



Notice of a meeting of Planning Committee

Thursday, 20 July 2017
6.00 pm
Council Chamber - Municipal Offices

Membership	
Councillors:	Garth Barnes (Chair), Bernard Fisher (Vice-Chair), Paul Baker, Mike Collins, Colin Hay, Karl Hobley, Adam Lillywhite, Helena McCloskey, Chris Nelson, Tony Oliver, Louis Savage, Diggory Seacome, 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**
 - a) **17/00759/FUL Cheltenham Cemetery and
Crematorium, Bouncers Lane** (Pages 25 - 44)
 - b) **17/00484/FUL 41 Asquith Road** (Pages 45 - 64)
 - c) **17/01085/FUL 236 Hatherley Road** (Pages 65 - 74)

d) **16/01789/FUL Land to south side of Glenfall Way** (Pages 75 - 296)

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

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

22nd June 2017

Present:

Members (15)

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

Substitutes: Councillor Matt Babbage (MB)
Councillor Paul McCloskey (PM)

In attendance, as a speaker: Councillor John Payne

Officers

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

1. Apologies

Councillors Seacome and Hegenbarth.

2. Declarations of interest

17/00827/CACN 41 Church Road

Councillor Fisher – knows the applicant – will leave the Chamber.

3. Declarations of independent site visits

Councillor Baker has visited the following sites:

- **17/00882/FUL** 8-10 Bouncers Lane
- **17/00386/FUL** 8 Hartley Close
- **17/00827/CACN** 41 Church Road

4. Public Questions

There were none.

5. Minutes of last meeting

Resolved, that the minutes of the meeting held on 25th May 2017 be approved and signed as a correct record *without* corrections

6. Planning applications

Application Number:	16/02205/FUL
Location:	The Hayloft, The Reddings, Cheltenham
Proposal:	Retention of works carried out; including those under planning permission reference 14/02249/FUL as well as the removal and replacement of elements of the original Hayloft building not covered by planning permission reference 14/02249/FUL and minor alterations to the approved scheme.
View:	Yes
Officer Recommendation:	Permit
Committee Decision:	Refuse
Letters of Rep:	21
Update Report:	Additional representations

EP introduced this application, and explained some of its complex history: permission for extension of the existing dwelling was granted in 2014, and subsequent work has been done which falls under permitted development rights. Since work commenced, however, all that remained of the original dwelling has been demolished and new elements constructed without planning permission. As this work was not lawfully executed, this application seeks to rectify the situation. The resultant dwelling is the same size as that for which permission was granted in 2014, but with a side element, first floor addition, and fenestration amendments. The 2014 consent cannot be implemented, as nothing remains of the original dwelling, but officers consider that what has been built does not cause any additional harm, with regard to design, neighbouring amenity, or impact on the openness of the green belt. As such, the recommendation is to permit.

Public Speaking:

Mr Peter Swales, neighbour, in objection

The Hayloft site has been subject to a raft of applications since 2005, two of which are relevant to the current one. In 2012, Planning Committee gave permission for a replacement dwelling of contemporary design, approximately 4,000 square feet – similar to the original building. Constructions started and it soon became apparent that what was being done bore no relation to the approved plans. Work stopped, and in December 2014 a new application for extensions (part retrospective) was made, including a massive basement and ground floor extension to the rear, and major changes to the lay-out and orientation of the rest of the building. This increased the overall size to approximately 7,000 square feet, but the application was approved by the planning department without going back to Planning Committee. Construction started again, and it was soon clear that this building was not in accordance with approved plans; a stop notice was issued, and the current planning application was subsequently made. The proposed building is now over 8,000 square feet – a true monster – and totally inappropriate for an important site on the border of the green belt. This alone is grounds to reject the proposal.

In view of the previous devious manoeuvrings of the developer, it is hard to believe that this building is intended to be a single dwelling: the word ‘dwelling’ no longer appears in the title of the application; the rooms are labelled ‘dining room’. ‘drawing room’ etc, but this doesn’t appear to be genuine attempt to design a house of this size and status – it would not be marketable; the design and lay-out is more suited to 12 or 13 self-contained apartments.

The developer has proceeded with little regard to the requirements of the planning process, and if permission is granted tonight, other developers will be encouraged to behave in a similar fashion. If the committee does decide to approve the application, however, can a condition be added to ensure that the building is used only as a single dwelling unit, as implied by the plans.

Ms Liz Shield, of SFPlanning, in support

The site has a long and complex planning history, but the principle of a dwelling of this size and footprint was established in the approved planning application in 2014. The current application relates to minor changes, including the provision of a flat roof and the positioning of windows and doors. It does not seek to intensify the use of the site, and highway and access arrangements are unchanged. The applicant has worked with planning officers to produce an appropriate design for the location. There are concerns about the removal of the remaining original wall, and that this was done to make it easier to get retrospective planning permission; this wasn't the case. The wall was in need of repair, and was considered by the applicants to be at odds with the rest of the building. The applicants do not have planning expertise and made a genuine error in removing the wall, which they are now keen to rectify. The application also includes some additional elements which require consent; the description of the development was discussed at length with CBC's planning and legal teams to ensure complete accuracy, and takes into account the minor works and removal of the original building. Local people are anxious to ensure the green belt is preserved; this application is for minor works within the previously approved footprint, so ensuring the openness of the green belt is preserved. Neighbours are also concerned about possible future uses of the site, but the lawful use of the site is as a single dwelling, and this application does not seek to change that. If any proposal for a change of use were to come forward, it would be applied for using the correct processes, and be determined by the Council on its merits, taking into account the views of local residents.

The report outlines the proposal's compliance with all relevant local and national policy, and the fact that material considerations weigh in favour of granting permission. The scheme is therefore worthy of Members' support and will have a beneficial impact on neighbours in terms of amenity, as well as having no impact on the green belt which they are so justifiably keen to preserve.

Councillor Britter, ward councillor, in objection

Is speaking on behalf of residents of The Reddings, who believe that the current application is invalid because it is for the retention of works carried out under the 2014 planning permission, but The Hayloft has been completely demolished and replaced with a wholly new building. As such it doesn't represent appropriate form of building in the green belt, and its scale and proportions are not in keeping with the environment or the area. This is at odds with Policy CO7, and the replacement building in its more prominent position detracts from the openness of the green belt, contrary to Policy CO8. Approval of this application would be in effect rewarding the developer for systematic breaches of the planning process and disregard for the green belt, which may encourage similar actions by others.

The majority of local people are disappointed by the lack of clarity, transparency and responsiveness, and the lack of response to their requests for information from the planning department has seriously undermined their confidence in the planning system.

Several applications have been submitted for this site, and each time the developers have flagrantly breached the approved scheme and built what they want; there can be no clearer example of the flagrant abuse of the planning system, which has warranted frequent involvement of the enforcement team. If this application is permitted, it makes a mockery of the whole planning process; granting approval for the retention of what is obviously an abuse of procedure would further undermine public confidence in the planning system. If the Council doesn't draw a line, it will encourage further breaches and make planning policy a travesty, sending a message to developers and residents that anything is possible without appropriate prior planning permission, that it is fine to build whatever you like in the area, green belt or not, and then get retrospective planning permission; this brazen precedent sets a strong case to do just that.

The application should be refused on a number of grounds: one, it is an illegal development without planning permission; two, it is 'inappropriate development' in the green belt; three, it is devoid of architectural merit or sensitivity, visual or otherwise, to its surroundings; four, its size, depth, width, height and massing will adversely impact on neighbouring amenity; five, approval would reward the developer for breaching the planning process and disregarding the green belt;

and six, it is detrimental to community cohesion, causing disputes and tensions between neighbours which will increase in the future.

Member debate:

PT: the neighbour speaking in objection asked if there could be a condition that this building is only used as a single dwelling. Various uses have been mentioned over the years, including one application for four apartments – is this extant?

PB: has several questions: can officers remind him of what Policy CO2 relates to?; is it true, as the speaker has said, that the footprint has doubled in size from 4,000 sq metres to 8,000 sq metres?; the speaker mentioned that the 2014 application was decided under delegated powers – is surprised that such a contentious application was not brought to Committee; and if this application is permitted, and the applicant then applies to convert the building into four apartments, would that application automatically come to Committee?

HM: Policy CO7 states that replacement dwellings in the green belt should be less than 15% bigger than the original dwelling. Does this proposal fulfill that requirement?

SW: Councillor Britter and the speaker said that the original building has now gone, which means that any proposed work under permitted development rights, or any further extensions, no longer stand – we are, in effect, looking at a brand new building in a greenfield site, asking for retrospective planning permission to build it. The question is whether we would allow this building to be built on a clear site in the green belt? No, we wouldn't. Is therefore not happy with this proposal. It is a new build, with no relevance to what was there before.

MC: in all his years in planning, has never come across a case like this. Having listened to the objections, read the representations, heard what the agent and Councillor Britter have to say, it would appear that the applicant and developer are waving two fingers at the planning process and the DCLG. Not just flouting the rules, they have shown a crass disregard for the full process. What are members being asked to approve today? This current application? The one before? What is the fall-back position if this application is refused? Why didn't the applicant build the scheme for which he had permission? Why has there been no activity on site since Christmas 2016? As a local ward member, receives many phone calls and visits from people in the ward; one phone call in particular stands out, from someone who would not give a name and address or any other details. This person, having made an objection on line, was visited by the applicant the following day, and found his behaviour very intimidating. The long history and tone of the objections says it all.

There is also a feeling among local people that this building will not be used as a single dwelling. It could easily be divided into several self-contained units. Officers tell us that if this is what the applicant wants, a change of use application will be needed, but this isn't a particularly comforting response, bearing in mind the applicant's flagrant disregard for the process. He is more likely to do what he wants, then apply retrospectively.

If the people of Cheltenham are to take any comfort, we need to stop these free hits. We have listened to both sides of the argument. If the application is refused, maybe CBC will be able to maintain some degree of public confidence in the process. There is nothing of any merit in this application; if enforcement action is required, we should stand by that, even if it results in demolition of the building. The planning process must be respected. The application should be refused on the grounds of CO7 and CO8.

BF: when this site first came to the attention of the planning committee, read the letters of representation and went on site visit; was struck by the notion that this proposal could be said to comply with policy CP7. In the green belt, the design should be of the highest quality, but saw nothing of any quality in this building. Planning permission was previously given to alter the existing building, as it was before the planning permission was sought; now we are dealing with a new build. Has sat in on briefings about what constitutes good design, and can see nothing of that

here. Policies CP4 and CP7 are relevant, with regard to the effect on neighbours. The building doesn't enhance the neighbourhood in any way, or have a balanced design. In addition, the quality of the the build and brickwork is very poor – it is an abomination. It would be best to start all over again and apply for a new permission to build on this site. For the current application, CP4 and C7 should be used as additional refusal reasons to those suggested by MC.

EP, in response:

- a condition can be attached to the permission to ensure that the building is used as a single dwelling.

PT: was actually asking about the previous application for four apartments – is this still extant?

EP, in response:

- no, that application was not implemented and has expired;
- to PB, policy CO2 is concerned with harm to the natural beauty of the AONB;
- it is true that the floorspace has doubled in square metres from the original Hayloft, before any extensions, to what is proposed now – this was permitted under the the previous application;
- as to why the 2014 application was decided under delegated powers, the council has a system of referral to Committee, and there was no request for a Committee decision on that proposal;
- any change of use from a single dwelling to flats would require planning permission, and officers can make a note that if such an application is received, Members would like it to come to Committee for a decision;
- to HM, Policy CO7 does set a limit of a maximum 15% increase in the size of a replacement dwelling in the green belt, but this related to permitted development rights at the time; the 2014 planning permission for extensions to the original dwelling, together with permitted development rights as they stand today, mean that the proposed dwelling will not exceed the limits set out in CO7;
- to MC, the fall-back position is for the 2012 consent for a new-build dwelling on the site. If the application being considered today is refused, this will be the only extant permission for this site;
- Members are being asked to approve works to the structure as it stands today; previous consents are material considerations, and it should be remembered that CBC permitted a structure of similar dimensions to what has been constructed;
- for the record, there has been no activity on the site since Christmas at the request of the enforcement team.

GB: has so far heard policies CO7, CO8 and CP7 suggested as reasons to refuse this application. Members will need to vote on the officer recommendation to permit first.

Vote on officer recommendation to permit

0 in support

15 in objection – unanimous

Officer recommendation not carried

MJC, in response:

- if Members refuse the application, the enforcement team is likely to require demolition of the building. This is explained in the report, but it is important to raise the matter in the debate.

BF: regarding enforcement, a stop notice has already been served on the developer. If the current application is refused today, can the applicant appeal? If so, presumably no enforcement action will be taken until the applicant either wins or loses at appeal?

EP, in response:

- the applicant has the right to appeal. The matter has been discussed with enforcement officers; under these circumstances, the applicant only has 28 days in which to make an appeal instead of the usual six months. For any further enforcement action to be taken, the advice of officers will be required on the technicalities.

LS: is the house currently occupied?

[no]

GB: so if Members vote to refuse the application, what will happen next?

MJC, in response:

- not wishing to complicate matters, if Members refuse the application, an enforcement notice to demolish the building will be issued, and the applicant will have the opportunity to appeal against the enforcement notice;
- enforcement activity should be delegated to officers; if the application is refused, will Members want the enforcement notice to run in tandem with the appeal against the refusal to grant planning permission?

HM: as much of tonight's debate has been concerned with the applicant's disregard for the planning process, would like the Committee to follow the correct process and allow him 28 days in which to make an appeal.

PT: would like to see enforcement action taken and the building demolished, but whether or not to allow the applicant 28 days to appeal, will leave this to other Members to decide. Is not inclined to do so - the applicant has shamelessly manipulated the planning process.

MC: appreciates what officers are saying, but has heard nothing to change his mind. Would like enforcement officers to use their powers; if the building is demolished, so be it.

BF: as HM says, the applicant has disregarded planning rules, but if there is a legal requirement to give them 28 days to appeal, we should stick by the rules, then instigate any enforcement action.

MJC, in response:

- if Members want an enforcement notice served, this can be done, but it is right to discuss the merits of the case at Planning Committee;
- enforcement action can be delegated to officers in the enforcement team, who will make a judgement based on the facts of the case, whether to serve notice immediately or wait for 28 days;
- at appeal, the Inspector will consider whether demolition is proportionate to the harm the new building will cause; the previous planning permission is for a dwelling of the same size as the current one, and the impact on the green belt will be the same – hence the judgement on proportionality – is the remedy proportionate to the harm?

GB: do Members want to vote on whether to give the applicant 28 days to appeal or serve the enforcement notice straight away?

CH: what was the previous advice from officers? If the applicant is successful in his appeal, then by default he will be allowed to retain the building. If we leave it for 28 days before issuing the enforcement notice, will this mean the whole process takes much longer? Which is the cleaner way of doing it? Can officers explain, for clarity?

MJC, in response:

- this isn't a scenario which occurs very often; the cleaner way is serve an enforcement notice setting a time period for demolition – the applicant will appeal, the Inspector will consider the appeal and all matters concerning the case. It will be clearer if we have set out what we think should happen.

PT: this application goes back many years; we have run around long enough. Is sad it has come to this, but we have to draw a line.

GB: officers have heard what Members have said about this case. They need to take this away, talk to the enforcement team and take advice. The Chair and Vice-Chair can then make the final decision, based on that advice, and on Members' wishes. Further debate won't achieve anything at this stage.

MC: it would strengthen the case if officers take the will of the Committee to their discussion with enforcement officers.

GB: officers understand this already; more discussion won't be helpful.

Vote on move to allow 28 days before serving an enforcement notice

10 in support

4 in objection

1 abstention

CARRIED

Vote on MC's move to refuse on CO7, CO8 and CP7

15 in support – unanimous

MOTION CARRIED - REFUSE

Application Number:	17/00364/FUL		
Location:	The Water Garden, Birchley Road		
Proposal:	Demolition of existing building and garage and replacement with two new detached dwellings		
View:	Yes		
Officer Recommendation:	Permit		
Committee Decision:	Permit		
Letters of Rep:	94	Update Report:	None

MJC introduced this application, to demolish a single dwelling, The Water Garden, and replace it with two houses. It is at Committee at the request of Councillor Babbage, due to the level of interest. The recommendation is to permit.

Public Speaking:

Mr Adrian Smith, on behalf of local residents, in objection

The application has been met with almost universal objection for several reasons. Firstly, it will breach the terms of the Battledown Trust Deed, which divided the estate into large 'lots', restricting the number of houses to be built on each lot, for density purposes and to avoid overloading the Victorian sewers and roads. This lot is already 'full'. Officers say this is not a material consideration, but residents believe it is – because if this application is granted, other properties may follow suit, resulting in many additional houses which will destroy the Estate's semi-rural character. This application is therefore contrary to Policies CP1 and CP3.

Secondly, the application site is on a steep bend on a narrow road with no footpaths – an accident black spot. Not only will heavy construction traffic and machinery be a great worry, but the resulting increase in occupancy of the site will result if permanent additional traffic on this dangerous stretch of road. Highway officers have no objections, but the scheme relies on visibility splays on land not owned or controlled by the applicant. The application doesn't comply with the requirements of CP4b and TP1.

Thirdly, the brash, brutalist, four-storey design is not respectful of neighbouring properties, its ridge heights some two storeys higher than the properties to the north and south. It is disproportionate, overbearing, and will result in a significant loss of outlook from his property, all contrary to CP7, GE3 and GE2.

To conclude, the development will be overbearing and inappropriately large; the highways risk will increase; the drainage system will be put under pressure, and consent could lead to the destruction of the Battledown estate as an asset to the town as a whole. It is contrary to CP1, CP3, CP4b, TP1, CP7, GE3 and GE2.

Mrs Wendy Hopkins, agent, in support

There have been a substantial number of objections to this application, mostly relating to the Battledown covenant. Some say it should be taken into consideration in the determination of the application but that is not correct. As officers have made clear, a covenant is a legal matter between the Battledown Trustees and the applicant, not a 'planning' issue. It may be in the interests of some to draw this legal issue into the planning process, but this could be seen as manipulating the planning process, which would be deemed unreasonable. Knows and trusts that Members of the Planning Committee are able to distinguish material planning matters, and therefore relies on their professionalism in concurring with officer advice on this matter.

There are a number of other relevant planning matters raised in objection, summarised as relating to the principle of development, the layout and design, the impact on neighbours, highway safety and the impact on trees. The officer report deals with all of these matters comprehensively, and further information and drawings have been requested and submitted to the satisfaction of all consultees. Supports both the officer's report and recommendation.

Would add that Members will have noted on site visit that the majority of the site is well hidden from public vantage point along Birchley Road, only being revealed on entering the rear garden of this expansive site. The site is nearly twice the size of neighbouring properties, and the layout would be similar to that of Birchley House and Ash Tree House opposite. Each new dwelling would sit comfortably and retain the spacious feeling that is characterised by Battledown – large houses, large gardens, mature landscaping. Also, it will replace a dwelling of little architectural merit, adding to Cheltenham's rich architectural history and reflecting a high standard of design supported by Architects Panel.

Member debate:

SW: looking at this plot and the number of properties the applicant proposes to build there, cannot help but think that it could support 6-8 good-size dwellings in any other part of town. Noted on Planning View that the site drops considerably, which would make a large number of properties difficult to construct. Highways officers do not have any concerns that one property will be replaced by two; they do not consider it will make a significant difference to traffic issues.

LS: has a question and comment in on, regarding the deed of covenant. The report deals with this briefly and dismissively. Does it carry any weight in the planning process? Surely its purpose was to protect the historic character of the Battledown Estate, a valuable and unique part of the town.

TO: was concerned on Planning View to note that part of the proposal involves taking down a line of trees on the right-hand side of the site. These trees screen the view from the neighbour's property, and will take away amenity from the neighbours at the bottom of the garden.

BF: Officers said the design is acceptable, and the agent said that the replacement dwelling is of greater architectural merit than the existing house. Regarding the covenant, this has been in place for many years; recalls a similar covenant at Wild Perry House in Balcarras Road – when the houses were built, a covenant was in place for one dwelling on a particular plot but now there are three. This is a civil matter, a legal agreement between the owner of the site and the Battledown Trust; it is not a planning issue.

CH: what is the relationship between planning permission and covenants in the civil courts? What weight does having planning permission in place hold if someone applies to the civil court to have

a covenant lifted? Which comes first – the planning permission or the application to lift the covenant – or is it up to the individual applicant?

NJ, in response:

- covenants and planning permissions are two completely separate issues. The granting of planning permission doesn't mean that the covenant will automatically be lifted and implementation of the planning permission take place. The covenant has to be dealt with separately, and is not a material consideration with which Members need concern themselves in their decision making.

MJC, in response:

- to TO, regarding the removal of the trees: yes, the new houses will be visible from the neighbouring properties, but the gaps between the houses remains generous – there will be an amenity impact but officers do not consider that this will be unacceptable, despite the loss of the trees;
- to BF, Members will remember that the application at Wild Perry House was refused because there was a covenant, but was subsequently allowed at appeal;
- LS commented that the officer report is dismissive of the covenant issue, but this is done deliberately, to deflect Members from dwelling on it when it is not a material consideration.

PT: are all the trees to be removed or will some of them remain? Would be sad to see the whole area denuded of beautiful trees.

LS: is concerned about the environmental impact of the removal of these trees – they play an important visual part in the view up Battledown Approach. Is concerned that this could be the thin end of the wedge, and the beginning of further development on the Battledown Estate. It's true that the houses stand in large plots, but this is an important part of the character of the area. This is a landmark application, and if permitted, the change could affect the whole town. Also, would like to highlight the strength of feeling in the community; Planning Committee is supposed to give a voice to this, not just to interpret policy etc. The weight of local concern is important for all Committee Members.

