY : 21st April 2017	
WARD: Benhall/The Reddings		PARISH:	
APPLICANT:	Mr Victor Piciorus		
LOCATION:	24 Leyson Road, The Reddings, Cheltenham		
PROPOSAL:	Two storey side extension		

REPRESENTATIONS

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

22 Leyson Road
 The Reddings
 Cheltenham
 Gloucestershire
 GL51 6RU

Comments: 8th March 2017

I object strongly to this planning application for a 2 storey extension (as opposed to a single storey) in this compact cul-de-sac of 6 semi-detached bungalows which would be totally dominated by this proposal. It would be overbearing and oppressive. It does not respect the scale, character and appearance of the existing dwellings and would result in a lack of symmetry. This location is characterised by well designed bungalows where there is no overlooking of neighbouring property at present. The proposed 2 storey extension would detract from the original bungalow design and is proportionally very large by comparison to the existing dwelling.

The single storey extensions at both No 26 (the adjoining property) and No 28 complement those original bungalows' design and scale. The imbalance of appearance would be detrimental to both the adjoining bungalow and the adjacent bungalows, including mine. Design Principals guidelines do not appear to have been followed because the roof of the proposed extension does not echo the original building in its shape and pitch.

The proposed front dormer window to the 'store' area in the proposed extension and the proposed roof lights in the existing loft area would give an inconsistent appearance to the front roof line. The application does not Maintain Privacy - the opening, clear glazed side window in the proposed second storey will overlook my neighbouring bungalow and impact on my privacy. There are no windows in the existing side elevation currently overlooking my property.

The plan does not include any change to the current car parking spaces of the existing bungalow's driveway. The extremely limited road parking in this very small cul-de-sac can impinge greatly on neighbours such as myself, wishing to enter/exit their driveways, making it very difficult to do so.