MB: has comments on two aspects of this application: firstly the design – is not a fan, although realises that this is a personal thing – but is particularly concerned about the height. Realises that no-one has a right to a view, but building a four-storey house into a hill will have a big impact and impose on the neighbouring property. Adding two storeys to what is currently there is definitely a consideration. Secondly, regarding the covenant, realises that this applies to a small area, a single site, and that it is not a planning consideration. However, it is part of the whole area, and fundamentally linked with the character of the Battledown Estate. The covenant creates the atmosphere and character of the area. Is there any precedent where a covenant of this size has been considered in planning, where it cannot be separated from the character of the area?

CH: notes from highways officers' comments that Birchley Road is a private road. What is the role of a private road and how does it work in these circumstances?

BF: in response to both LS and MB, it is clear from the ordnance survey map attached to the report that Birchley House and Ash Tree House both stand in plots smaller than The Water Garden. Building two houses on this plot cannot be said to be altering the area. Members should recall Temple Garth, which was demolished and two or three houses put up on the site – the covenant wasn't mentioned at all.

CN: the covenant issue regularly comes up, and this is a case in hand, generating much discussion in Planning Committee. This is a question for the future: we can't relieve the disconnect between the two issues today, but is there any scope for the Cheltenham Plan to do so in the future. This would be a different approach - to consider any major covenants in the town and give them some planning weight, so provided potential teeth for Planning Committee rather than the Parish Council being left to use the legal process to object to a problem.

PB: we all want to represent the views of the public who elect us, but looking at this application objectively, it is a good scheme, a good design, on a plot capable of supporting it. Can't believe this is the first time an application of this kind has been submitted on the Battledown Estate, to build on a plot this size. The question remains whether the applicant can overcome the covenant, and this application raises an interesting point about conservation areas and their protection. Battledown Estate is an important area for the town – is there a way to conserve it going forward and give our conservation areas additional protection? For now, however, in view of the lack of housing supply in the town, it would be a waste in making this applicant go to appeal.

Regarding the trees, has gone back to look at the plans to see which of them are coming down. Trees add greatly to the amenity and enjoyment of an area, and would like to have a clear understanding of the landscaping scheme and where trees are to be removed.

SW: this application and the point raised earlier by CH is a good example to Members; as has previously been pointed out, the Chairman could put in a planning application to build in SW's garden if he wanted, but it would not happen – it would not be allowed to happen. The same applies to this application – if the covenant prevents the building of these two houses, they will not be built. Today, Members are considering if the application itself is viable and suitable; if they decide it is, it is for the applicant to take it forward.

KH: largely agrees with what PB has said. Respects the strength of feeling from neighbours, but the simple fact is that the planning authority is not able to take the Trustees' deed into account when making its decision; Members are therefore looking at a generous site which can easily accommodate what is being proposed. The design is unashamedly modern, but this too is not a reason to refuse. Cannot vote against it for these reasons. Neighbours say it will be a loss to the area and the community but cannot agree with this; it is up to the people living in the two dwellings, which also make a contribution to the housing need, albeit at the higher end. Regarding the broader issue of trust deeds, we can all think of examples round the country where deeds of covenant are used to protect large and beautiful properties, but times change and therefore worries that showing deference to these until the end of time should not be used to stop all development in the future.

PM: is on Charlton Kings Parish Council, the custodian of the boundary between the urban area and the AONB. Much of Cheltenham is in or borders on the AONB – Glenfall Way, the cricket ground, Little Herberts Road, Greenway Lane, Stanley Road, Charlton Kings Common, Crickley Hill. Battledown Hill is adjacent to the AONB, and policy CO2 states that development in or close to the AONB must be landscaped to avoid harming the view in or out of the AONB. There was a planning application earlier this year for three houses at The Bredons in Harp Hill, which was permitted with little objection, because it was consistent with the covenant; this is true of other examples where other replacement dwellings where there is space to subdivide the plot. The problem here is that the plot is already full and no extra dwellings are permissible. The people who developed covenant were visionary - Battledown Hill is a unique feature in the Cheltenham environment, and should be protected in perpetuity. The officer report on The Bredons stated that the SPD 'Development on Garden Land and Infill Sites in Cheltenham' assists in the determination of planning applications, as it provides a consistent and robust means of assessing the context and character of residential areas, and of complementing and respecting the surrounding area. The report also refers to the spacious nature of the area on the edge of the AONB, provided by specific character, large individual properties in their own grounds, with mature landscaping, protected by covenant.

MJC, in response:

- There has been discussion about this being a watershed moment in planning in Battledown but the SPD tells us to make an objective judgement as to whether a proposal sits comfortably on a site; to repeat, the covenant is not a consideration here;

- Officers have used their judgement; as SW stated, this size plot could comfortably accommodate 7-9 units - this would be inappropriate to Battledown's unique character, but the SPD does not say 'thou shalt not develop';
- This scheme fits in well to the area; there is space round the buildings, and the plot is a good size; agrees with BF – at a basic level, looking at the sizes of plots and houses around, it is clear that, contextually, dividing the site for this proposed development is not inappropriate. Is the proposal appropriate to the character of Battledown? Officers feel that the space, landscaping features, trees etc are all entirely compatible, and that this is a sensible use of the land;
- Regarding covenants, these can help planners to make proper judgements about planning applications: if a proposal is compatible with a covenant, it can be permitted; if it isn't, planners have to make a robust decision based on policies and guidance;
- Regarding the loss of trees, these formed a side boundary of the site, and to the top corner there is a hedgerow where the trees will be removed. The trees in the public realm will be retained. The mature landscaping features will not be touched by the proposal;
- Regarding the conservation area status of the site, this area was not considered worthy of that status, and the SPD is therefore used to to protect Battledown where appropriate;
- It is fair to say that the two proposed dwellings would make a minor contribution to Cheltenham's housing supply – this would be raised at appeal;
- Regarding highways, this is a private road, and highways officers have applied best practice to the junction, finding it to be safe and suitable.

PT: MJC mentioned trees with red rings around them – are these coming out or staying in?

AL: the majority of the development is sensitive to the environment and surroundings, but the garage on the north side of the plot, where it comes out from the hill, will be very high. When viewed from Wellswood House, this appears as a cliff of bricks – and is therefore a point of concern. This cliff face is also viewable up Birchley Road. In principle, considers the proposed dwellings settle in well, but feels that this aspect needs to be addressed.

CC, in response:

- On the plans, the purple trees are to be removed, the red trees to be retained. The group of trees on Plot 1 by the garage – cypress trees, forming a hedge – serve a function, but their visual amenity is low.

MJC, in response:

- Regarding the relationship between Plot 1 and the neighbouring property, there will be some impact – there is no getting away from that – but taking into account the space between the properties and the amount of garden to be affected, officers do not feel that this will be unacceptable.

MB: regarding the size of the covenant and the areas affected, is more weight given depending on whether it applies to one plot or whole estate?

MJC, in response:

- Covenants are red herrings, not relevant to planning, whether they relate to one plot or a huge parcel of land. A covenant on a large piece of land carries no more weight than one on a small site.

Vote on officer recommendation to permit

8 in support
6 in objection
1 abstention

PERMIT

Application Number:	17/00882/FUL
Location:	8 Bouncers Lane, Cheltenham
Proposal:	Construction of single storey dwelling between 8-10 Bouncers Lane
View:	Yes
Officer Recommendation:	Refuse
Committee Decision:	Permit
Letters of Rep:	31
Update Report:	None

EP introduced the application to build a single-storey dwelling between two semi-detached, two-storey properties on Bouncers Lane. The area is characterised by semi-detached dwellings, making the proposal out of keeping, cramped, and contrary to the SPD on garden land, as outlined in the report.

Public Speaking:

Mr Justin Laurence, applicant, in support

Has taken all officer comments on board regarding the street scene, taking account of the location in the street. The previous comments of the Architects' Panel have been taken into consideration, and neighbours and parish council are fully supportive of the scheme.

Councillor Payne, in support

Has been asked to bring this application to Planning Committee because of a difference of opinion on the impact on the streetscape. This is the third version of the scheme, with changes to the design requested by the planning officer. The Architects' Panel commented previously that the design was acceptable in principle – innocuous and acceptable - and supported the application. The second application was withdrawn, and the design further modified with the help of the planning officer. As noted by the office, Cheltenham cannot demonstrate a 5-year supply of building land, and the NPPF therefore promotes a presumption in favour of development unless the impact significantly and demonstrably outweighs the benefits. Regarding the impact, it is important to consider the setting: the report references Page 33 of the SPD, relating to the rhythm of the street scene, and in particular the 12 semi-detached houses on the west of Bouncer's Lane, originally built with a clear pattern and separated by large gaps. Now, however, five of the 12 dwellings have significant side and/or rear extensions, which although well-designed and constructed have obliterated the gaps. There are over 100 dwellings in Bouncer's Lane, demonstrating a wide range of sizes and styles, including single-storey dwellings, the WI Hall, Prestbury Hall, and most of St Mary's School.

The officer report comments on the impact of the dwelling on neighbouring properties, referencing Policy CP4, but has never met an applicant who has taken the concerns of his neighbours to such length – has visited every neighbour who may be affected, none of whom have objected – the views of 31 neighbours should carry significant weight under the Localism Act. There are no highways objections either.

As a ward councillor, is passionate and protective of his ward, and has been critical of certain developments in the past, but has no hesitation in supporting this one. There is no substantive evidence to support the view that this development will have significant and demonstrable adverse impact on the neighbourhood. It is sustainable and well-designed, and demonstrably respects its setting.

Member debate:

PB: has sympathy with planning officers having to interpret applications in line with planning policy and guidelines; Members are more lucky and can take different views. This is a substantial plot, the design is contemporary and good. Will move to permit the application; it has great councillor and local resident support. It would have been easy for them to oppose it but they haven't, and there is a finite amount of building land in Cheltenham.

SW: also supports this scheme. Would have preferred to see a pitched roof. Officers would have accepted extensions to the two houses on either side of the plot, but this would not help with the town's housing need. The houses here are almost identical; this proposal is different but of good design, which is more important than worrying about whether it fits in. Something a bit different is needed along this road; is erring towards voting to permit.

BF: supports the officers here. Knows Bouncers Lane very well, and recognises that there is some diversification and change over the years, but this proposal is out of place. The semi-detached houses may be altered but they are still semi-detached houses. This is a detached bungalow, taking garden from its neighbours to make it viable. It changes the balance of that side of the road, which is predominantly semi-detached houses. It is a nice design – but not here.

HM: has no problems with developing this site sensitively, and the houses either side will have smaller but still good-sized gardens. There are examples of similar small dwellings elsewhere in town, and these are the kind of properties we need – bungalows suitable for elderly people, in a highly sustainable location, close to buses. Personally doesn't like the design but will vote in support.

PT: agrees with BF. Also knows Bouncers Lane well, and this proposal doesn't seem right and stands out. Why not a chalet bungalow with a pitched roof? Will not support it.

CH: also knows Bouncers Lane well. The plot can take a house but doesn't find this design appropriate. Looking around town where buildings like this are fitted in, in most cases they stand out. This proposal sits behind a hedge. In some respects, it is difficult to say it will detract wildly, but it will be obvious that there is a house dropped in and hidden. It detracts from the semi-detached houses, and sits uncomfortably in the location. Will support the officer's recommendation.

EP, in response:

- The SPD is purposely designed for this type of scenario – where there is a dominant pattern of development, to avoid deviation from that;
- If Members are minded to approve, it would be helpful to know why they feel it is acceptable to make an exception to normal policy requirement.

SW: we need more houses. This is a significant plot – a property can easily fit in there. Officers say the existing houses could be extended but that wouldn't hold the housing need. We need more development. This is only one property.

PT: was it suggested that the proposal could be a chalet bungalow or have a pitched roof?

EP, in response:

- Had a series of discussions with the applicant, including a scheme for a pitched roof. From an officer perspective, it is about analysis of the character of the area – the concern is that the gap between houses, which is characteristic of the area, will be filled. A pitched roof would make it a mini-version of other properties on the street, which would be jarring.

PB: the advice for planners is always to consider each application on its merits. Officers consider proposals against policies, and the wording of particular policies allows the leeway to look at each on its merits. This plot can take a building. It is a subtle addition to the street. The people in the area support it, and residents like it. Will therefore struggle to vote against it.

Vote on officer recommendation to refuse

7 in support

8 in objection

NOT CARRIED

Vote on PB's move to permit

8 in support

7 in objection

PERMIT

Application Number:	17/00386/FUL
Location:	8 Hartley Close, Cheltenham
Proposal:	Two-storey side and rear extension and external remodelling
View:	Yes
Officer Recommendation:	Permit
Committee Decision:	Permit
Letters of Rep:	18
Update Report:	None

MJC introduced the application as above, with a recommendation to permit. It is at Committee at the request of Councillor Baker, in view of the concerns raised by neighbours.

Public Speaking:

Mr Malcolm Sheppard, neighbour, in objection

Thanked Members for visiting the site on Tuesday, explaining that the neighbours have no objection in principle to house extensions but are concerned at how this application accords with the integrity of the neighbourhood. The planning officer states that it is 'sustainable development'. Neighbours would say that Hartley Close, built in the early '70s, is a fine example of 'sustainable development' and a 'sustainable environment' too. Over the years, several properties have had additions, some substantial, but maintaining the original open qualities of the Close. However, the prominent position of No. 8, the design and scale of the remodelling, will profoundly disrupt the character of the street scene, and be particularly overbearing on No. 10 next door. The doubling of the western flank, north to south, with a new gable extending to the original house ridge, makes the wing the dominant component of the dwelling, rather than a subordinate addition, in breach of CP7. That policy also requires windows to match the original in form and colour, which is plainly not the case here, on the street side elevations. Amenity and environment will also be compromised, as set out in CP1. There has been a limited retreat from the ambitions of the initial application and shifts in lay-out to the side, which have aggravated rather than complemented the relationship of the proposal with its surroundings. Outlook is still significantly affected, and the design could become a catalyst for harmful future development. Hartley Close residents consider themselves fortunate to live in a spacious, open environment, and wonder if it need this type of contemporary 'fix'. Urges the committee to withhold approval until the proposal marries more sympathetically to the scene.

Member debate:

PB: congratulates officers on what they have achieved so far with this scheme – this original proposal was horrendous, and the current proposal is far more acceptable. However, it is still out of keeping with the character of Hartley Close in scale, mass and design, in contravention of CP1. Unlike the previous application considered tonight, where there was no opposition from neighbours, here there is. Hartley Close is a special road, which has been carefully looked after and maintained over the years. If not refused, would ask that the decision be deferred, to look at further reduction of the mass of the extension. Is not comfortable with the proposal as it stands; it has come a long way but could still be better.

BF: the speaker's comments highlighted a constant theme of tonight's applications – how properties fit in the street scene, and how needs and requirements change and evolve over 20, 30, 50 years. Most 50-year-old properties have evolved to some extent. The bungalow proposed in Bouncers Lane will help with the housing need, but the properties in Hartley Close and Sandy Lane are getting bigger, because of people's needs and ambitions for their properties are changing, which will inevitably alter the balance of the area. This proposal just about fits in, so cannot vote

against it, but is also bearing in that mind what is permitted here and elsewhere will make the area look different. Likes the brickwork in the proposal, and on balance, will vote with the officer recommendation.

MJC, in response:

- Regarding PB's comments on refusal on CP1 or deferral, as PB said, a lot of work has already been done from the start of this application process, and doesn't think any more progress can be made. All the stops have been pulled out to get to this position, and Members should determine the application on what is before them tonight.

Vote on officer recommendation to permit

12 in support

3 in objection

PERMIT

Application Number: **17/00759/FUL**
Location: **Cheltenham Cemetery & Crematorium**

DEFERRED

Application Number: **17/00670/LBC**
Location: **Neptune's Fountain**
Proposal: **Fitting of stainless steel clamps to coping and stainless steel skewers to horse's head to prevent separation**
View: **Yes**
Officer Recommendation: **Grant**
Committee Decision: **Grant**
Letters of Rep: **0** Update Report: **None**

AD introduced the application as above, explaining that the work is required to prevent the horse's head from falling off. The application is at Committee because the fountain is owned by the local authority. The recommendation is to grant permission.

Public Speaking:

None.

Member debate:

None.

Vote on officer recommendation to grant

15 in support – unanimous

GRANT

Application Number: **17/00920/LBC**
Location: **Cenotaph, Promenade, Cheltenham**
Proposal: **To renew 4 number lamps around the war memorial in the promenade Cheltenham, with new fabricate globe and cap fittings**
View: **Yes**
Officer Recommendation: **Delegate authority to officers**

Committee Decision:	Delegate authority to officers
Letters of Rep: 0	Update Report: None

MJC introduced the application as above, which builds on an application considered by Members a few months ago. More information about what the lamps originally looked like has informed this application, and the recommendation is the delegate authority back to officers to issue the decision. The reason for this is that consultation is still underway with the War Memorial Trust, and this needs to run its course before a decision is made.

Public Speaking:

None.

Member debate:

CH: answering his own question from a previous Planning Committee, confirmed that the lamps do work, and are not merely for ornament.

Vote on officer recommendation to grant

15 in support – unanimous

GRANT

Application Number:	17/00827/CACN
Location:	Fortune Cottage, 41 Church Road, Swindon Village
Proposal:	Fell 2 conifers adjacent to Church Road
View:	Yes
Officer Recommendation:	TPO western tree by entrance; no objection to removal of eastern tree by car port
Committee Decision:	As above
Letters of Rep: 5	Update Report: None

BF declared an interest in this application and left the Chamber during the debate.

CC introduced the application as above, at Planning Committee at the request of Councillor Clucas, in view of objections from neighbours. Has no objection to the tree by the car port being removed, but would like to see the tree nearest the entrance retained.

Public Speaking:

None.

Member debate:

MC: likes trees, and unless there is a legitimate reason to remove them, they should be retained. They shouldn't be removed just because they don't fit in with the owner's wishes. On site, it was mentioned that a new tree could be planted in place of the one which may be removed, though assumes this isn't legally binding.

CC, in response:

- Replacement of trees cannot be enforced, though the applicant probably will do this.
- The first tree could be damaging the wall, though this can be remedied by removal of branches.

Vote on officer recommendation to TPO the western tree by the entrance, and raise no objection to the removal of the eastern tree by the car port

14 in support – unanimous

RECOMMENDATION CARRIED

Application Number:	17/01097/CONF
Location:	30 Moorend Park Road
Proposal:	Confirmation of TPO no 746 Wellingtonia to the rear of property and oak tree to the side of property
View:	Yes
Officer Recommendation:	Order is confirmed
Committee Decision:	Order is confirmed
Letters of Rep:	2
Update Report:	None

CC introduced the application, which has arisen from a pre-emptive TPO placed on these two trees several weeks ago, when one was about to be removed and the other was about to have inappropriate work carried out on it, with no protection. A resident living nearby subsequently objected, saying the trees are too close to her property, drop needles and branches in her garden. Has brought the application to Committee, for Members to decide whether or not the trees are worthy of TPOs.

Public Speaking:

None.

Member debate:

PT: on Planning View, the tree at the back was referred to as a *Sequoia*; in the report it is referred to as a *Wellingtonia*.

PM: the trees appear to be very old – 70-80 years – making them older than the bungalow. Is that correct?

AL: the neighbour has suggested that the tree is dropping branches, which is likely to be dangerous. Does the judgement on the health of the tree take account of this – does CC think it could be dangerous?

CC, in response:

- To PT, apologies – *Sequoia* and *Wellingtonia* are one and the same;
- In his 25-year experience, has never seen one of these trees fall over, though it's true to say that they do occasionally drop branches, which can be unpredictable;
- Would do something about it if it was considered dangerous; it appears to be safe, although the only way to make a tree completely safe is to chop it down;
- To PM, the tree has been there much longer than the bungalow.

Vote on officer recommendation to confirm TPO No. 746

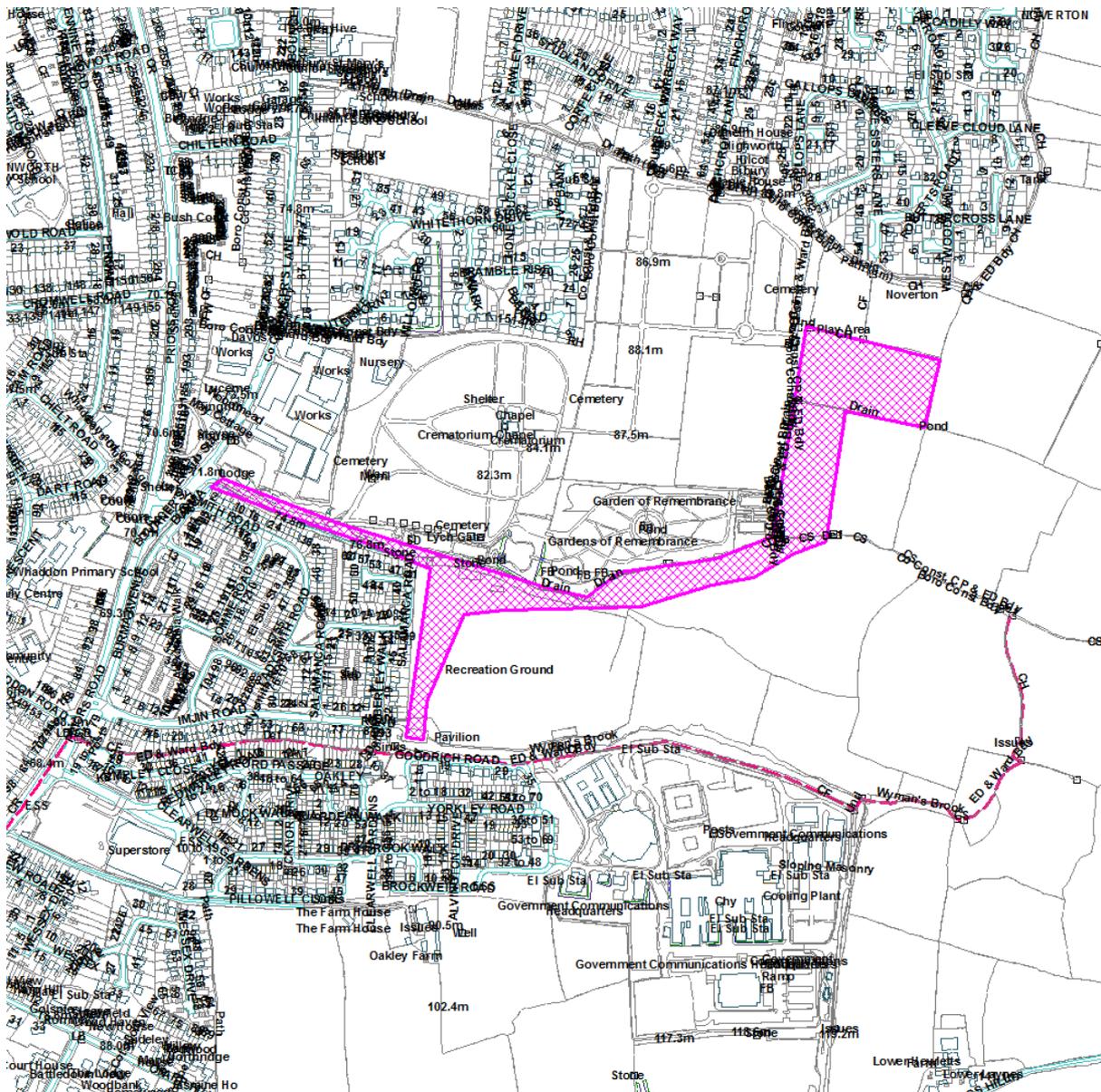
15 in support - unanimous

Order confirmed

The meeting ended at 8.30pm

APPLICATION NO: 17/00759/FUL	OFFICER: Mr Craig Hemphill
DATE REGISTERED: 19th April 2017	DATE OF EXPIRY: 19th July 2017
WARD: Oakley Ward	PARISH:
APPLICANT:	Property And Asset Management
AGENT:	Roberts Limbrick Ltd
LOCATION:	Cheltenham Cemetery and Crematorium, Bouncers Lane, Cheltenham
PROPOSAL:	Access arrangements for the proposed erection of a new crematorium. (Access road in part within Cheltenham Borough Council with the proposed crematorium and associated works within Tewkesbury Borough Council).

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is located to the north eastern edge of Cheltenham which is accessed via Bouncers Lane. The application relates to a cross boundary proposal between Cheltenham and Tewkesbury for the erection of a new crematorium facility. The existing chapel crematory along with the entrance gates are Grade II Listed, with the grounds being a registered park and garden. To the northern and western edges of the existing site are residential areas; to the south are local amenity playing fields. To the east is grazing land, beyond which is the AONB; the site itself is not located in the AONB.
- 1.2 The site has been used as a crematorium since 1938 when an extension was built onto the original Victorian burial Chapels. The site has expanded over time in a west to east direction, with the more recent memorial areas being added to the east.
- 1.3 While the original chapel buildings have undergone alterations over their history, they are no longer considered fit for current visitor volumes and demands due to ageing crematoria equipment and a shortfall of capability to supply the additional facilities needed including access and car parking. A comprehensive study was commissioned by Cheltenham Borough Council in 2015 to assess all the options available to allow the delivery of a long term sustainable future for the Cemetery and Crematorium, and how to best serve the communities of Cheltenham and the surrounding areas in the future. The study set out in its recommendations that the viable option was to build a new Crematory facility.
- 1.4 Following this recommendation, pre application discussions took place in early 2017 with a subsequent planning application submitted to Tewkesbury Borough Council and Cheltenham Borough for the construction of a new crematory facility. It is proposed to be constructed on the grazing land to the east of the existing crematory which is owned by Cheltenham Borough Council.
- 1.5 The proposal is to build a new crematorium containing two chapels with associated public waiting areas, a crematorium and staff facilities. The building is to be single storey following a design approach which seeks to pick up on the vernacular barn form with a series of connecting buildings of varying heights. Materials proposed include natural slate roofing, Cotswold stone, cream buff brickwork, ashlar stone mullions, dark grey aluminium windows, doors and rainwater goods. A total of 135 parking spaces are proposed providing disabled, visitor and staff parking provision. A detailed landscaping scheme is also provided. The site will be accessed via the existing crematorium road network with a new egress route proposed.
- 1.6 As referred to above the application is cross boundary. The grazing land on which the bulk of the proposed new crematorium car parking and associated work is proposed to be located lies within the administrative boundary of Tewkesbury Borough Council. A planning application has been submitted to Tewkesbury Borough Council for the works proposed within their boundary, on which they will make a planning determination.
- 1.7 For determination for Cheltenham Borough Council are the elements of the scheme proposed within its administrative boundary. These works include the proposed new egress route which skirts the southern boundary of the existing crematory site on land to the side of Priors Farm playing fields. The route runs towards and along the rear boundaries of residential properties on Salamanca Road and Ladysmith Road before connecting back into the crematorium internal road network so that all vehicular access and exit will remain through the current Cemetery arrangement onto Bouncers Lane. The application also sets out the need and route for a temporary construction access point which is to be provided at the west boundary of Priory Playing Field linking to Imjin Road.
- 1.8 In support of the application the applicant has submitted:

- Application forms, site location plans, drawings and cross sections, 3D visuals
- Planning Statement
- Design and Access Statement
- Topographic survey
- Landscape Assessment and visual appraisal and landscape proposals
- Heritage report assessment and report including Archaeological report
- Flood Risk assessment and drainage strategy
- Transport statement
- Ecology reports
- Arboriculture surveys.

1.9 The application is before Planning Committee as the applicant is Cheltenham Borough Council.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Smoke Control Order

Relevant Planning History:

17/00332/PREAPP PCO

Proposed new Cem and Crem and associated works.

94/00882/PF 17th November 1994 PER

Alterations To Upgrade The Existing Cremator Equipment With New To Comply With The Requirements Of The Environmental Protection Act

94/00885/LA 17th November 1994 PER

Internal And External Alterations To Upgrade The Existing Cremator Equipment With New To Comply With The Requirements Of The Environmental Protection Act

99/00534/COU 29th July 1999 PER

Extension To Burial Ground (Including Formation Of Roads And Footways)

10/00960/FUL 22nd July 2010 PER

Provision of a pedestrian footpath

11/00922/LBC 3rd October 2011 GRANT

Installation of 2 new cremators

11/01500/FUL 21st November 2011 PER

Installation of adiabatic air blast cooler as part of the new cremator installation

11/01501/LBC 21st November 2011 GRANT

Installation of adiabatic air blast cooler as part of the new cremator installation

13/00774/LBC 17th September 2013 GRANT

Proposed new and replacement signage

15/01859/FUL 18th December 2015 PER

Proposed change of use of an area of land to the east of the cemetery for burial and cremation purposes and the erection of fencing

17/00011/OUT PCO

Outline application for the creation of access roads to serve a potential future new crematorium and chapels on land to the east of the existing Bouncers Lane Cemetery

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

BE 20 Archaeological remains of local importance

GE 5 Protection and replacement of trees

GE 6 Trees and development

CO 1 Landscape character

CO 2 Development within or affecting the AONB

NE 1 Habitats of legally protected species

NE 3 Biodiversity and geodiversity of local importance

NE 4 Contaminated land

RC 1 Existing community facilities

UI 2 Development and flooding

UI 3 Sustainable Drainage Systems

TP 1 Development and highway safety

TP 2 Highway Standards

Supplementary Planning Guidance/Documents

Flooding and sustainable drainage systems (2003)

Landscaping in new development (2004)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Architects Panel

7th June 2017

Design Concept

The panel had no objection to the principle of the development. The siting and layout of the new building has been carefully considered and scheme generally has been well designed.

Design Detail

The simple, sober and understated barn-like architecture was felt to be entirely appropriate for a Crematorium in this setting. The light-filled interiors and well-proportioned courtyards will no doubt be attractive up-lifting spaces.

Recommendation

Supported

Environmental Health

30th May 2017

The application includes an acoustic report which identifies suitable limits for noise levels at the nearest residential site. At this stage in the design air handling plant has not been specified. I would therefore recommend that at this stage a condition is attached to any planning consent to ensure that when the detailed design is completed a similar report is produced to calculate likely noise levels affecting the residential property and is subject to approval by the LPA before first use of the site.

County Archaeology

3rd May 2017

In connection with the above planning application I wish to make the following observations regarding the archaeological implications of this scheme.

I advise that there has been no previous archaeological investigation of the proposed access route. However, the wider locality is known to contain archaeological remains relating to activity and settlement of prehistoric and Roman date.

Indeed, a previously unknown Roman settlement has recently been found during archaeological evaluation undertaken in connection with a proposal for a flood-storage area only a little to the south of the current application site.

I am therefore concerned that ground works required for the construction of the new access road may reveal significant archaeological remains. For that reason it would in my view be prudent to make provision for archaeological monitoring of the ground works required for this development, so that any significant archaeological remains revealed during construction may be recorded.

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

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

Reason: It is important to agree and implement a programme of archaeological work in advance of the commencement of development, so as to make provision for the investigation and recording of any archaeological remains that may be destroyed by ground works required for the scheme. The archaeological programme will advance understanding of any heritage assets which will be lost, in accordance with paragraph 141 of the National Planning Policy Framework

I have no further observations.

Tree Officer
19th May 2017

The CBC Tree Section recommends this proposal regarding access arrangements for the proposed erection of a new crematorium.

The proposed route skirting the cemetery to the south is the least invasive in terms of tree removal/pruning implication. There should be no significant quality tree removal associated with this proposal as it skirts the boundary and indeed where the access road ingresses into the cemetery, consideration has been taken of the cedar at the eastern end of the driveway so that there should be no impact on the root protection area of this tree.

There will however be some vegetation removal as indicated on drawing no 0522-GA011 Rev B of March 2017-Proposed Egress Road Plan. Whilst this will have some localised minor impact, this vegetation is overwhelmingly self-sown goat willow and some cypress hedge removal.

GCC Highways Planning Liaison Officer
22nd May 2017

I refer to the above planning application received on 26th April 2017, submitted with Application Form, Design & Access Statement, Proposed Site Layout, Planning Statement, Proposed Egress Road Plans, Proposed Egress Road Construction Details, Transport Statement with Appendix A-C. Plan no(s), 8325/PL01, 8325/PL02, 0522-GA-10B, 0522-GA-11B, 0522-ATR-12A, 0522-ATR-13A, 0522-ATR-14A, SK001B, SK002B, SK003B, SK004B, SK005B, SK006B.

Planning Policy & Material Considerations Context

- N.P.P.F.
- Cheltenham Borough Local Plan.
- Manual For Gloucestershire For Streets.
- MfS/MfS2.

Location & Site Accessibility

Cheltenham Cemetery and Crematorium sits adjacent to Bouncers Lane which is a class 3 highway, subject to a 30 mph speed limit with pedestrian footways and street lighting. The development has an existing access off of Bouncers Lane, which provides access to Cheltenham Town centre and various other local amenities and high quality public transport.

Walking & Cycling

The proposed & existing development site is well located for pedestrians with uncontrolled pedestrian crossing points including a pedestrian refuge island, dropped kerbs and tactile paving already exist along Bouncers Lane, Ladysmith Road, Imjin Road, Priors Road/Cromwell Road junction and Priors Road/Imjin Road Junction which connect members of the public to the existing and proposed site by foot.

Pedestrian footways will be provided internally within the application site, linking the car parking areas to the proposed new Chapels and Crematorium. There are currently no designated cycle routes in the immediate vicinity of the site; however cyclists are able to utilise the existing highway network to access the existing Cemetery and Crematorium and proposed new Chapels and Crematorium.

Public Transport

The nearest bus stop provision is located approximately 25m to the south, (Left) of the existing access to the Cemetery and Crematorium, further bus stops (Northbound and

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Southbound) are also located along Priors Road approximately 75m to the west of the access to the Cemetery and Crematorium which is within the desired comfortable walking distance recommended by the IHT providing for journeys on foot guidance table 3.2.

The bus services available here are the 4, A, M7. These provide a service between Benhall, Whaddon, Hesters Way and Cheltenham Town Centre, providing sustainable transport options. The local bus stops and pedestrian infrastructure provides for the opportunity to travel by sustainable modes to both the existing Cemetery and Crematorium, and the propose application site.

Incident Analysis

Information has been provided in the TS with regards Incident Analysis a high level review for the existing highway safety conditions on the local highway network in the vicinity of the existing Cemetery and Crematorium access road has been carried out.

Personal Injury Accident (PIA) data was obtained from CRASHMAP for a five year period between 2011 and 2015. A summary of the total number of recorded accidents within the study area for a five period were 7 slight incidents of which 2 incidents were recorded on Bouncers Lane and 5 were recorded on Priors Road.

The area investigated includes the access road to the existing Cemetery and Crematorium, Bouncers Lane, Priors Road, and Imjin Road. No incidents were recorded along the Bouncers Lane in the immediate vicinity of the existing site.

I can confirm that the data shows no unusual patterns or clusters of collisions within the vicinity of the site which may be considered indicative of issues with highway design.

Access & Layout

The proposed development is to utilise the existing vehicular access arrangement off of the Bouncers Lane via a gated entrance and an internal two-way access road which varies in width between 5.0m and 5.5m then continues via the internal road network which currently serves the existing Cemetery and Crematorium.

On Entry to the existing Cemetery and Crematorium vehicles would follow the existing one way route to the proposed new Crematorium. The proposed new 3m wide egress (only) road from the new Chapels and Crematorium will run adjacent to the southern boundary of the existing Cemetery and will link back into the internal access road to the main entrance/exit of the existing Cemetery and Crematorium.

Proposed Egress Route Plans 0552-ATR-12A, 13A and 14A, displays swept path analysis which demonstrates a limousine, hearse and skip lorry can egress the 3m wide road with localised widening on bends without conflict and can adjoin the existing internal road network without conflict demonstrating the road is suitable to accommodate such vehicles.

Passing bays have been positioned along the new egress road to allow for vehicle pull-in. I note no details have been submitted demonstrating inter-visibility splays between the passing bays, however this will not be open to the public at this stage and will not affect the public highway, therefore the highway authority will make no comment.

The new egress road would not be offered for adoption therefore will be privately maintainable. The proposed egress route would be closed to all traffic outside of services and will be controlled via barriers. In addition access to the existing Cemetery and Crematorium is also controlled.

I note it states in the Transport Statement the proposals will include secure and lit cycle parking for staff and visitors. These will be located within close proximity of the buildings, Proposed Site Plan drawing no.8325-SK10M, demonstrates cycle storage, this can be secured by a suitable worded planning condition.

As part of the Construction Method Statement a scheme will need to be provided for safe access for large vehicles (articulated lorries). As the existing access arrangement off of the Bouncers Lane does not have enough space to accommodate an articulated lorry to be able to pull into the access without preventing the free flow of traffic along the Bouncers Lane, this can be secured by a suitable worded planning condition.

Parking

Gloucestershire does not currently have parking provision standards, parking provision would therefore be assessed against Paragraph 39 of the NPPF with consideration given to the accessibility of the development, the type use and nature of development, the availability of, and opportunity for sustainable transport, local car ownership levels and the need to reduce the use of high emission vehicles.

The spaces should comply with the minimum dimensions of 2.4m x 4.8m for a standard space with 6.0m of drivable space for ease of access.

The proposal includes parking provision (including 10 Disabled parking spaces). Proposed Site Plan 8325 SK10M Appendix B, demonstrates a total of 135 vehicle parking spaces, 116 x visitor spaces, 10 x disabled spaces, 3 x mini bus spaces, 2 x hearse space and 4 x ground keepers spaces.

Based on the experience of the current operation and demand for parking on site, the proposed level of car parking has been deemed appropriate by CBC to meet the operational demands of the scheme. The highway Authority consider this to be acceptable.

Plans SK001B, 02B, 03B, 04B, 05B, 06B demonstrate that a skip lorry, hearse, 7.5T Rigid and limousine can all manoeuvre (turn/park) within the internal layout without conflict, this also is considered acceptable.

Servicing And Refuse Collection Arrangements

The proposals includes a designated servicing area located at the southeast of the proposed Chapel buildings.

Cheltenham Borough Council (CBC) have advised that the service vehicles entering the site would be similar to those currently accessing the site. The largest vehicles that would access the servicing area is a rigid vehicle (7.2m in length) and a small skip lorry (6.3m in length), where there is a turning head provided for these vehicles to manoeuvre. Swept path analysis plans Sk001B and Sk002B confirms this and no conflicting issues therefore I consider this to be acceptable.

Service vehicles would utilise the same route as visitors to access and egress the proposed new Chapels and Crematorium as per the existing situation, it is understood that refuse would be collected at the main entrance gates to the existing Cemetery and Crematorium, from Bouncers Lane.

Refuse generated by the proposed new Chapels and Crematorium would be collected internally by staff and then taken to the collection point.

Emergency Vehicle Access

Emergency vehicles would utilise the same route as visitors to access and egress the proposed new Chapels and Crematorium.

Vehicle Traffic Generation

I note that within the submitted Transport Statement Cheltenham Borough Council (CBC) has confirmed that the proposals would mirror that of the existing North and South Chapel and Crematorium (in terms of scale and times of operation). As such, it is anticipated that

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the proposals would not attract any additional traffic than at present, therefore the Highways Authority would except and agree with the provided Vehicle Trip Generations.

The proposal for the erection of a new crematorium would not be regarded as significant and will not result in a detriment to highway safety in accordance with Section 4 of the NPPF.

Recommendation

I refer to the above planning application received on 26th April 2017, submitted with Application Form, Design & Access Statement, Proposed Site Layout, Planning Statement, Proposed Egress Road Plans, Proposed Egress Road Construction Details, Transport Statement with Appendix A-C. Plan no(s), 8325/PL01, 8325/PL02, 0522-GA-10B, 0522-GA-11B, 0522-ATR-12A, 0522-ATR-13A, 0522-ATR-14A, SK001B, SK002B, SK003B, SK004B, SK005B, SK006B.

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

Condition1

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. provide for the parking of vehicles of site operatives and visitors;
- ii. provide for the loading and unloading of plant and materials;
- iii. provide for the storage of plant and materials used in constructing the development;
- iv. provide for wheel washing facilities for construction traffic.
- v. specify the intended hours of construction operations;
- vi. measures to control the emission of dust and dirt during construction
- vii. provide a scheme to control construction movements at site access (Bouncers Lane Junction)

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

Condition2

The development hereby permitted shall not be brought into first use until the cycle storage facilities have been made available for use in accordance with the submitted plan Proposed Site Plan drawing no.8325-SK10M, and those facilities shall be maintained for the duration of the development.

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

Condition3

The building hereby permitted shall not be brought into first use until the vehicular parking and turning facilities have been provided in accordance with the submitted plan drawing no.8325-SK10M, 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.

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.

GCC Local Flood Authority (LLFA)

17th May 2017

Objection

I refer to the above application received by the Lead Local Flood Authority (LLFA) on 26th April 2017 for comment on the flood risk and management of surface water.

It is acknowledged that the site is located within Flood Zone 1. Also, according to the Environment Agency's interactive flood mapping and the surface water management plan produced for the Priors Oakley Flood Alleviation Scheme, the proposed site is at low risk of surface water flooding up to and during the 1 in 100 year event. As acknowledged in the pre-application advice for this site, there is however some surface water flood risk along ordinary watercourse B (reference plan 'Cheltenham V11 Rev A') and the Wyman's Brook, and ultimately the proposed egress route.

In principle, the LLFA accepts the proposed drainage strategy for the site (reference report number 70020522-F01) , however due to the surface water flood risk along the proposed egress route the applicant is required to consider the wider catchment and overland flows onto the site from the elevated topography to the east. In light of this, the LLFA objects to the application in its current form and requires further information to this effect.

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

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

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

Comments on additional details submitted:

30th June 2017

Objection withdrawn:

I refer to the above application received by the Lead Local Flood Authority (LLFA) on 25th April 2017 for comment on the flood risk and management of surface water and subsequent correspondence with hydrologists at WSP regarding the LLFA's objection to the proposed drainage strategy for the egress route.

The LLFA is satisfied that the WSP Memorandum entitled 'Response to GCC LLFA objection' dated 28th June 2017 provides sufficient reassurance through remodelling that the surface water flood risk to the egress route (illustrated by the Environment Agency's Updated Flood Maps for Surface Water) would be contained within the channels of watercourse B and C up to the 1 in 100 year event plus climate change. In addition, that surface water flood risk to the egress route in relation to capacity of the Wyman's Brook tributary culvert is considered low.

The LLFA are also satisfied that WSP have modelled the overland flow pathways affecting the site and provided reassurance that the proposed egress route will not intercept these flow paths or capture these flows within the proposed drainage system (as illustrated on drawing number QGIS_Results Rev.A and discussed in email dated 23rd June 2017 from Samson Collier).

The Local Planning Authority should be aware that whilst the LLFA accept the revised modelling as evidence to support the proposed drainage strategy for this site, the LLFA have not validated the modelling and would recommend that validation of the models could be obtained from the Environment Agency in due course.

In addition, whilst the capacity of the Wyman's Brook tributary culvert has been assessed, it is advisable that the condition of this culvert is also assessed, as any implications from this could impact negatively upon the proposed site.

Please also note the following:

- Consent will be required under the Land Drainage Act 1991 (as amended by the Flood and Water Management Act 2010) for building across any existing watercourse or culvert. This should be obtained from the Environment Agency for main river and Tewkesbury Borough or Cheltenham Borough Council for Ordinary Watercourses.
- An Environmental Permit will be required from the Environment Agency for the construction phase, due to the proximity of the egress road to the Wyman's Brook.
- The LLFA acknowledges that sizing of culverts and details of the underground storage will be provided at detailed design stage.

In light of the comments above, the LLFA recommend removal of the previous objection and that the following conditions are applied to any subsequent permission:

Condition 1: No development shall commence on site until a detailed design, maintenance & management strategy and timetable of implementation for the surface water drainage strategy (e.g. Sustainable Drainage System - SuDS) presented in the Flood Risk Assessment/Drainage Strategy (Report No. 70020522-F01 and Drawing No's 0522-GA-11 revB; 0522-GA-10 revB; 0522-SD-01 revC; 0522-D-02 revD) has been submitted to and approved in writing by the Local Planning Authority. The detail must demonstrate the technical viability of the drainage system through the use of SuDS to manage the flood risk to the site and elsewhere and the measures taken to manage the water quality for the life time of the development. The scheme for the surface water drainage shall be carried out in accordance with the approved details before the development is first put in to use.

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, flood risk and water quality in the locality.

Condition 2: No development shall be put in to use/occupied until a SuDS management and

maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime, has been submitted to and approved in writing by the Local Planning Authority. Specific reference should be made to the controlled outfall devices proposed on site to ensure the avoidance of blockages. 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.

Condition 3: Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 year event with allowance for climate change has been submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall identify exceedance flow routes through the development based on proposed topography with flows being directed to highways and areas of public open space. Flow routes through areas in private ownership will not be permitted. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use.

Reason: To ensure the health and safety of owners/occupiers of the site and to minimise the risk of damage to property. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for the health and safety of owners/occupiers and visitors to the site.

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

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

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

Sport England

23rd May 2017

Thank you for consulting Sport England on the above application.

Sport England - Statutory Role and Policy

It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 74) and Sport England's Playing Fields Policy, which is presented within its Planning Policy Statement titled 'A Sporting Future for the Playing Fields of England' (see link below): www.sportengland.org/playingfieldspolicy

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one or more of the five exceptions stated in its policy apply.

The Proposal and Impact on Playing Field

The proposal will result in the loss an estimated 07 - 0.85 hectares of playing field for a new access road for the crematorium. It will necessitate the relocation of a junior football pitch, which reduces the flexibility of the site.

Assessment against Sport England Policy/NPPF

The applicants have not addressed the NPPF's paragraph 74 in their planning statement or in the Design and Access Statement. They have also not provided at a reasonable scale drawings which show the proposed and existing playing pitch layouts including the run-off areas around the football pitches. Nor have the applicants addressed Sport England's planning polices or the emerging Playing Pitch Strategy

The Playing Pitch Strategy, PPS, is almost completed and it identified shortfalls of match sessions for adult, youth 11v11 and youth 9v9 pitches across Cheltenham at present, with future demand increasing these shortfalls to include mini 7v7 pitches. The site has been identified in the PPS. This site is used by 3 clubs: C3 diamonds, Charlton Rovers and Interlogos First.

The reduction of playing field land will impact on the ability to move and relocate pitches within the site envelope, and therefore be detrimental to the playing of sport on this site

Conclusion

In light of the above, Sport England objects to the application because it is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 74 of the NPPF.

Should the local planning authority be minded to grant planning permission for the proposal, contrary to Sport England's objection then in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, the application should be referred to the Secretary of State, via the National Planning Casework Unit.

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s). We would be grateful if you would advise us of the outcome of the application by sending us a copy of the decision notice.

Our objection may be overcome, if pitch improvements to the remaining playing fields were undertaken - the PPS identified drainage issues on this site and by reducing the playing field area, this would exacerbate the problems.

If you would like any further information or advice please contact me at the address below.

Comments on additional details submitted:

20th June 2017

Objection withdrawn

Further to my statutory objection which was submitted 23 May 2017, the applicant's architects have been in regular dialogue to try and resolve my objection. This resulted in revised drawings sent to both of us yesterday morning at 11:22: 8325/PL08 rev A and 8325/PL09 rev B.

Sport England has considered the revisions to the application in light of the National Planning Policy Framework (particularly Para 74) and Sport England's Playing Fields Policy, which is presented within its Planning Policy Statement titled 'A Sporting Future for the Playing Fields of England' (see link below):

www.sportengland.org/playingfieldspolicy

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one or more of the five exceptions stated in its policy apply.

Having assessed the application, Sport England is satisfied that the proposed development meets the following Sport England Policy exception:

E3 - The proposed development affects only land incapable of forming, or forming part of, a playing pitch, and does not result in the loss of, or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing area of any playing pitch or the loss of any other sporting/ancillary facility on the site.

This is because despite limited loss of playing field, the proposed road does not impact result in a reduction in the size of the playing area of any playing pitch.

This being the case, Sport England does not wish to raise an objection to this application subject to the following condition:

The development hereby approved shall be implemented in accordance with the details submitted with the application and shown on the drawing numbers:

- o 8325/PL08 rev A - Existing Sports Field Plan
- o 8325/PL09 rev B - Proposed Sports Field Plan

Reason: In order to define the permission in accordance with Cheltenham Local Plan 2006 and the National Planning Policy Framework

Ecology – Forest of Dean

6th July 2017

Summary:

Cheltenham Borough Council are both applicant and planning authority in relation to this application. They have commissioned Forest of Dean District Council to review proposals in relation to potential impacts on badgers. A badger mitigation strategy is recommended which can be secured by a pre commencement condition. It is considered a Natural England Badger licence will be required prior to the commencement of development. Information about how the new access will operate and access managed, to limit the potential for badgers to be hit by vehicles, is required.

Preliminaries:

We have been asked to review matters in relation to badgers and proposals for the access road only. Other ecological matters, tree or landscape matters and the wider have not been subject to review. The following Documents have been examined:

- a. Updated preliminary ecological appraisal (January 2017)
- b. Appendix A Development Proposals
- c. Appendix B Phase 1 habitat map
- d. Ecological Verification Survey
- e. Access Road realignment badger options appraisal (June 2017)
- f. Drawing 8325/PL09 B (Option D access plan)

Badgers are not protected due their 'rarity' more as a means of safeguarding the species against cruelty and therefore deferent approaches, to those species protected because of 'rarity' such as bats, can be undertaken.

Survey and assessment:

One badger sett has been identified as being over 250m from proposed development areas. It is agreed that the proposed development is unlikely to have any impact on this sett.

Another badger sett has been identified as being within 20m of a new access road (option D) and as such it is considered construction activities are likely to result in some disturbance (indirect) of the badger sett. There is a construction zone of approximately 70m length within 30m of the sett with approximately 120sqm of potential construction area within 20m of the sett.

It is agreed that it is unlikely that there will be any direct impacts on the sett (including entrances and tunnels). The sett is located in a bank at the existing cemetery, taking advantage of the looser more exposed soils. The construction of the access road takes place on land previously used as a farm track and sports field. Due to the nature of these uses (use of heavy vehicles expected) any additional earth movements in these areas are likely to have been apparent to site assessors. On this basis it is considered that the risks of encountering tunnels within potential construction areas is very limited. More detailed assessment through ground penetrating radar would be possible but based on the likely risks is not considered currently a requirement.

It is considered likely that some indirect disturbance (noise/ground vibration. etc) to the sett could occur as a result of construction. Appropriate methods of construction could limit impacts and therefore a badger mitigation strategy is required. This may be secured by a pre-commencement condition. It is considered a Licence from Natural England will be required by the developer prior development or any site clearance taking place.

Consideration has been given to the potential of badgers being hit by vehicles when the road is operational. Details of expected use, hours of operation, route locking arrangements and any speed reduction measures are required. This may be secured by condition.

EC01 – Badger Mitigation Strategy

Prior to construction or any site clearance/preparation works a detailed badger mitigation strategy shall be submitted to and approved in writing by the LPA and thereafter the development shall be carried out in accordance with the approved strategy. The badger mitigation strategy shall include, but not exclusively:

- a) Risk assessment of potentially damaging or disturbing construction activities;
- b) Identification and plan of relevant badger vulnerability zones & badger features (runs, latrines etc);
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) for each construction zone to include:
 - i) Dissemination of relevant information to all construction personnel
 - ii) Details of protective fencing
 - iii) Construction activities including type, weight of machinery for each zone including whether they are will be tracked or wheeled.
 - iv) Timing and duration of works
 - v) Use of artificial lighting
 - vi) Storage of materials and construction equipment
 - vii) Noise and vibration attenuation
- d) Measures to safeguard badgers from excavations, trenches and pipe openings overnight throughout the construction of the development;
- e) Details of an ecological information dissemination and monitoring scheme during and after construction. Including lines of communication, responsibilities of ecological clerk of works and construction site manager

Reasons To safeguard Badgers in accordance with the Protection of Badgers Act 1992 (as amended), Circular 06/2005, JCS policy SD10 and CDC Local Plan NE1.

Informative/advice note

It is recommended that the applicant contacts Natural England regarding licence requirements for badgers prior to undertaking any works.

5. PUBLICITY AND REPRESENTATIONS

- 5.1 Letters have been sent to 127 neighbouring properties along with a site notice being displayed.
- 5.2 No representations have been received.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.1.1 As set out in the introduction this is a cross boundary application. The proposed new crematorium is to be located in Tewkesbury Borough Council. The main considerations for Cheltenham therefore relates to the proposed egress road which is proposed to be located skirting the southern boundary along the side of Priors Farm playing fields which then runs to the rear of residential properties on Salamanca Road and Ladysmith Road at which it will connect back into the crematorium internal road network so that all vehicle access and exit will remain through the current Cemetery arrangement onto Bouncers Lane. The application also sets out the need and route for a temporary construction access point which is to be provided at the west boundary of Priory Playing Field linking to Imjin Road.
- 6.1.2 The main planning considerations are therefore considered to be the design and impact on landscape, amenity considerations, highway safety, flooding, and impact on the existing sports pitches and public green space, ecology, trees and heritage.

6.2 General Design Approach

- 6.2.1 Although the main Crematorium building and facilities will be located within Tewkesbury Borough Council some comments are provided on the design approach.
- 6.2.2 The concept is that the buildings are arranged as a cluster, representative of a farmstead in an attempt to reduce the mass and bulk of the proposal but also provide an appropriate flow for the facility. It is understood that from a functionality perspective, the proposal is considered to be successful and provides all that the operator requires, including a second chapel. It is considered that the concept has been executed relatively successfully in terms of mass, scale, and layout. The cluster of buildings ensures that the mass will not overwhelm the site and in this respect, the proposal is suitably respectful to its rural location.
- 6.2.3 The site is special; views out of the registered cemetery look towards the imposing scarp, and views from the site look back into the registered cemetery and towards the listed chapel. Any new buildings need to justify their siting in such a sensitive location and it is considered that from a massing and layout perspective, the scheme will sit relatively comfortably on the site.
- 6.2.4 The approach was also endorsed by the Cotswold Conservation Board at the pre application stage with the Architects Panel providing comments in support of the scheme.

6.3 Landscape Impact

- 6.3.1** The proposed egress road and temporary construction access route do not lie within the Cotswold Area of Outstanding Natural Beauty however as the site is in a sensitive location it is importance to consider the wider landscape impact of the proposal. The wider context landscape character is principally pastoral and scrub land with field boundaries denoted by hedging. The width of the proposed egress road varies ranging for at least 3m wide up to 4m with 3 passing areas. The road will be surfaced in finished in stone mastic asphalt. Small scale earth works are proposed, which are to be grassed, which will are drainage and includes a ditch on the northern side of the road with a raised embankment on the south side typically shown in section as being 0.8m in height. The general appearance of the road will therefore be of a low key landscaped area.
- 6.3.2** Given the soft appearance of the proposal the works are not considered to have any unacceptable impact on the character of the site or the wider Cotswolds Area of Outstanding Natural Beauty and are considered to be acceptable

6.4 Amenity Considerations

- 6.4.1** Policy CP4 of the Local Plan seeks to ensure development does not harm the amenity of neighbouring land users. The majority of the road is to be located between the existing crematorium site and the playing fields to the south. A stretch of the road will however be located adjacent to residential properties on Salamanca Road and Ladsmith Road.
- 6.4.2** While this relationship is not ideal a number of alternative options have been considered which have had to be dismissed resulting in this route being the only achievable option. The application sets out that the hours of use for the crematorium are Monday to Friday between 0900 and 1600 hours with Saturday being 1000 to 1300 hours and no use on a Sunday. The application also sets out that the number of cremations will not increase above existing levels. Given this it is considered that the traffic using this road will be controlled and relatively light and in conjunction with the hours of operation set out it would not give rise to a significant impact on the amenity of the adjacent properties. The proposed temporary route of the construction traffic is to be located to the west of the playing fields accessed directly on to Imjin Road, to ensure that this temporary access/route does not cause any harm to nearby residents a condition requiring a construction method statement to include hours of operation is recommended. It is also of note that of the 127 letters of notification sent to local residents no comments have been received.

6.5 Highways and Access

- 6.5.1** The application proposes to utilise the existing entrance and exit point on Bouncers Lane. Access will flow in the main in one direction with the access route being via the existing internal road system with the egress route being via the new road which will link back onto the existing internal road near to Bouncers Lane. Also proposed is a construction traffic route located to the west boundary of the playing field which will link to Imjin Road.
- 6.5.2** Gloucestershire County Council as the local highways authority (LHA) has assessed this application including the submitted transport assessment, new egress route and construction access, in light of the NPPF and local plan polices. Comments provided on this application are set out in full above. The comments provided by the LHA are comprehensive and include considerations on locations and access, incident analysis, parking, servicing and refuse arrangements, emergency access, and vehicle traffic generation; therefore there is no need to duplicate them in this part of the report, but to confirm their recommendation that no highway objection be raised subject to conditions being attached. Given these comments it is considered that the proposed development would have provide appropriate access and exit to and from the site and would not have an unacceptable impact on highway safety.

6.6 Flooding and drainage

- 6.6.1** The NPPF aims to direct development away from areas of flooding and seeks to ensure that development should be safe and should not increase flood risk elsewhere. Local Plan Policies CP3, UI1 and UI2 reflect this advice and are therefore considered to be consistent with the objectives of the NPPF.
- 6.6.2** The Environment Agency maps indicate that the site is located within flood zone 1 (low risk, less than 1:1000 annual probability of flooding which is acknowledged Local Flood Risk Authority (LFRA).
- 6.6.3** The application has been accompanied with a flood risk assessment and a drainage strategy. The strategy incorporates SUDs and sets out that the proposal will ensure that flood risk resulting from pluvial events (rainfall) will be managed and that flood risk will not increase elsewhere as a result of the development, this strategy also includes drainage for a 1:100 year event plus an additional 40% for climate change to take account of the predicted increase in rainfall intensity over the lifetime of the development.
- 6.6.4** The LFRA in considering the details originally submitted stated that they accept the drainage strategy for the site but required the applicant to consider the wider catchment and overland flows onto the site from elevated topography to the east, and therefore objected to the application. The applicant subsequently produced and submitted the additional information requested to which the LFRA has considered and withdrawn the objection to the application subject to recommend conditions being attached and subsequent discharged in consultation with the LFRA.
- 6.6.5** It is of note that the LFRA as the statutory consultee on these matters provided no objection to the application. Given these comments the details submitted on flood risk and mitigation are considered to demonstrate that the proposal will not give rise the increased flooding of drainage concerns.

6.7 Impact on sport pitches and public green space.

- 6.7.1** Sport England raised an objection to the application as originally submitted as it would not comply with the requirements of paragraph 74 of the NPPF which seeks to protect existing sports pitches. Sport England estimated that the proposed new road for the access road would result in a loss of 0.85 hectares of playing field.
- 6.7.2** Revised plans have now been submitted relocating the proposed road further away from the sports pitches. Sport England have reviewed the revised plan and have withdrawn their objection confirming that they are satisfied that the proposed development meets the Sport England Policy exception that despite limited loss of playing field the proposed road does not impact or result in a reduction in size of the playing area of any playing pitch.
- 6.7.3** The egress road is proposed to be located on land identified as public green space in the Local Plan. Policy GE1 policy seeks to retain open space for its visual, environmental and recreational value. It is considered that this proposal does not constitute the type of development that the policy is seeking to restrict; furthermore it is considered that the egress road has been well designed and would not compromise the existing visual, environmental and recreational value of the existing public green space. The public benefit of the new facility can also not be overlooked when assessing the application against this local plan policy.

6.8 Ecology

- 6.8.1** The NPPF sets out that when determining planning applications local planning authorities should aim to conserve and enhance biodiversity and that planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats. Local

Plan Policy GE7 of the local plan seeks to accommodate and protect natural features with policies 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.

- 6.8.2** 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 for bats and badgers.
- 6.8.3** The submitted assessment provides conclusion and recommendations on the options presented to ensure that the development would not have any adverse impacts, direct or indirect.
- 6.8.4** To resolve the Sport England objection the access road and construction traffic route will be located closer to an existing badger sett. The applicant submitted addendum to the ecological assessment to review the impact that this alteration would have on the badger sett, considering both the construction traffic and permanent use of the access road. In reviewing this additional information an independent view was requested from Forest of Dean District Council Ecologist. In response the FoD Ecologist concludes that the proposed relocation of the access road would have an acceptable impact on the badger sett subject to a condition on the detail of the mitigation strategy being attached.
- 6.8.5** Subject to conditions ecology and bio diversity mitigation and requirements are therefore not considered to be satisfactory.

6.9 Other Matters

- 6.9.1** The Tree Officer has considered the application and notes that the scheme has been designed to have limited impact on existing trees with only some vegetation removal required which will have some localised minor impact this vegetation is overwhelmingly self-sown goat willow and some cypress hedge removal.
- 6.9.2** In considering archaeological implications the Country Archaeological Officer provides no objection subject to a condition to secure monitoring of the ground works required for the development so that any significant archaeological remains found are recorded. In addition given the distance between the proposed road and the historic assets at the crematorium site it is not considered the egress road would impact on their settings.

6.10 CONCLUSION AND RECOMMENDATION

- 6.10.1** Given the low key nature of the proposed road the proposal is not considered to have an unacceptable impact of the site and the wider Cotswold Area of Outstanding Natural Beauty. The impact on local residents is considered to be acceptable.
- 6.10.2** On matters assessed in relation to highway safety and flooding, GCC as both the local Highways Authority Local Flood risk Authority and has confirmed that no objection is raised subject to conditions being attached.
- 6.10.3** Sport England provides no objection to the application.
- 6.10.4** Both the archaeological and ecology impact of the proposal is considered to be acceptable subject to conditions.
- 6.10.5** With all of the above in mind the proposed egress road and associated works is considered to be acceptable when considered against the relevant Local Plan Policies and the guidance set out in the NPP F.

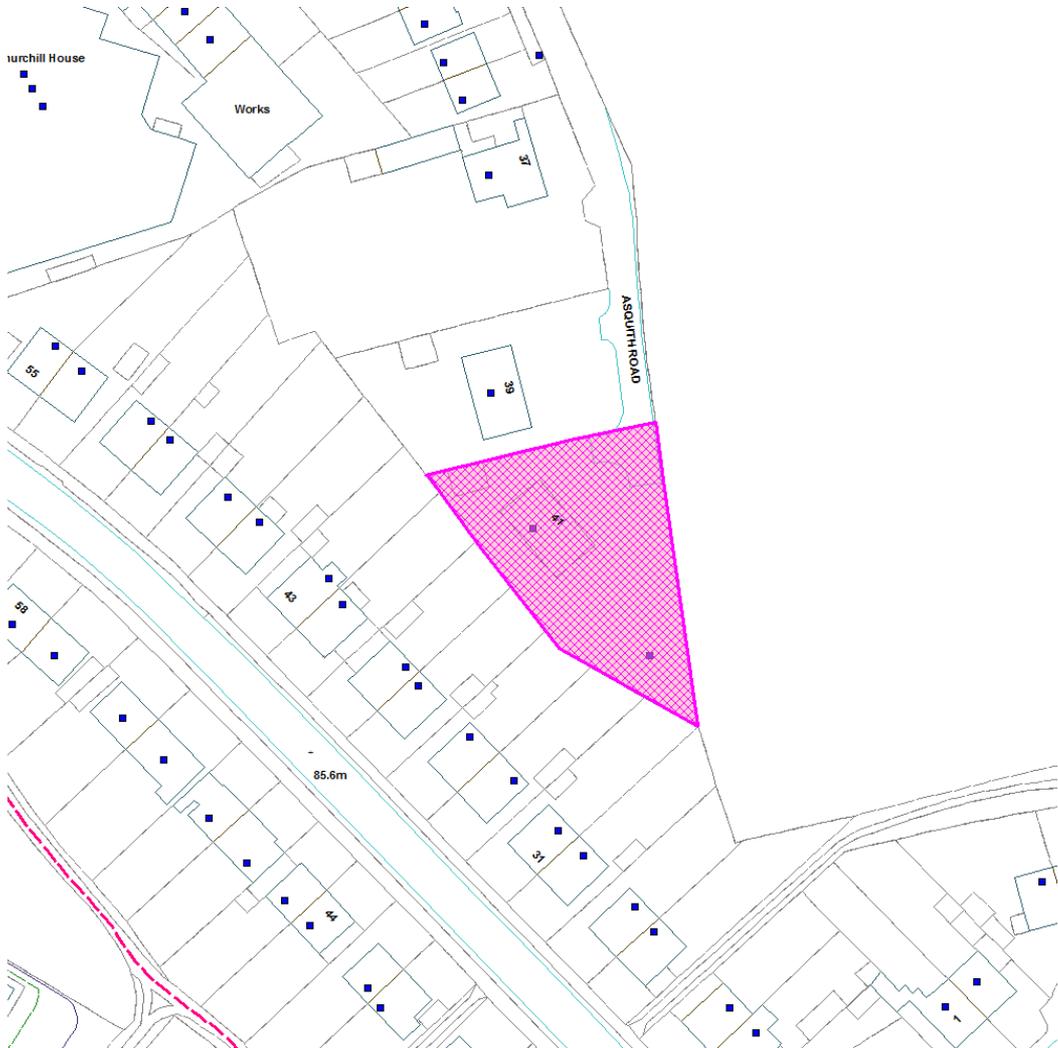
6.10.6 The recommendation is therefore to approve the application subject to conditions.

7. CONDITIONS/INFORMATIVES

7.1 To follow as an update

APPLICATION NO: 17/00484/FUL	OFFICER: Miss Michelle Payne
DATE REGISTERED: 8th March 2017	DATE OF EXPIRY: 3rd May 2017
WARD: College	PARISH: N/A
APPLICANT: Mr & Mrs Flooks	
AGENT: PSK Architect	
LOCATION: 41 Asquith Road Cheltenham Gloucestershire	
PROPOSAL: Alterations and extensions to provide first floor accommodation	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This application relates to a 1970's detached bungalow in Asquith Road at the end of a cul-de-sac. The property is one of two bungalows built within the original curtilage of no.37 Asquith Road, and reads as a pair with no.39 Asquith Road.
- 1.2 The property is faced in reconstituted stone beneath a pitched concrete tiled roof, with brown upvc windows and doors. The property has been extended by way of a modest single storey extension to the rear, and a conservatory addition to the side.
- 1.3 The application is seeking planning permission for alterations and extensions to provide first floor accommodation.
- 1.4 Revised plans have been submitted during the course of the application to address officer concerns; the revisions are discussed in detail at paragraphs 6.2.4 and 6.2.5 below. Revised elevations as existing were also submitted to show the correct roof pitch and ridge height.
- 1.5 The application is before planning committee at the request of Cllr Sudbury to allow Members to consider the impact on the amenity of neighbouring properties and also on the character of the area.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Smoke Control Order

Relevant Planning History:

None

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development
CP 3 Sustainable environment
CP 4 Safe and sustainable living
CP 7 Design

Supplementary Planning Guidance/Documents

Residential Alterations and Extensions (2008)

National Guidance

National Planning Policy Framework

4. CONSULTATION RESPONSES

Gloucestershire Centre for Environmental Records

27th March 2017

Report available to view on line.

5. PUBLICITY AND REPRESENTATIONS

5.1 On receipt of the application, letters of notification were sent out to nine neighbouring properties. In response to the publicity, nine representations were received in relation to the proposal. The comments have been circulated in full to Members but, in brief, the concerns relate to:

- Overdevelopment
- Out of character
- Visual impact
- Impact on privacy
- Impact on daylight
- Noise and disturbance
- Covenant

5.2 Further letters of notification were sent to 13 local residents on receipt of the revised plans. Again, the comments received have been circulated in full to Members; however, no additional concerns have been raised.

6. OFFICER COMMENTS

6.1 Determining Issues

6.1.1 The main considerations when determining this application relate to design and impact on neighbouring amenity.

6.2 Design

6.2.1 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. Additionally, the NPPF, at paragraph 58, advises that planning policies and decisions should seek to ensure that developments respond to the local character and reflect the identity of local surroundings and materials.

6.2.2 As originally proposed, officers had concerns in relation to the overall design, and the resultant impact on neighbouring amenity. With regard to design, there were particular concerns over the significant increase in eaves and ridge height. Although officers acknowledged that there may be a need to marginally increase the ridge height, it was suggested that any such increase should be limited to 500mm, and that the existing eaves height be maintained.

6.2.3 Additionally, it was suggested that the proposed box style dormer to the rear be omitted, given the property's close proximity to the site boundary, and that only high level roof lights be installed. It was also strongly advised that the 3no. dormers to the front roof slope be reduced in size; and the appropriateness of white uPVC windows at first floor in contrast to the brown uPVC windows at ground floor was also questioned.

6.2.4 The revised drawings largely accord with officer advice. As requested, the existing eaves height would now be unchanged and the ridge height would only be increased by 500mm to an overall height of 5.4m. The 3no. dormers to the front of the property have also been notably reduced in size so that they are better spaced within the roof slope; the windows have been reduced to three lights and they would now be set well back from the eaves. Moreover, these dormers would now be rendered and the colour of the window frames would match those at ground floor.

6.2.5 It is disappointing that that a large box style dormer window is still proposed to the rear roof slope, although again it has been reduced in size. Furthermore, it would no longer break the eaves line and would be tile hung to minimize its visual impact. It is a common form of development in order to achieve additional habitable floor space. In addition, only high level, obscure glazed windows are now proposed within the rear dormer; and this could be secured by way of a condition. Officers are also mindful that were it not for the increase in ridge height, a box style dormer could be installed on this rear roof slope under permitted development rights.

6.2.6 Overall, in its revised form, the scheme is now considered to be more respectful to the character of the existing property, and its neighbour to the north, in accordance with policy CP7 and general design advice set out within the NPPF.

6.3 Impact on neighbouring property

6.3.1 Local plan policy CP4 (safe and sustainable living) advises that development will not be supported where it would cause unacceptable harm to the amenity of adjoining land users or the locality. Consideration is given to a number of matters including, but not limited to, loss of sunlight and/or diffuse daylight, loss of outlook, and loss of privacy.

6.3.2 In its revised form, the proposal would not result in any unacceptable harm to neighbouring amenity in terms of outlook, privacy or daylight; particularly to the wider locality.

6.3.3 The windows proposed to the rear dormer would be obscurely glazed, high level windows and this could be adequately secured by way of a condition (see condition 3 below). As previously mentioned, it is the increase in ridge height that results in the need to obtain planning permission for a rear dormer; if a dormer were to be installed under permitted development, there would be no requirement to install obscure glazing.

6.3.4 Additionally the scale and nature of the proposals would ensure that levels of sunlight and daylight currently afforded to neighbouring properties would not be unduly affected. Moreover, whilst officers recognise that the rear dormer would clearly be appreciable from the houses in Mead Road, and to a lesser extent the increase in ridge height, it would not result in any overbearing impact. The properties immediately to the rear of the application site benefit from gardens approximately 20 metres in length.

6.3.5 The proposed works would therefore accord with the requirements of policy CP4 and general advice set out within the NPPF.

6.4 Other considerations

6.4.1 It has been highlighted in the representations that the property is subject to a restrictive covenant. Members will be aware that covenants are not, and cannot, be a material consideration in the determination of a planning application. Issues relating to planning and restrictive covenants are entirely separate matters. The granting of planning permission would not overrule the validity of the covenant.

6.5 Conclusion and recommendation

6.5.1 Officers consider the revised proposals to be in accordance with local plan policies CP4 and CP7, and national advice set out within the NPPF. The revised design is more sympathetic to the character of the existing bungalow and its neighbour, and would not result in any unacceptable harm to neighbouring amenity.

6.5.2 The recommendation therefore is to grant planning permission subject to the following conditions:

7. CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in Schedule 1 of this decision notice.

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

- 3 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 windows in the rear dormer 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 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 significant revisions to the proposals to ensure a more satisfactory form of development and to mitigate any impact on neighbouring amenity.

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

APPLICATION NO: 17/00484/FUL		OFFICER: Miss Michelle Payne	
DATE REGISTERED: 8th March 2017		DATE OF EXPIRY : 3rd May 2017	
WARD: College		PARISH:	
APPLICANT:	Mr & Mrs Flooks		
LOCATION:	41 Asquith Road, Cheltenham		
PROPOSAL:	Alterations and extensions to provide first floor accommodation		

REPRESENTATIONS

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

7 Mead Road
 Cheltenham
 Gloucestershire
 GL53 7DU

Comments: 28th March 2017

As a Mead Road resident I am concerned about the over development of our local neighbourhood. Our properties were built in the 1930's and the two bungalows were built which allowed for privacy for the residents of Mead Road. The proposed dormer windows at the back of the property will make it appear to be a two storey dwelling with a flat roof. Would not Velux Windows suffice to allow light and an airy feel and have no impact on neighbours? I feel this is not in keeping with the style of the houses of Mead Road. The doubling in size of said property, if passed, may have an impact on other similar properties which would also have a detrimental impact on the privacy of the residents of Mead Road. In this partial green residential area dormer windows can be very intrusive and not aesthetically pleasing to this particularly attractive part of Leckhampton.

33 Mead Road
 Cheltenham
 Gloucestershire
 GL53 7DY

Comments: 31st March 2017

I object as it is a lack of privacy and light, not only to myself but also to my neighbours and it begs the question why buy a Bungalow if you want to convert it to a House

Comments: 7th July 2017

Having viewed the new plans for Asquith Rd for the extension to the property I still object and do not agree to the work being carried out

35 Mead Road
Cheltenham
Gloucestershire
GL53 7DY

Comments: 1st April 2017

I strongly object to the proposed extension to 41 Asquith Rd

In the Cheltenham Local Development Framework Supplementary Planning Document - Residential Alterations and Extensions Adopted in 2008, Section 2.1 mentions Five Basic Design Principles. Paragraph 2.1.2 mentions Subservience which states "an extension should not dominate or detract from the original building, but play a supporting role." Using the CBC Planning Application Measuring Tool I estimate the height of the proposed building will be approximately 7m. This is an increase in height of around 2.5m which is nearly 60% above the original 4.4m. This will dominate everything around it. The visual impact on local residents will be enormous and detrimental. As far as I can judge, the height of the proposed roof ridge will be the height of their existing TV aerial. The top of the windows will be above the top of the existing chimney. I consider this totally unacceptable.

With windows in an extension of this height there will be an obvious loss of privacy. My rear windows and garden will be overlooked.

When the bungalow was built there was a covenant in place which stated the building should have no impact on the privacy and visual aspects of the houses in Mead Road. This extension will seriously impact on both aspects.

I strongly urge this planning application is turned down.

Comments: 7th July 2017

I strongly object to the proposed extension to 41 Asquith Rd.

The revised extension will still dominate all around it and in no way play a subservient role as mentioned in the Cheltenham Local Development Framework Supplementary Planning Document. It is also way out of character with the local area.

The CBC letter of 26th June states in highlighted text "Please note the revised scheme proposes only a 500mm increase in ridge height, the eaves height will remain as existing". This suggests that the pitched roof will be starting at the existing eaves all around the building. As far as I can see only about 30% of the rear and none of the front walls will have pitched roofs so for this small part the eaves height seems to be as existing. The letter fails to state that there will be a vertical wall of approx 2.7m above the eaves level along the other 70% of the rear and the entire front roughly doubling the height of the existing walls. The original proposals are no longer available on the CBC website but from memory the recently proposed walls will be of a similar height as the previous proposal. It will look like a squash court wall rising approximately to the height of the existing chimney but will be around 4m nearer to the rear boundary than the chimney. I believe this is visually totally unacceptable to me and my neighbours.

When the bungalow was built there was a covenant in place which stated the building should have no impact on the privacy and visual aspects of the houses in Mead Road. If this proposal goes ahead, both will be compromised as the proposed extension will dominate all around it.

I urge the council to reject this proposal.

37 Mead Road
Cheltenham
Gloucestershire
GL53 7DY

Comments: 25th March 2017

I strongly object to the proposed extension to 41 Asquith road

When the original planning permission to build two bungalows was submitted by the owner of 41 Asquith road it was granted on the grounds that it would have to effect on the privacy of Mead road residents this was because of the proximity to the back of our gardens

As the bungalow is only about 3-4 metres from the hedge at the bottom of my garden the propose extension would mean that the three windows at the rear of the property would be directly overlooking my garden

As the proposal is that two of these windows would be bathrooms I find it totally offensive to be expected to have that view if I am sitting in my garden in the evening

This bungalow was purchased recently as a 3 bedroom bungalow and not as a 4 bedroom, 3 bathroom house

I would strongly urge that you consider that it remains that way

If the owners feel that they need more space I would suggest that a ground floor extension where their conservatory is would be more appropriate

Comments: 6th July 2017

After reviewing the revised plans my objection still stands as any first floor extension to a property that was intended as a bungalow would be an invasion into the privacy of my garden.

This bungalow is only a short distance from the end of my garden & planning permission was granted as a bungalow not a two storey house & this application should be rejected.

39 Mead Road
Cheltenham
Gloucestershire
GL53 7DY

Comments: 25th March 2017

We are deeply concerned and strongly object to the planned extension of 41 Asquith Road and the potential over development of the site.

We live directly behind 41 Asquith Road and our back garden looks out onto the roof of their bungalow, this has been the case since the bungalows were built in approximately 1975. Currently we feel that the site offers an appropriate level of privacy from our ground floor living space and garden. Our house on Mead Road was built along with most other properties in 1930; the bungalows were permitted to be built when 37 Asquith Road put in an application and 2 bungalows were approved, bungalows were most likely built so that they were not detrimental to the visual impact or privacy of those living in Mead Rd. This was potentially in part due to the positioning of the bungalow on an atypical site - the rear of the bungalow sits extremely close to the boundary fence at the end of our garden (digital measure = 2.3 metres from the boundary fence). Their garden unusually lies to the side of their property. Interestingly there is also a covenant in place on 37 Asquith Road ensuring the property remains as a house.

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The current application will mean a doubling of the floor space of the property, making it totally out of scale and out of character for this type of dwelling. The current plans show an increase to 4 bedrooms and includes an incredible three full bathrooms. The master bedroom is designed to have triple aspect. The owners have also planned to include a garden room, study, family room and guest bedroom on the ground floor alongside a kitchen, dining room and bathroom. This is an ambitious design, maximising space and taking a humble 3 bedroom bungalow and turning it into a large 4 bedroom, 3 bathroom house - whilst taking no account of its impact on the large number of houses on Mead Road and their privacy. We request that the application come to planning so that they can see the huge impact that a dormer will have on us, in particular but also our close neighbours. Our reasonable request is that a dormer is not permitted on this side of the property in any form.

The owners have not sought pre-application advice on the draft plans from the planning office. Our concerns are focused on privacy in the first instance but also visual impact, noise and disturbance. Our home will be overwhelmed by the imposing dormer. There will be a significant loss of amenity for us in our home and garden.

NOISE OR DISTURBANCE

The proposed dormer which will look immediately into our garden and that of our neighbours will include 3 additional rooms that are very close to the boundary hedge. Currently the hedge buffers noise from the living spaces of the bungalow when we are in our garden. The house sits a mere 2.3 metres from the boundary (we are not fortunate enough to have their main garden separating us from their actual home) and so noise could have a serious impact if the 8ft hedge wasn't present. By adding a huge dormer, the length of the property and three sets of windows, noise from those rooms will be heard easily from our garden and possibly house as there will not be a natural barrier as presented by the hedge on the ground floor.

VISUAL IMPACT

The current sloped roof, whilst noticeable is not offensive or obtrusive. A full length dormer that will be built to the pitch to enable headroom (this is not illustrated on the plans as not drawn to scale and could be perceived to be misleading; after discussion with the owner she agreed that the dormer will need to be taken to approximately the top of the roof pitch to accommodate standing height) and is not designed to 'respect the character and scale of the existing building....The most important consideration is that an extension should not detract from the original' as advised by Cheltenham Borough Local Plan (para 4.18). It will over dominate the existing dwelling and surrounding properties and gardens. The owners have planned for a full length dormer on the back of the property and three pitched dormers on the front - this is to allow the over generous plan for three bedrooms, two bathrooms (1 en-suite) and a storage area. The dormer will make the property look like a flat roofed two storey house. This will have a significant visual impact from our garden, kitchen, dining room, two bedrooms, and a bathroom window. We will be looking directly onto their property and will feel intimidated by the striking impact this will have which will be significantly different from the view of their pitched roof that we currently see. The use of white windows, white guttering and wood cladding is totally removed from the brown slate tiles that we look at currently. Any form of dormer whatsoever will have a significant visual impact upon our property. The proposed dormer is neither complementary nor modest in scale and in our opinion regardless of materials used will look unsightly. In our opinion it will be visually overbearing for us and our neighbours. We will be constantly aware of its presence both in our garden and within our home, it will overshadow every view from the rear of our property, there will be no escape from it - its mere presence will dominate our lives.

LOSS OF AMENITY

Our garden is north facing, this means that during late afternoon and early evening the sun shines from the front of our property into the far end of our garden. As a result we spend a great deal of time at the bottom of our garden during the warmer months in the early evening - this will

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be compromised. We feel that we will be unable to spend time in our garden as we will be overlooked. There is also a large chance that the sun will shine onto the glass in their planned dormer windows and reflect sunlight towards our home due to glare, potentially causing blind spots and discomfort.

PRIVACY

The extension of any form of dormer window will cause significant loss of privacy for us and our neighbour's properties, we will be completely over-looked by the house which so close to the boundary. The Cheltenham Borough Council Supplementary Planning Guidance states that in order to maintain privacy for neighbouring properties, due to overlooking from new windows....should be a minimum of 21m apart, with 10.5 metres from window to boundary. Thus size and location and distance from existing boundaries has to be controlled by the council (section 2.1). This applies to our property.

The proposed dormer will mean that our living space is totally compromised, the windows will look directly into habitable spaces: our kitchen and dining space (an area that we spend most of our time) and into our 8 year old daughter's bedroom. We enjoy our garden and will have no privacy as with a dormer in place we will be totally overlooked. The owners have suggested that the bathrooms will have privacy glass in place; however recent experiences tell us that our children will potentially be able to see a silhouette of the family in the bathroom and adults in the en-suite and bedroom and when windows are open they will be able to see into our space. The bedroom window (one of three due to the triple aspect planned) will look directly into our home and even though the owner has suggested they will keep their blinds shut at all windows this is not acceptable to us or our neighbours, such comments do not secure privacy, particularly if they then move. The use of a full width, flat roofed dormer is not acceptable in our opinion for ensuring privacy in any way and with any adaption. Even with privacy glass, silhouettes can be seen, blinds can be drawn and windows can be opened.

We are also concerned about light pollution - currently we do not look out onto lights from windows in close proximity, however, with a dormer (even with opaque glass) we will not be able to sit in our family dining space without the glare of their lights looking down on us and the feeling of being watched.

Our lives and that of our neighbours will be seriously impinged and may cause a huge amount of stress and anxiety - it already has had a detrimental impact. One of our greatest worries is that we will be unable to use our garden in the way in which we do now, this adverse effect is unacceptable to us. This type of development could then be applied to the bungalow next door, which is also a worry of local residents, thus having a detrimental effect on the character of the neighbourhood.

Our thoughts are that with a huge amount of extra space created; perhaps the owners should consider reducing the number of bathrooms and bedrooms in the attic so that a dormer facing directly into our garden is not needed and they can create a full length dormer instead looking out onto the Asquith Road Allotments - a loss of privacy for no one .

Comments: 3rd April 2017

After discussing the proposed planning with our local neighbours, we would like to add to our initial objection. The planned extension will mean that the height of the building will be raised, this will have a considerable impact on our property, our immediate privacy and have an enormous impact on our daily lives. It will no longer be subservient to the original bungalow and will be completely overbearing. By raising the roof height the bungalow that is currently unobtrusive will dominate our view and completely rid us of privacy. The Cheltenham Local Development Framework Supplementary Planning Document - Residential Alterations and Extensions Adopted in 2008, paragraph 2.1.2 mentions Subsistence which states "an extension should not dominate or detract from the original building, but play a supporting role." Any increase in the roof height at all will dominate everything around it, it will not be subservient to the original building. The visual

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impact on local residents will be enormous and detrimental. There appears to have been no regard to the impact that it will have upon the many immediate neighbours, this is further supported by the owners complete lack of communication with anyone.

Comments: 9th July 2017

We continue to be deeply concerned and strongly object to the planned extension of 41 Asquith Road and the potential over development of the site.

The alteration to the plans makes no difference to the positioning of the bungalow on an atypical site - the rear of the bungalow sits extremely close to the boundary fence at the end of our garden. This means that the development will look and feel like it is in our garden, it is that close to the boundary.

The renewed application will still mean a virtual doubling of the floor space of the property, making it totally out of scale and out of character for this type of dwelling. This remains an over ambitious design, maximising space and taking no account of its impact on the large number of houses on Mead Road and their privacy. We still request that the application be reviewed by the planning committee so that they can see the huge impact that a dormer which is the full depth of the roof will have on us and that they visit our gardens to see how overbearing raising the roof height will be.

NOISE OR DISTURBANCE

The proposed dormer continues to look immediately into our garden despite a change in window size and shape. Our concerns regarding noise remain.

VISUAL IMPACT

The planned dormer and an increase in head height is not designed to 'respect the character and scale of the existing building' (Cheltenham Borough Local Plan para 4.18). It will still over dominate the existing dwelling and surrounding properties and gardens. The owners, whilst down-scaling the dormer in length slightly will still be making the property look like a flat roofed two storey house - this is partly due to the depth of the dormer, which does not appear to have changed. It will have a significant visual impact from our garden and home. The striking impact this will have will be significantly different from the view of their pitched roof that we currently see. In our opinion it continues to be visually overbearing for us and our neighbours.

LOSS OF AMENITY

We still feel that we will be unable to spend time in our garden as we will be overlooked, the increase in roof height by 500mm will make this more of an issue.

PRIVACY

The extension of any form of dormer window will cause significant loss of privacy for us and our neighbour's properties, we will be completely overlooked by the house which so close to the boundary. The Cheltenham Borough Council Supplementary Planning Guidance states that in order to maintain privacy for neighbouring properties, due to overlooking from new windows....should be a minimum of 21m apart, with 10.5 metres from window to boundary. Thus size and location and distance from existing boundaries has to be controlled by the council (section 2.1). I request that the planning team consider that the windows may still be too close to the boundary and that this distance is measured and submitted. The smaller dormers on the front of the building have been set back from the front of the building; the large overbearing dormer at the rear comes straight out to the edge of the building, This remains unsightly and overbearing.

The proposed dormer will mean that our living space is totally compromised, the windows whilst smaller in size will still look directly into habitable spaces: our kitchen and dining space (an area that we spend most of our time) and into our 8 year old daughter's bedroom. We enjoy our garden and will have no privacy as with a dormer in place we will feel totally overlooked even if the windows are higher and smaller. The master bedroom still has three windows which seems

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completely excessive. The use of a virtually full width, flat roofed dormer is not acceptable in our opinion for ensuring privacy in any way and with any adaption.

Perhaps the owners should consider reducing the number of bathrooms and bedrooms in the attic so that a dormer facing directly into our gardens is not needed. We still do not understand why Velux windows cannot be placed in the existing roof (within the existing envelope) at the rear of the property and that the huge dormer is placed at the front of the building which looks out over the allotments? It feels like there is no consideration yet for the aesthetics of the building from the neighbours view, rather ensuring that the front of the property is attractive? Cheltenham Planning when visiting our garden thought that the building should remain within the existing envelope; we agree.

39 Asquith Road
Cheltenham
Gloucestershire
GL53 7EJ

Comments: 31st March 2017
Letter attached (co-written with No. 37).

47 Mead Road
Cheltenham
Gloucestershire
GL53 7DY

Comments: 30th March 2017

Firstly, I was surprised to hear about this proposal from a neighbour, as I was not informed directly at all. Having looked at the proposal I felt that the proposal was completely out of character with the current row of bungalows and was in fact virtually the conversion from a bungalow to a substantial two storey house. In my opinion this will set a dangerous precedent, if approved and any of the other bungalow owners would feel entitled to do the same. This would cause issues of privacy for the neighbours in Mead Road, such as myself. I understand that the bungalows were only built in the first place on the understanding that they would not be substantially altered. I have also been told that there is a covenant limiting development in the immediate area.

As a result of the above factors I therefore object to the application.

Comments: 7th July 2017

Firstly, the documents containing the new elevations appear on the screen on their side and will not print out. So it took me some time to see them properly. Second the attempt to turn the bungalow into a two storey house seems to remain. The rear view is still aesthetically displeasing. It is not clear whether all of the rear glass is obscured. Is it just one of the windows?

52 Mead Road
Cheltenham
Gloucestershire
GL53 7DT

Comments: 30th March 2017

Yet again it seems over ambitious plans are sought by people who are newly located to the area and do not wish to keep the integrity of the beautiful area we live in. All too often we see these over sized developments. I do not have any issues with residents wanting to make home improvements but these are akin to brand new homes.

As a resident of Mead Rd, I feel ill at ease with such vast plans which will impinge the properties directly adjacent to it, thus undervaluing properties of those that have lived here for many years. The Plans do not seem in keeping with the area and the doubling of the floor space seem excessive.

37 Asquith Road
Cheltenham
Gloucestershire
GL53 7EJ

Comments: 31st March 2017
Letter attached (co-written with No. 39).

Comments: 23rd May 2017
Letter attached.

Comments: 4th July 2017
We write as the owner occupiers of Naunton Bank, 37, Asquith Road. Cheltenham .

1)We are confused . We were told on 26th by Michelle Payne that the above matter would be dealt with by Martin Chandler on his return from holiday on July 3rd. Additional more detailed plans than those put on the web on July 21st,expected from the architect ,would be made available. In the absence of these plans additional comments should not have been requested as there is not sufficient new information other than a height decrease.

2) Originally these plans were designed and accepted by planning for a low visual impact on the neighbourhood. This is no longer the case. The increased size of the roof, to now include three extra bedrooms , an extra bathroom and an even larger en-suite and additional airing room. is an intrusion on the neighbourhood space. The plans do not clarify what the room next to the en-suite actually is but we assume this would be an extra fourth bedroom.

3) This increase with little roof remaining makes it in the mind of all the neighbourhood we have consulted a house rather than a bungalow. The rear windows still look down on Mead Road and the front windows are now in direct line with our own first floor bedrooms.

What is proposed is not a bungalow but a big house which is a development we do not want.

4)What is now the nature of the finish? The plans are not clear.

We believe strongly that if a council knows of the existence of a covenant then, as might be the case here, it must itself be breaking the law by encouraging the public to break such a well intentioned legal document, which in this case has the full support of the neighbours and still exists in the era when bungalows, such as we have at present, remain in short supply in Cheltenham. Apart from this, the good intention itself, in this case originally supported by the Council in 1975, needs to be honoured.

As always we welcome a visit from any of your officers if they wish to pursue any of the above points .

We look forward to hearing from you .

31 Asquith Road
Cheltenham
Gloucestershire
GL53 7EJ

Comments: 6th July 2017

I do not feel that the proposed development is in keeping with the original pair of bungalows.

39 Asquith Road
Cheltenham
Gloucestershire
GL53 7EJ

Comments: 7th July 2017

We are concerned as next door neighbours the proposed development will have on us during construction.

The wear and tear on the drive with which we share maintenance, also noise and dust.

33 Asquith Road
Cheltenham
Gloucestershire
GL53 7EJ

Comments: 11th July 2017

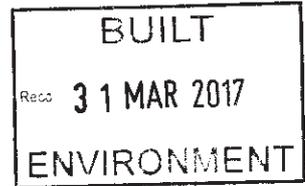
Letter attached.

27 Asquith Road
Cheltenham
Gloucestershire
GL53 7EJ

Comments: 9th July 2017

I wish to object to an additional storey being added to the bungalow. As usual the goalposts are changing as to what is allowed in the local area. I understand the new residents want to add floor space, but given that they bought a bungalow this should be on the ground floor not adding a whole new floor. The impact of creating a new storey will make for a lot of disturbance in our quiet area.

Naunton Bank
37, Asquith Road
Cheltenham
GL537EJ
30/3/2017



Dear Tracy Crews,
Your ref. 17/00484/FUL

Proposal: Alterations and Extensions to provide first floor accommodation at 41 Asquith Road Cheltenham, Gloucestershire

We write as the owner occupiers of Naunton Bank, 37, Asquith Road, Cheltenham and 39, Asquith Road .

1) **The proposed development is too ambitious** and is not respectful of the surrounding houses in Mead Road and Asquith road 37 and 39. Initial comments from those who have seen the plan include "monstrous" and "in conflict with 39 both in colour and design".

2) **The Owners of 37 for some reason have not been consulted.** This is all the more strange, especially as they have in their possession a signed Land Registry Document covenant dated 15th January 1974 (p30408), which is clear on buildings restrictions (see 5 below)

3) **These Restrictions will be in the deeds of 41 and 39.** We know this to be so in the case of number 39 because previous occupants, Ian and Wendy Davies, had a similar , much smaller request, refused by us several years ago (see 5 below).

4) **Colin and Pauline Dellar (at 37) own the drive** but its upkeep is the responsibility of all three dwellings. Whatever the outcome of these negotiations we must insist that any damage caused as a result of building works is put right at no cost to 37 and 39. Some damage is inevitable.

5) **Our Covenant is clear that anything other than only bungalows and garages can be erected and these have to be approved in writing by the owners of 37 as is also the appearance.**

What is proposed is not a bungalow but a big house which is a development we do not want.

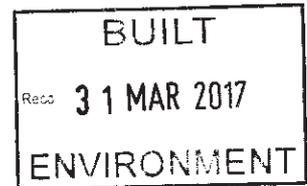
6) **The use of white windows, white guttering and wood cladding is totally out of keeping** with the present Cotswold stone bungalows which have a naturally aesthetically pleasing design. The bungalows were designed with a natural curve which took into account height and appearance. This is under threat in the proposed plan.

We welcome a visit from any of your officers if they wish to pursue any of the above points and look forward to hearing from you .



Pal Offices, Cheltenham

Naunton Bank
37, Asquith Road
Cheltenham
GL537EJ
30/3/2017



Tel [REDACTED]
E-mail [REDACTED]

Dear Tracy Crews,
Your ref. 17/00484/FUL

Proposal: Alterations and Extensions to provide first floor accommodation at 41 Asquith Road Cheltenham, Gloucestershire

We write as the owner occupiers of Naunton Bank, 37, Asquith Road, Cheltenham and 39, Asquith Road .

1) **The proposed development is too ambitious** and is not respectful of the surrounding houses in Mead Road and Asquith road 37 and 39. Initial comments from those who have seen the plan include "monstrous" and "in conflict with 39 both in colour and design".

2) **The Owners of 37 for some reason have not been consulted.** This is all the more strange, especially as they have in their possession a signed Land Registry Document covenant dated 15th January 1974 (p30408), which is clear on buildings restrictions (see 5 below)

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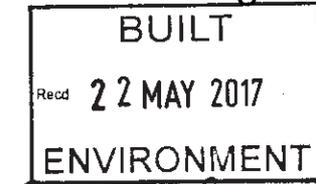
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We welcome a visit from any of your officers if they wish to pursue any of the above points and look forward to hearing from you .

[REDACTED]

Tracy Crews, Head of Planning, CBC , PO Box 12, Municipal Offices, Cheltenham

Tracy Crews,
Head of Planning,
CBC,
P.O. Box 12,
Municipal Office



ton Bank,
7, Asquith Road,
Cheltenham
GL537EJ

Cheltenham 18 May 2017

Dear Tracy Crews,
1) Your ref 17/00484/FUL My ref. dated 30/3/17 (e mail)
Proposal: Alterations at 41, Asquith Rd, Chelt.

While I appreciate this matter might be still with planning, however in particular expecting a personal reply to item 2 - ref. why we were not consulted, or have not more been consulted on our covenant to which the letter/email relates. The view of two solicitors consulted is that the said covenants/obligations are enforceable so any work on an extension "would be in breach." If the neighbours proceed we are advised to go down the injunction route. Please comment on this and tell us the present state of play re planning. We are unable to clarify this from your web site.

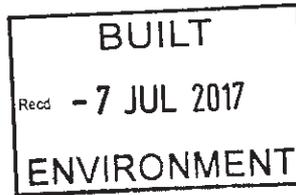
We await your reply,

Yours faithfully,

POSTAL
M 22 MAY 2017 O
SERVICES



Ref 17/00484/FUL
41 Asquith Road




33 Asquith Road
Cheltenham

Tracy Crews
Director of Planning
Cheltenham borough council

6/7/2017

We were oblivious this proposed development until a chance conversation with a resident in Mead Road. We had not been informed despite living only 4 doors away unfortunately this is not the first time this has occurred. I have look but can find no posted planning notice in the area.

Having looked at the plans it's clearly is a conversion from a bungalow into a two story house. This property and the neighbouring bungalow were built in the 1970's on land sold by the late owner of Naunton Bank, 37 Asquith road. Permission was granted for only two bungalows due to the impact on the exciting homes in Mead Road. A covenant to that effect was also set up when the land was sold. I am aware of this as when the property was recently on the market we made enquires but did not proceed any further due to the constants in place. The current owner should also be well aware of the position relating to the covenant.

Access to the three properties at the top of Asquith Rd is by way of a narrow access lane that passes in front of our home. An increase in the size of this property and then likely the development of other bungalow will result in more traffic.

The access drive joins the public part of Asquith Road next to the entrance to the playing field/ allotment Car Park there has been a number of minor accidents over the years you only have to look at the regular damaged to the fences to see the problem. At school collection time it is a disaster waiting to happen. We ask that you please come and have a look around 3pm on a school day.

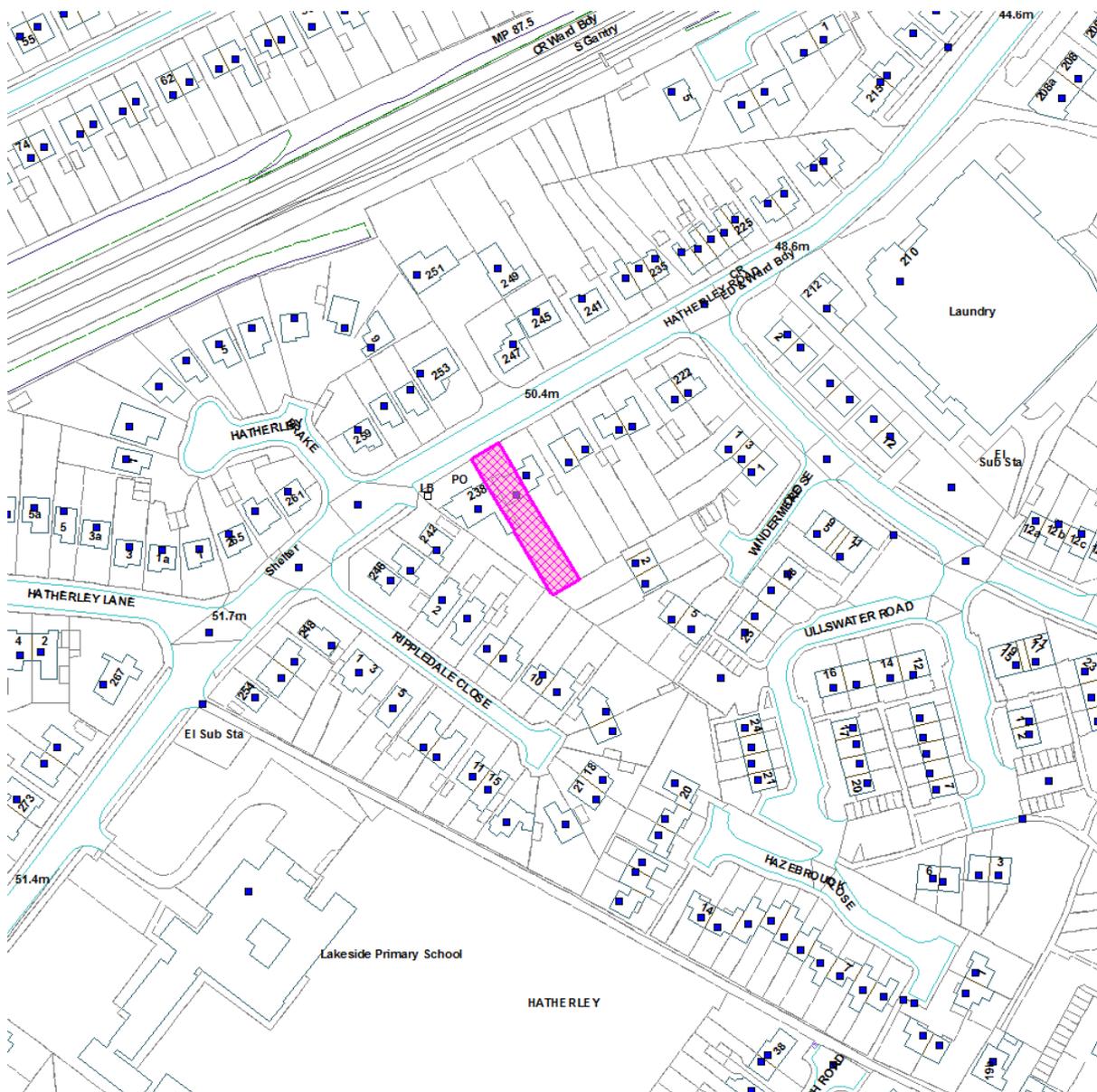
This is clearly a development not popular with our neighbours

Yours Sincerely



APPLICATION NO: 17/01085/FUL		OFFICER: Mr Ben Hawkes
DATE REGISTERED: 6th June 2017		DATE OF EXPIRY: 1st August 2017
WARD: Up Hatherley		PARISH: Up Hatherley
APPLICANT:	Mr & Mrs J Shine	
AGENT:	extendArchitecture	
LOCATION:	236 Hatherley Road, Cheltenham	
PROPOSAL:	Single storey rear extension and two storey side extension.	

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a semi-detached property located on Hatherley Road. The application site sits adjacent to the Post Office however generally sits within a residential area.
- 1.2 The applicant is seeking planning permission for the erection of a two storey side extension and a single storey rear extension.
- 1.3 The application is at planning committee due to a Parish Council objection. The Parish Council's comment supports the objections of the adjacent property of number 234 Hatherley Road relating to the depth of the single storey rear extension and its impact

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport safeguarding over 15m

Relevant Planning History:

04/02080/FUL 3rd February 2005 PER
Erection of conservatory to rear

10/00362/CLPUD 6th April 2010 CERTPU
Erection of a first floor extension

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

Tree Officer

7th July 2017

The Tree Section does not object to this application. Please could a condition regarding foundation design which takes account of roots, and no roots with a diameter of greater than 25mm to be severed, as the building would be within the Root Protection Area of the trees located within the neighbouring property, be added with any permissions given. Also an informative describing the applicant is likely to be liable if the building works cause the trees health to enter into a spiral of decline

Parish Council

19th June 2017

This appears to be a significant extension but we raise no objection unless the neighbours are unhappy in which case please let us know and we will reconsider.

22nd June 2017

Having read the objections from a neighbour we now realise this extension is far too large - in fact we wonder if it exceeds the permitted percentage anyway - and will have a huge impact on adjoining properties. The parish council therefore registers a strong objection with a rider that the extension should not exceed the permitted limits and that the letter of application be closely scrutinised for accuracy.

Gloucestershire Centre For Environmental Records

21st June 2017

Biodiversity Report available to view on line.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	8
Total comments received	2
Number of objections	2
Number of supporting	0
General comment	0

5.1 8 letters were sent to neighbouring properties, 2 letters of objection have been received from the adjacent land users either side of the application site.

5.2 The letters of objection raise the following concerns:

- Impact on existing trees
- The depth of the single storey rear extension
- Overbearing impact of the single storey rear extension
- Visual Impact of the single storey rear extension
- Restricting future development at number 238 Hatherley Road.

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 Guidance set out in the Supplementary Planning Document – Residential Alterations and Extensions (Adopted February 2008) highlights the importance of extensions to a dwelling appearing subservient in size and scale and reads as follows ‘An extension should not

dominate or detract from the original building, but play a 'supporting role'. Generally, the extension is normally set back from the main elevation'.

- 6.5** Local plan policy CP7 requires development to be of a high standard of architectural design and to complement and respect neighbouring development.
- 6.6** The two storey side extension as originally proposed raised concerns with officers due to the lack of a suitable set back and its relationship with the existing building. Revisions were requested and later received. The revised plan shows a reduction in depth of this extension by 1.3 metres and therefore has a total setback of 2.3 metres from the front projecting wing. This reduction in depth in combination with the double pile roof form allows the extension to read clearly as a subservient addition to the existing building.
- 6.7** The overall design of the two storey side extension is in keeping with the design and character of the existing building and is not considered to result in any unacceptable harm to the design or character of the existing building. The external facing materials are to be render and roof tiles to match the existing building which is wholly appropriate. It is the view of officers that the extension will sit comfortably as an addition within the street scene.
- 6.8** To the rear of the site the property has already been extended with a part two storey and part single storey rear extension and conservatory. The extension within this application proposes a further increase in depth at ground floor of 2.5 metres. Officers acknowledge that the depth of the rear extension is large and in terms of plan form will significantly increase the floor space of the property. Whilst the extension will appear generous in size, being a single storey addition with a flat roof form it is the view of officers that it will sit comfortably within the plot and appear appropriately subservient to the existing building.
- 6.9** The single storey rear extension takes a contemporary design approach with a flat roof form and larger openings. It is considered that this design approach is acceptable and will not result in any unacceptable harm to the design or character of the existing building.
- 6.10** Officers consider the proposals to be compliant with the requirements of the local plan policy CP7 and the Supplementary Planning Document – Residential Alterations and Extensions (adopted 2008)
- 6.11 Impact on neighbouring property**
- 6.12** Concerns have been raised by the neighbouring land users at number 234 Hatherley Road, specifically relating to the impact of the single storey rear extension. Within permitted development an extension could be erected in this location with a depth of up to 6 metres and an overall height of 3 metres without the need for planning permission. Consideration therefore has to be given to the impact of the additional length proposed.
- 6.13** In total the ground floor addition to the property would measure approximately 8.8 metres, whilst the proposal is acknowledged as being a generous addition the overall height is approximately 2.8 metres. The proposal does not fail the light test and therefore will not result in any unacceptable loss of light. With regard to overbearing impact due to the proposal being a single storey addition with a limited overall height it is not considered that the additional depth proposed would result in any overbearing impact.
- 6.14** In terms of the two storey side extension, the only window in the side elevation of number 238 Hatherley Road is a first floor window serving the landing of the flat, as this is not a habitable room it is not afforded any protection in terms of a loss of light.
- 6.15** All new first floor windows are located in the front and rear elevations and will not result in any unacceptable loss of privacy to any neighbouring land user.

6.16 The proposal is considered to be compliant with Local Plan policy CP4 which requires development to protect the existing amenity of neighbouring land users and the locality.

6.17 Other considerations

6.18 Due to the close proximity of trees within the neighbouring properties rear garden the council's tree officer has been consulted and has provided formal comments. Whilst officers acknowledge that the trees are in close proximity of the proposed development and any new foundations in the proposed location could have an impact on the neighbouring trees/shrubs, the trees are not considered to be worthy of a formal Tree Preservation Order. Officers acknowledge the importance of these trees in terms of screening and privacy for the neighbouring land user, however without these trees the proposal is still considered to be acceptable. Officers have added an informative to advise the applicant of the potential impact the development may have on these trees. As the trees are outside of the applicants ownership and they are not worthy of formal protection a condition is not considered to be reasonable or necessary.

6.19 An objection has been received from the land owners at number 238 Hatherley Road, which raises concerns on how this proposal if granted permission could restrict the potential development prospects for their own property. This is not a material consideration of this application and each application should be considered on its own merits.

6.20 Environmental Impact

6.21 Whilst records show that important species or habitats have been sighted on or near the application site in the past, it is not considered that the proposed development will have any impact on these species.

6.22

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).

INFORMATIVES

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

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

In this instance, the authority sought revisions to reduce the footprint of the proposed side extension in order to produce an acceptable scale and form of extension;

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

- 2 The applicant's attention is brought to trees located adjacent to the boundary and within the ownership of number 234 Hatherley Road. The proposed development and in particular the foundations required to erect the single storey rear extension will likely impact on the roots of these trees, with this in mind the applicant is advised to use an appropriate type of foundation in order to limit any potential harm or impact on these trees.

APPLICATION NO: 17/01085/FUL		OFFICER: Mr Ben Hawkes	
DATE REGISTERED: 6th June 2017		DATE OF EXPIRY : 1st August 2017	
WARD: Up Hatherley		PARISH: UPHATH	
APPLICANT:	Mr & Mrs J Shine		
LOCATION:	236 Hatherley Road Cheltenham Gloucestershire		
PROPOSAL:	Single storey rear extension and two storey side extension.		

REPRESENTATIONS

Number of contributors	2
Number of objections	2
Number of representations	0
Number of supporting	0

Up Hatherley Post Office
 238 Hatherley Road
 Cheltenham
 Gloucestershire
 GL51 6HB

Comments: 5th July 2017

We wish to make an objection to application reference 17/01085/FUL. We currently have an architect preparing an application for submission for the extension of 238 Hatherley and therefore an extension of this size at 236 Hatherley Road may not be suitable.

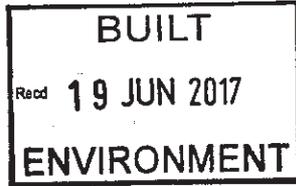
Furthermore, within Section 7 the application states no trees or hedges on the property or adjoining properties are within falling distance and that no trees or hedges will need to be removed or pruned. In both cases there are currently trees and shrubbery close to the boundaries which will be impacted.

To allow this development would create a significant visual impairment to the adjacent properties and reduce privacy. We hope you take our consideration on board.

234 Hatherley Road
 Cheltenham
 Gloucestershire
 GL51 6HB

Comments: 21st June 2017

Letter attached.



**234 Hatherley Road
Cheltenham
Glos.
GL51 6HB**

Email: [REDACTED]

Contact number: [REDACTED]

24 June 2017

Re: Planning Application 17/01085/FUL

236 HATHERLEY ROAD, CHELTENHAM GLOUCESTERSHIRE.

For the Attn: of Tracy Crews, Director of Planning, Ben Hawkes, Planning Officer, Planning committee.

We wish to make objections to the above planning application made by Mr. J Shine. Of 236 Hatherley Road Cheltenham, GL51 6HB.

1 On his application form item 7, he has answered [No] to the question of are there any trees or hedges that are within falling distance of the proposed development.

Mr. Shine has also answered [NO] to the second part of item 7 that no trees or hedges need to be removed or pruned to carry out the proposal.

We wish to point out that there are established trees and shrubs on our property very close the boundary fence that could be affected by the preparations for the foundations of the development.

2 The depth of the original footprint of the property was 6.8 metres. The property already has a permanent single and double story extension, extending 3 metres. There is also a conservatory which under the planning application will be removed. If the proposed extension is added to the previous extensions, the distance from the original footprint of the house is approximately 8.6 metres. This means the extensions will be approximately 1.27 times larger in area than the original house. If the proposed side extension is also added to the proposed plan then all the

extensions combined will be approximately 1.65 times larger in area than original footprint of the property. We consider this is a gross overdevelopment of the residential dwelling creating a detrimental visual impact on ourselves and all nearby neighbours

3 The proposed erection of a 2.83-metre-high solid wall being the side wall of proposed extension when combined with existing extension will create a wall of 8.6 metres in length. This will create an overbearing visual impact on our property

4 There will also be a large visual impact from the second floor of our property looking out onto approximately 70 sq. metres of flat GRP roofing, making it look more like an industrial site than a residential dwelling.

Measurements have been obtained from the submitted plans to the council using the Idox measuring tool on council website.

Your sincerely

[Redacted signature]

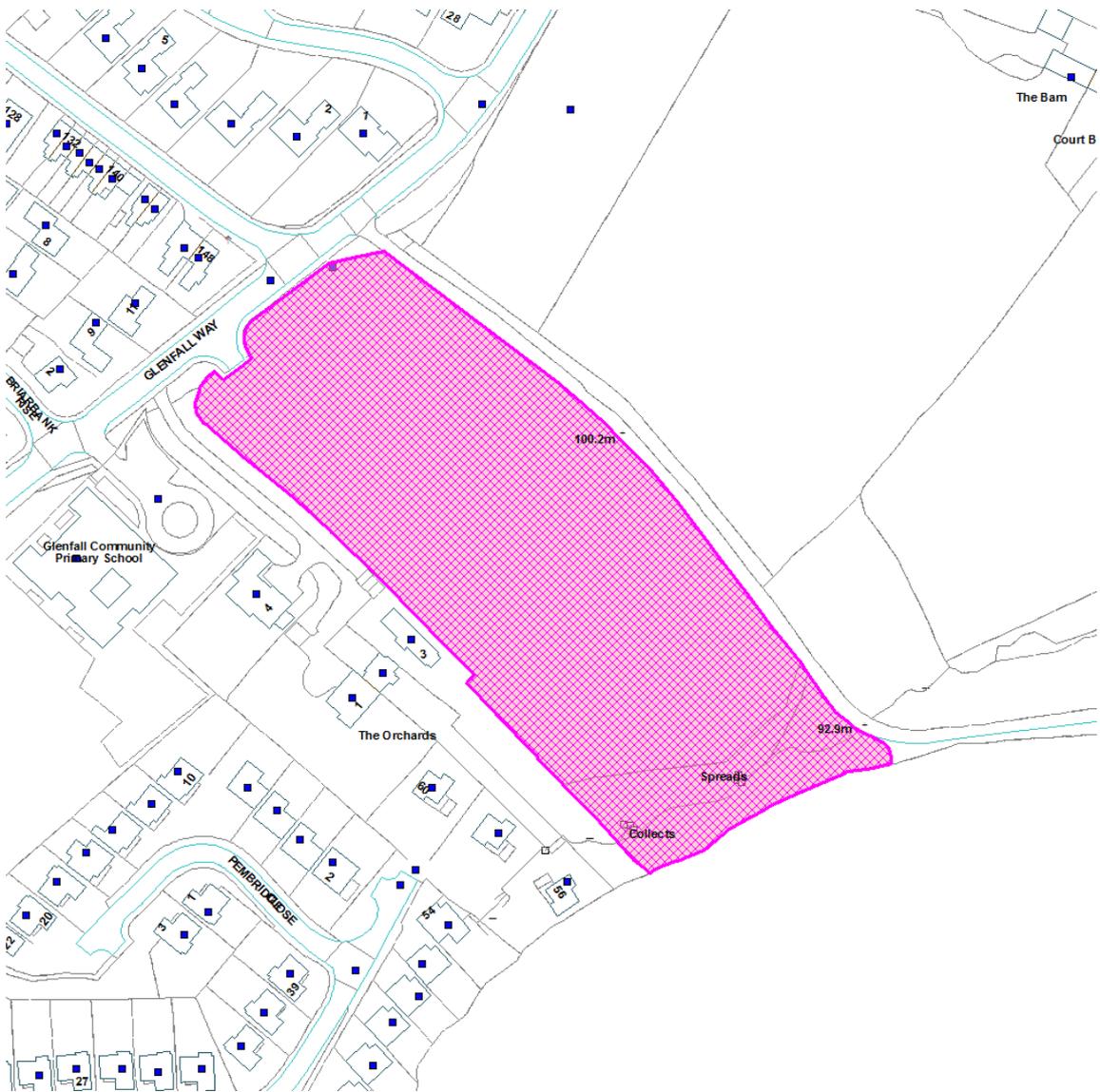
[Redacted name]

[Redacted address line 1]

[Redacted address line 2]

APPLICATION NO: 16/01789/FUL	OFFICER: Mr Martin Chandler
DATE REGISTERED: 4th October 2016	DATE OF EXPIRY: 3rd January 2017
WARD: Battledown	PARISH: Charlton Kings
APPLICANT:	Strategic Land Partnerships
AGENT:	Hunter Page Planning
LOCATION:	Land On The South Side Of Glenfall Way, Charlton Kings
PROPOSAL:	Proposed erection of four dwellings with landscaping and public open space.

RECOMMENDATION:



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1. DESCRIPTION OF SITE AND PROPOSAL

1.1 This application relates to a field which is located to the south side of Glenfall Way, opposite the junction with Ryeworth Road. The site lies within the Cotswold Area of Outstanding Natural Beauty (CAONB) and is outside of (but adjacent to) the Borough's Principal Urban Area. The site has an area of some 1.68ha.

1.2 The application site has been the subject of previous applications for residential development. In 2008, an outline planning application for the erection of up to 44 dwellings (ref: 07/01580/OUT) was refused by this authority. This was refused for a number reasons, but the most relevant reason in the assessment of this application is set out below:

1.3 *The site is within an area confirmed by the Secretary of State as the Cotswolds Area of Outstanding Natural Beauty in which new development, which would harm the natural beauty of the landscape, will not be permitted. The proposed development would result in the loss of an open, undeveloped, green field enclosed by mature hedgerow and trees. The site is of strategic significance, being located immediately on the fringe of the AONB where pressures for development and its resultant erosion are of particular concern.*

In spite of contentions made by the applicant, the application site is visually part of the open countryside extending up to the slopes of Ham Hill and the present proposal would form a substantial encroachment on the rural area and its high landscape quality. It is concluded that residential development of the site as proposed would cause demonstrable harm to the quality of the natural beauty of the landscape. Furthermore it is considered that no exceptional circumstances have been put forward to justify the grant of permission in this case. The proposal therefore fails to meet the expectations of Local Plan Policies CO2 and HS1 and Planning Policy Statement 7, Sustainable Development in Rural Areas.

1.4 This application was subsequently dismissed at appeal, with the Inspector concluding that the proposal would result in unacceptable harm to the landscape. The appeal decision is appended to this report.

1.5 In addition, in 2015 (15/00025/OUT) an outline application was submitted for the construction of up to 15 dwellings on the site, although this application was withdrawn prior to any decision being made. Since this time, the applicant has engaged with the local planning authority in an attempt to address concerns previously raised.

1.6 The current proposal seeks full planning permission for four detached dwellings within the North Western part of the site, together with associated landscaping, an access road and the provision of public open space. The proposed dwellings are of a contemporary design. They are proposed to be faced in a mixture of zinc cladding and facing brick and each sit within their own amenity space. They are served by garaging and car parking spaces that are accessed via an access road that hugs the south western boundary of the site.

1.7 The application has been accompanied by the following documents:

- Design and access statement
- Planning statement
- Full drawings
- Landscape and Visual Impact Assessment
- Flood risk assessment

- 1.8 The application is before committee due to a request from Cllr Babbage and an objection from the Parish Council. There has also been considerable local opposition to the application.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Area of Outstanding Natural Beauty
Residents Associations

Relevant Planning History:

80/00024/PO 17th March 1980 REF

Outline Application For Residential Development.

81/00346/PF 27th August 1981 PER

Construction Of Agricultural Access From Glenfall Way At Point A On Plan.

07/01543/CONF 3rd March 2008 CONFIR

Confirmation of Tree Preservation Order 647: T1 Maple species, T2 Maples species, T3 Ash, G1 Group of 5 limes and G2 Group of 4 limes

07/01580/OUT 22nd January 2008 REF

44 dwellings including affordable housing (Dismissed at appeal)

15/00025/OUT 7th April 2016 WDN

Construction of up to 15 dwellings, including affordable housing, landscaping and ancillary infrastructure.

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development
CP 2 Sequential approach to location of development
CP 3 Sustainable environment
CP 4 Safe and sustainable living
CP 7 Design
GE 2 Private green space
GE 5 Protection and replacement of trees
GE 6 Trees and development
GE 7 Accommodation and protection of natural features
CO 1 Landscape character
CO 2 Development within or affecting the AONB
CO 14 Development abutting the countryside
NE 1 Habitats of legally protected species
NE 3 Biodiversity and geodiversity of local importance
HS 1 Housing development
HS 4 Affordable Housing
UI 1 Development in flood zones
UI 2 Development and flooding
UI 3 Sustainable Drainage Systems
TP 1 Development and highway safety
TP 6 Parking provision in development

Supplementary Planning Guidance/Documents

Affordable housing (2004)
Development on garden land and infill sites in Cheltenham (2009)
Flooding and sustainable drainage systems (2003)
Landscaping in new development (2004)

National Guidance

National Planning Policy Framework

Emerging Joint Core Strategy

SD 4: Sustainable design and construction
SD 5: Design requirements
SD 7: Landscape
SD11: Residential development
INF3: Flood risk management

4. CONSULTATIONS

Planning Policy

13th December 2016

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan comprises the saved policies of the Cheltenham Borough Local Plan, second review, 2006-2011 (adopted 2006). Of particular relevance to this proposal is development plan policy CO2: Development within or affecting the AONB.

The Joint Core Strategy (JCS), which is currently undergoing public examination, will update the strategic aspects of the Cheltenham Borough Local Plan. This emerging development plan document is a material consideration however the weight that can be afforded to the plan and its individual policies will be guided by levels of support and objection attributed to it. Other material considerations include the National Planning Policy Framework (NPPF) and the national Planning Practice Guidance (nPPG).

It is relevant and appropriate to have regard to the purpose of conserving and enhancing the natural beauty of the Cotswolds AONB, as required under section 85 of the Countryside and Rights of Way Act 2000.

Housing Requirement

At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development which is described as a golden thread running through both plan-making and decision-taking. In terms of decision-taking, the NPPF advises that this means granting permission where the development plan is absent, silent or relevant policies are out of date, unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits,
- specific policies in the NPPF indicate that development should be restricted.

The Council cannot currently demonstrate a 5 year housing land supply. However, work being carried out as part of the JCS and Cheltenham Plan preparation process, specifically the identification of new local housing sites through the Cheltenham Plan) along with urban

extensions of strategic scale contained in the emerging JCS, will enable the Council to achieve the required 5 year supply.

It is established¹ that the special emphasis in the presumption in favour of sustainable development does not automatically apply to this proposal. This is because policies in the NPPF indicate development should be restricted and the duty is to give great weight to conserving landscape and scenic beauty in the AONB.

Policy HS1 of the Cheltenham Local Plan (2006) seeks to prevent the building of new dwellings other than on local plan allocations or brownfield land. Within this context, it is considered that this proposal is in conflict. However, it is acknowledged that the policy is out of date and sustainable development should take place where demonstrated to be in accordance with the three policy dimensions set out at Para 7 of NPPF. The increased supply of housing land is a material consideration that weighs in favour of the proposed development, but this needs to be weighed against other material considerations.

The effect of the development upon the AONB

The adopted local plan does not allocate this land for development and it is located outside, albeit adjacent to, the Principal Urban Area as defined on the Proposals Map (July 2006). The PUA helps to concentrate development to sustainable locations within the borough.

Adopted local plan policy CO2 (Development within or affecting the AONB) confirms the Cotswold AONB is particularly sensitive to development pressures and it therefore applies a restrictive approach. This approach is consistent with the national planning policy and guidance.

The adopted development plan is clear that development which would harm the natural beauty of the landscape within the AONB will not be permitted. The NPPF expects decision makers to apply great weight to the conservation and enhancement of the natural beauty of the AONB².

JCS policy SD8 (The Cotswold AONB) is supported by the Cotswold AONB Board, it has a limited number of objections attributed to it and the policy is in conformity with national policy and guidance. This allows the decision-taker to afford the policy material weight in the determination of the application.

The 2008 appeal concluded that the 34 dwellings proposal would result in significant harm to the AONB through the change of character and appearance. Whilst the scheme is much smaller than that proposed in 2008 this issue still remains at the heart of the proposal and is likely to be a key consideration in your determination.

Since this decision the Council has undertaken a review of AONB with the Cheltenham Borough boundary³ to support the emerging Cheltenham Plan. The site proposal is situated within site reference LCA6.2 .

The report concludes that the overall landscape constraint for the character area is major. It considers the site to be visually sensitive and the landscape value to be high and that landscape character sensitivity is 'high'; this results in a landscape capacity of 'low overall'. The study recognises that if development were to be considered in this location then the grey area in Image 2 "would be the most visually contained and have some mitigation potential". The fourth house on the proposed site plans appears to protrude outside of the grey area.

It is important to note that this report only considers matters of landscape and does not provide a full planning assessment of the site. This report and its findings are a material consideration in your determination of the application. It provides a useful starting point in which to establish whether the development compromises the principles of conserving the

landscape and scenic beauty of the AONB. The report offers general advice on how landscape mitigation measures could support development. However it is important to note this is not an exhaustive list or indeed a presumption that the land should be developed.

Conclusions

The proposals are outside of the PUA, and within the AONB. These factors weigh against the development. The NPPF also states that “Great weight should be given to conserving landscape and scenic beauty in...Areas of Outstanding Natural Beauty”. (Paragraph 115)

Paragraph 14 footnote 9 of the NPPF also specifically identifies AONB areas as those where “specific policies in the Framework indicate development should be restricted.” (*Even where*) “The development plan is absent, silent or out of date”. However, the lack of a five year housing land supply and the NPPF’s emphasis on boosting significantly the supply of housing is an important consideration in your deliberations.

The adopted development plan also directs that development should not harm a landscape’s natural beauty and JCS policy SD8 requires that proposals should conserve and where appropriate enhance its landscape. Therefore decision takers must be satisfied that the application fulfils this.

Whilst it is accepted some policies such as housing requirement and supply have been altered by the introduction of the NPPF and subsequent nPPG, national guidance and policy have not changed the fundamental approach to development in the AONB. This is particularly evident when one compares the NPPF and the adopted Local Plan policy CO2; both still seek to achieve the same objective. Policy SD8 of the JCS has been examined in session through the Plan’s examination and the inspector has not identified any soundness problems with this policy in her Interim report.

The main policy consideration is the need to balance the positive contribution this proposal could make to Cheltenham’s housing land supply with the need to give **great weight** [my emphasis] to conserving the Cotswold AONB, which has the highest status of protection in relation to landscape and scenic beauty. Any adverse impact on the AONB as a result of the proposal, which cannot be adequately mitigated, should weigh greatly in your final determination.

Landscape architect

23 November 2016 (comments on original proposals)

Purpose of note

To give a summary of the site visit made by Stuart Ryder of Ryder Landscape Consultants and development control staff of Cheltenham Borough Council (CBC). It captures the discussions held on site and at the CBC offices with regard to landscape and visual effects that would arise should the development be granted consent in this form.

Structure of the note

After briefly outlining the methodology adopted in considering the proposals the landscape and visual baseline of the site is summarised before considering the effects the proposals would have in landscape terms, visual terms before commenting on design matters and finally providing some points of conclusion.

Methodology

Stuart Ryder as a Chartered Landscape Architect attended site with Wilf Tomaney - Townscape Manager, Chloe Smart - Planner Officer, and Martin Chandler – Team Leader, Development Management.

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They had the benefit of the submitted planning application documents lodged under application 16/01789/FUL. Of particular use on site were the following drawings and visual representations:

- Dwg No: A-P-100-03: Proposed site plan and survey
- Dwg No: DLA.1683.L003.01.Rev B
- Photomontages 01 & 02

The site was inspected from publically accessible locations from Glenfall Way itself, Ryeworth Road, from the Public Right of Way that runs directly to the east of the proposed site and from further away from the public footpath as it rises towards the village of Ham to the north-east.

I have reviewed the Landscape Masterplan to understand the nature of the proposals and read the Applicant's Design and Access Statement (DAS).

In addition a previous note from the Council's Landscape Architect made on a previous application for the site reference 15/00025/OUT has been reviewed.

Landscape baseline

Designated landscape

There is the immediate fact that the site forms part of the Cotswolds Area of Outstanding Natural Beauty (AONB), a nationally important designation made to protect areas of significant landscape value.

There are no other designated landscapes e.g. Historic Park or Garden or Conservation Areas near to the Site.

NPPF §109 & §115 – Valued Landscape

By virtue of the fact that the site is part of the AONB it should be considered a Valued Landscape in terms of §109 of the NPPF. In addition §115 directs decision-makers that great weight should be given to conserving landscape and scenic beauty in AONBs.

Historic landscape

It does not appear to be a part of any designed historic landscape or agrarian system. It is not on Historic England's Register of Historic Parks and Gardens. However what should be noted is the remnant small field pattern that is evident around the village of Charlton Kings and running up to the scarp slope.

The presence of a group of characterful heritage buildings with a front field with a more historic parkland landscape character exists to the north-east of the site. This is understood to be Ham Court.

Current landscape character

The current character is of a little used or redundant improved grazing field. There appears to be little active management apart from a block of trees and shrubs planted on the localised slope to the south-east end of the site. Its character is still rural in nature particularly when viewed with the open countryside of the escarpment beyond the site.

The presence of housing adjacent to the site is currently minimal but the white rendered elevation of No.3 The Orchards is clearly prominent particularly in the winter scene with minimal leaf coverage. However as this is a single building of agricultural styling it does not dominate or change the rural character of the site.

Current landscape characteristics

The current landscape characteristics of the site are listed below;

- Open improved pasture;
- Outgrown south-western boundary of tall hedge and scrub plants to The Orchards;
- Poor boundary to Glenfall Way with broken fence, some scrubby hedge stock and larger boundary trees;
- Continuous tree and scrub line to eastern boundary adjacent to the public footpath;
- A notable dip in topography to the south end of the field; and
- A relatively young plantation of trees estimated to have been planted 10 years ago on the southern dip slope.
- The landscape character sensitivity of the site is deemed to be Medium set within the AONB landscape of High sensitivity.

Surrounding landscape context

The surrounding landscape has a settled landscape character with the presence of suburban houses, individual houses and roofscapes in the landscape scene. This does not make the landscape any less important than areas that do not have residential settlement within their extents, it is just part of the character. Given the amount and location of houses in the local landscape it cannot be argued that houses are out of keeping in landscape terms within this part of the AONB.

Visual baseline

Site visibility

The site is highly visible from surrounding public areas with the following as primary views;

- Close range view from the top of Ryeworth Road and from Glenfall Way;
- Close range views from the Public Right of Way to the east of the site; and
- Mid- range views from the Public Right of Way ?? (PRoW ZCK24/2) as it rises up to the east of the site.

In addition the site will be visible from the Cotswolds AONB scarp set against the houses of Charlton Kings. This view was not taken during the site visit.

The visual sensitivity of the site and across it to the Cotswolds scarp is deemed to be High.

Visual context

The views from Ryeworth Road and Glenfall Way have as their backdrop the scarp of the Cotswolds AONB. This is an attractive and dramatic view and allows the proximity of the scarp and countryside to be appreciated. The presence of the scarp is a key visual characteristic of Cheltenham.

When looking from the eastern footpath the view across the site is stopped by the high, outgrown hedge of The Orchards access road and has the built form of No.3 The Orchards in the field of view.

Looking back in a westerly direction from PRoW ZCK/24/2 the view is a mixture of unmanaged grassland, tall hedgerows and tree belts with the occasional house or roofscape raising above the hedge and tree lines. Most notable are the many ridges of the No4. The Orchard's eastern elevation, the stripped roof of end property on Ryeworth Road and two tall Giant Redwood trees positioned in a garden to the side of Glenfall Way. Looking around the wider area other houses are visible in the Chase Avenue and Castlefields Avenue part of the town.

Landscape effects

Even though the existing site appears to be in a poor state of repair it still carries intrinsic landscape value as a piece of open, rural landscape set within the AONB. One has to look past the current decline and recognise this value.

The proposals would fundamentally change the rural character of the small field parcel into a residential area.

The field boundaries, particularly the one to the north, would not screen off the apparent change in landscape character. This effect would be most notable in winter months with a lack of vegetation.

The extent of development stopping short of the white rendered No.3 The Orchards would not make it appear that Charlton Kings is extending into the surrounding countryside. Both No.3 and No.4 The Orchards extend further than the proposals.

Physical coalescence of built form between this part of Charlton Kings and other parts of the village and Chase Avenue and Castlefields Avenue is not achieved nor do I suspect perceived coalescence would occur either.

Visual effects

Taking the four sets of identified views from the visual baseline the following table summarises the change in views and visual amenity should the proposals be consented.

View and visual receptors	Nature of change
Users of Ryeworth Road and Glenfall Way – pedestrians and car users	<p>Large loss of ability to see the scarp and the more expansive views into the AONB. The photomontage presented indicate that the majority of the view to the scarp would be lost. The proposals would ‘cut’ the scarp line and be more dominant in the view than the sight of the scarp and rural landscape itself. This would be particularly so in winter months.</p> <p>Of particular note is the change in view for people travelling up Ryeworth Road as their current aligned focus on the scarp would be changed to the broadside of the northern elevation of the first property with the presence of further large units behind screening sight to the scarp.</p>
Views from Public Right of Way to the east of the site	These views are partially screened by trackside vegetation but glimpsed views to the site are clearly evident in winter conditions and are anticipated to remain in part in summer conditions. The four proposed properties will be the focus of the views given their scale and contemporary architectural style and materials. The boundary treatment proposed would neither screen nor appear in keeping to Charlton Kings.
Mid-range views from the Public Right of Way to the east of the site.	It is anticipated that no views would exist in summer months due to intervening vegetation but in the winter views will exist. Current sight to the striped roof of Ryeworth Road end property would be lost to be replaced by the larger roofscape of the development. This form of architecture is currently not evident in the scene and will be more evident because of its different styling when compared to other houses visible from this route.

Architectural styling

The architectural style of the buildings is contemporary and are unlike any other buildings residential or otherwise that are visible in the landscape context to the site. This styling will

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create a greater visual contrast with the existing village and other properties that can be seen within the AONB.

Of particular note is the size and scale of the dwellings especially the single ridge and large span of their roofs. They appear to be more the scale, style and colour of light, industrial units within the landscape than residential properties. This effect on the illustrations is exacerbated by their arrangement in a row.

These units will also appear fundamentally large in comparison to other residential properties. The indicative sections and photomontages make them appear 'top-heavy' on their first floors which adds to their increased prominence and ability to block the view to the wider landscape. If the amount of space on the upper floor was reduced or lower elements placed to the front this may be reduced.

Their setting on the site does tie in with previous comments about where development may be able to be accommodated but they are not helped by their apparent lack of garden space around the properties. In plan form they appear to sit centrally to the four individual plots and there is no major garden but rather a sense of being squeezed in to the available space. By moving the buildings back in their plots closer to the west boundary a larger garden could be created to the east elevation.

The suggested boundary treatment of the stone wall containing a hedge is not a local boundary characteristic and is more akin to details of North Wales or Cornwall. It would appear out of keeping particularly when compared to traditional Cotswold style drystone walls.

Remaining space

It is noted that the rest of the site is being offered up for community benefit as part of the application. However the function of the space has to be more clearly identified.

The surface water run-off swale and attenuation pond is noted as is a modicum of new tree planting. The swale is presented as a form of barrier to give a degree of privacy to the dwellings from the publically accessible areas.

However the space is relatively small and could not accommodate any expansive forms of recreation. The space is further reduced by the tree planting on the south embankment.

The greatest community benefit I feel that this remainder space could be put to is as a route for the Public Right of Way diversion which would take pedestrians off the relatively busy track to the local tip site and provide a safer route to the wider Public Right of Way network. If it just used as a footpath route this could open up the use of the space for land to better serve the properties should they be consented. The use of the front gardens (should this become a front garden space) should be carefully considered along with restrictive constraints on other peripheral structures such as sheds, outbuildings, domestic play equipment, trampolines and the like.

The Glenfall Way boundary to the development could also be enhanced to offer up greater setting of the buildings within the streetscene by way of a high hedge or stone boundary walls similar to The Orchard which is retreated into the site and largely screened by vegetation.

Ultimately it should be recognised that the recent plantation of trees on the southern slope will screen out the view to the escarpment. If this view is deemed more critical than the screening of the development from the east and their removal or management to a certain level could be a condition of any planning consent.

In conclusion

The proposals as they stand would fundamentally change the character of the small rural field to one of residential settlement.

The residential settlement given the nature of the architectural mass and styling as proposed would appear out of keeping within the landscape setting and wider residential context of Charlton Kings.

The landscape effect would be significant and adverse given the site's designation as part of the Cotswolds AONB.

The massing and arrangement of units will be particularly noticeable from Ryeworth Road and Glenfall Way and could be more sympathetically arranged within the plots.

The presence of the large buildings will screen out the greater part of the valuable view to the Cotswolds AONB scarp. Re-positioning the buildings further to the west or re-configuring their massing could open up more of the view to the scarp.

The development would only be visible in the winter months when looking back to Charlton Kings from the Public Rights of Way to the east of the site.

The boundaries and arrangement of the space between the proposed properties and the remaining land for community benefit could be improved to better set the properties within their immediate landscape setting and reduce their visual prominence.

Parish Council

8th November 2016 (comments on original application)

Charlton Kings Parish Council objected to the 2015 application, largely on the grounds of building on an AONB. Although this scheme is smaller in scale and seeks to build on only a part of the field, it is nonetheless a residential development that extends the urban boundary of Cheltenham into the AONB. We realise that there has been some in-fill building on the AONB within the parish, but this application is very different and has generated considerable opposition in the community. We note that it will be decided by the Borough Council's Planning Committee. We also reiterate our preference for development of brownfield sites over greenfield.

Of equal concern is the message that allowing fresh development in an AONB will send. Although we accept that we can only comment on the application as it stands, a Permitted decision would nonetheless be a signal that AONB land is fair game. It would also raise the possibility of further development on this particular patch of AONB further down the line, which could then lead to a loss of 'countryside' between that part of Glenfall Way and Ham. The extant National Planning Policy Framework (NPPF) provides protection for AONBs, stating that areas such as AONB are exempt from the presumption in favour of sustainable development (footnote 9 of paragraph 14). This policy document also stipulates that 'great weight should be given to conserving landscape and scenic beauty in AONBs (paragraph 115).

We note that the Borough Council planning department welcomed a contemporary architectural approach for this application. In our view the proposed designs jar with their surroundings and the setting. While there is no overarching uniform vernacular in the vicinity and there has been new build in the last few decades, these designs and their construction material in particular are at odds with the immediate streetscape and would not integrate into the landscape.

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We are also concerned over flood alleviation issues and whether the natural sump will be retained. In addition we have been informed by a member of the public that there is a badger sett precisely where the new development would be situated and this will need investigating and the badgers moved under public licence.

Parish Council

6 February 2017 (comments on revisions)

Charlton Kings Parish Council objected to this application in November 2016 and the earlier 15/00026/OUT in 2015 on the same piece of land.

We continue to object to this application which proposes to build on an AONB, in effect extending the urban boundary of the town into the AONB. Permitting this application would send a message that land in AONB is in reality not protected and that the words of protection in the NPPF have no practical validity. Paragraph 115 of the NPPF confirms that "great weight" should be given to conserving landscape and scenic beauty in AONBs, which have been confirmed as having the highest status of protection. Accordingly, footnote 9 of paragraph 14 of the NPPF confirms that the "presumption" in favour of sustainable development does not apply due to the restrictions placed upon AONBs. We note that similar comments supporting the above were made by the Strategic Land Use team in their document dated 13th December 2016 dealing with policy considerations and viewable in the Documents tab on the planning website.

We agree with the views expressed by the Cotswold Conservation Board. It points to Policy SD8 of the draft JCS which clearly articulates that development proposals in or within the setting of the AONB "...will be required to conserve and, where appropriate, enhance its landscape, scenic beauty...and other special qualities". We agree with the Board that this scheme neither conserves or enhances this part of the AONB.

The latest, partially revised plans, extend the proposed gardens further into the AONB. Our earlier comment about the contemporary design persists. The proposed designs jar with their surroundings and the setting. While there is no overarching uniform vernacular in the vicinity and there has been new build in the last few decades, these designs and their construction material in particular are at odds with the immediate streetscape and would not integrate into the landscape.

A member of the public with a professional background in these matters has pointed out some technical flaws in the flood risk assessment. He has commented separately elaborating on the issues.

We would also like to point out that posting revised documents at the last minute and so close to the deadline for comments makes life difficult for us and the public. In this case documents were posted on the website on 1st February, leaving precious little time for interested parties to digest and comment on the new versions. It would also be helpful to have the amendments highlighted in some way, in order to make it easier to see where things have changed and where we need to focus our deliberations.

Parish Council

23 June 2017 (comments on latest proposals)

Little of material significance has changed with this proposal since our previous objection of 06/02/17, the comments from which still stand.

We would add that this proposal fails to 'Conserve and Enhance the AONB' as required under the Countryside and Rights of Way Act 2000.

The high fencing / enclosure around the development would give the appearance of an isolated 'gated community' and the development as a whole would result in a loss of amenity to the surrounding residents with a negative impact on the view from Glenfall Way out to the open countryside of the AONB, the direct opposite of enhancing the AONB.

We are concerned by a comment from a member of the public that a change of planning case officer has resulted in an intent to recommend permit for this application. Since little has materially changed since the last version, we are at a loss to understand this change of view if, as reported, this is correct and would strongly request that this application is put before CBC's Planning Committee.

Cotswold Conservation Board

17th January 2017

The Cotswolds Conservation Board wish to raise an objection to the above planning application. This site has been the subject of two previous planning applications, both of which the Board has objected to. Although each application has progressively reduced the number of proposed dwellings to the current 4 dwellings the Board wishes to maintain its objection to the development of this site.

The entire site is within the nationally protected AONB. It should be noted that previous planning applications and related appeals have been dismissed on this site with the impact on the AONB being a consideration. The reduction in the number of dwellings does not lessen the impact on the AONB. The effect on the AONB will be the same in that the character of this field will be changed through this urban extension into the countryside of the AONB. Any housing, lighting and associated development will have a clear negative impact on the character and special qualities of this undeveloped part of the AONB.

The Board considers that the development will not "conserve and enhance" the AONB, as Cheltenham Borough Council is required to do by Section 85 of the CRoW Act 2000. The Board published the statutory Cotswolds AONB Management Plan 2013-2018 in 2013 which should be used to guide public body decision making with regard to the AONB. Advice in the Conserving and Enhancing and Development and Transport Chapters is particularly relevant with regard to this proposal.

In addition, Paragraph 115 of the NPPF confirms that "great weight" should be given to conserving landscape and scenic beauty in AONBs, which have been confirmed as having the highest status of protection. Accordingly, footnote 9 of paragraph 14 of the NPPF confirms that the "presumption" in favour of sustainable development does not apply due to the restrictions placed upon AONBs.

Policy SD8 of the draft JCS clearly articulates that development proposals in or within the setting of the AONB "...will be required to conserve and, where appropriate, enhance its landscape, scenic beauty...and other special qualities". It is the Board's view that neither the principle of this development on this site, or indeed the design of the dwellings now proposed, will conserve or enhance this part of the AONB.

Natural England

1st November 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

Natural England has assessed this application using the Impact Risk Zones data (IRZs).

Natural England advises your authority that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which Cotswold Beechwoods has been classified. Natural England therefore advises that your Authority is not required to undertake an Appropriate Assessment to assess the implications of this proposal on the site's conservation objectives.¹

¹ This reply comprises our statutory consultation response under provisions of Article 20 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, Regulation 61 (3) of the *Conservation of Habitats and Species Regulations 2010 (as amended)*, (The Habitat Regulations) and Section 28(1) of *the Wildlife and Countryside Act 1981 (as amended)*.

In addition, Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the Cotswold Beechwoods SSSI has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(1) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

Protected landscapes

The proposed development is for a site within or close to a nationally designated landscape namely Cotswold AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 115 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 116 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

We also advise that you consult the relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

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.

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

The consultation documents indicate that this development includes an area of priority habitat, as listed on Section 41 of the Natural Environmental and Rural Communities (NERC) Act 2006. The National Planning Policy Framework states that 'when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity.

If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.'

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

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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.

Cheltenham Civic Society

11th November 2016

Our view is that the style of these dwellings is appropriate for the AONB setting. We do not think the proposed dwellings look industrial more agricultural. A lot of thought has gone into the design; we think this is a quality scheme

Architects Panel

7th November 2016 (comments on original submission)

Design Concept:

The panel had reviewed previous schemes for this site and were aware the applicant had also presented a similar scheme to the Gloucestershire design panel for comment.

The panel concurred with the Gloucestershire Design Panel comments and were in agreement that there was development potential on this site, but had reservations over the design of the scheme submitted.

Design Detail:

Although the contemporary design proposal was architecturally of interest, the panel felt the overall scheme was not appropriate for this particular site location. The buildings are too bulky for such a constrained site; large houses with very small plots. The upside down living arrangement has not helped to reduce the overall bulk of the buildings and has resulted in very high side walls needed for screening purposes. The choice of zinc cladding to the first floors and roofs has resulted in a heavy and rather industrial top-heavy appearance.

In summary, the panel felt a development on this site should provide more space between houses to break up the overall mass of buildings, reducing its scale and dense appearance. A fresh look at the site layout to avoid the design dilemma of dual aspect dwellings might result in a more successful scheme.

Recommendation:

Not supported.

Architects Panel

6th January 2017 (Comments on later revisions)

Design Concept:

The panel had reviewed the previous scheme on 26th October 2016 when it was agreed there was development potential on this site, but had reservations over the scale and dense appearance of the scheme submitted.

The panel was presented with a new sketch design proposal prepared by the applicant in response to concerns raised on 26th October.

Design Detail:

The panel was generally supportive of the scheme which was still for 4no dwellings but each house was now 50sqm smaller than the previous proposal with less first floor terracing and a much reduced building footprint. The sketch perspective showed how the overall scale of the development was considerably less imposing.

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The panel thought the design could be further improved by modifying the footprint and stepping the two central houses to break down their uniform appearance.

Some panel members thought the elevations were in danger of losing some of the architectural interest of the original scheme, e.g. through the removal of the zinc cladding and the introduction of uniform flat roofs.

Recommendation:

Revised plans to be submitted for further review

GCC Highways Planning Liaison Officer

25th October 2016

I refer to the above planning application received on 17th October 2016.

With regards to the above site; under our Highway's Standing advice criteria we do not need to be consulted on this application and this can be dealt with by yourselves with the aid of our guidance.

If you have any queries please do not hesitate to contact me.

Statement of Due Regard

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

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

Tree Officer

26th October 2016

The Tree Section has no objections with this application. The current Tree Protection Plan does not protect all the trees on site with fencing. The trees on the northern corner and the trees on the north east boundary need to be fenced off. If permission is granted please use the following conditions:

TRE02C - Tree protection plan

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

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

TRE04B - No fires within RPA

No fires shall be lit within 5m of the Root Protection Area(s) and materials that will contaminate the soil such as cement or diesel must not be discharged within 10m of the tree stem. Existing ground levels shall remain the same within the Root Protection Area(s) and no building materials or surplus soil shall be stored therein. No trenches for services or drains shall be sited within the crown spread of any trees to be retained.

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

TRE05C - No service runs within RPA

All service runs shall fall outside the Root Protection Area(s) shown on the approved drawings, unless otherwise first agreed in writing by the Local Planning Authority. Any such works shall be carried out in accordance with the National Joint Utilities Group; Volume 4 (2007) (or any standard that reproduces or replaces this standard).

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

TRE06B - No-dig construction methods within RPA

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

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

Detailed Landscaping

The landscaping proposal shall be carried out no later than the first planting season following the date when the development is ready for occupation or in accordance with a programme agreed in writing with the Local Planning Authority. The current Landscape Planning Proposals must be modified to also specify species, planting size, root type (it is anticipated that container grown trees will be planted) and protection so as to ensure quick successful establishment. The size of the trees shall be at least a Selected Standard as per BS 3936-1:1992. The trees shall be maintained for 5 years after planting and should they be removed, die, be severely damaged or become seriously diseased within this period they shall be replaced with another tree as originally required to be planted.

Reason: To preserve the visual amenities of the locality in accordance with Local Plan Policies GE5 and GE6 relating to the retention, protection and replacement of trees.

County Ecologist

23rd November 2016

Please note that my observations are not informed by a site visit but by the planning application submissions and environmental information accessible to me at the County Council and on-line. The red line boundary for this full planning application 16/01789/FUL appears to be the same as for a previous outline application 15/00025/OUT.

The application comes accompanied with an Ecological Appraisal Report dated September 2016 by Collins Environmental Consultancy Ltd. Also relevant to ecology matters is the Design & Access Statement, an Illustrative Landscape Masterplan, Landscape Planting Proposals, Landscape Management & Maintenance Plan, Pre-Development Tree Survey & Constraints report and a Tree Protection Plan.

The Ecological Appraisal Report dated September 2016 for application 16/01789/FUL revises a previous report of December 2014. It provides a recent biological records search

with GCER (Gloucestershire Centre for Environmental Records) which was previously missing and more information on protected species is provided. As no new survey work has been completed please note that if the planning application is not determined before December 2017 then an additional walk over survey will be required to assert how site conditions may have changed.

Looking at the Ecological Appraisal I can see that the methodology and survey effort for this site has been appropriate and sufficient to inform the development proposal. The existing biodiversity value is presented to us in the text and also as appendices which comprise a survey list of species, site photographs and a map of habitats present (Appendices I, II and III). The submitted evidence looks consistent with aerial photography available on the Bing maps website at <http://binged.it/1O3kqiE>.

If consent is to be granted for the development I recommend that an advisory note is sent to the developer that the ecological survey work commissioned by the applicant should be copied (if not already) electronically to Gloucestershire Centre for Environmental Records (GCER).

The nearest nature conservation sites are made reference to at section 5.1 of the Ecological Appraisal. I can confirm that no SSSI, Key Wildlife Site (KWS), Local Nature Reserve or Conservation Road Verge would be impacted by the development proposals.

The planning application site is very much dominated by improved agricultural grassland and is not currently a wild flower meadow that would not be likely to support a diverse or rare invertebrate fauna (e.g. including ants, beetles, bees and butterflies etc.). We are told it is occasionally managed by cutting (mowing) rather than grazing at the present time (section 5.2).

Towards the southern end of the field just above a bordering stream corridor is a mixed plantation of young trees including native species of hazel, field maple, hawthorn, alder, beech, dogwood and also some pines (Figure 2, Appendix II). Unlike the previous application this developing habitat is to be retained and so an original concern has been removed. The shaded stream corridor present in the south is (as before) also to be kept. The surrounding trees and hedgerows around the boundaries form landscape features of some note on this proposed development site. These boundary features are to be retained and will afford continued ecological connectivity with surrounding areas which form part of the Cotswolds AONB.

There are no features obviously suitable for roosting bats (in trees and buildings) but there is certainly good commuting habitat consisting of stream corridor, plantation woodland, hedgerows and trees. It is therefore not entirely surprising that five species of bat have been recorded using the site including noctules which may use the more open grassland areas also. However existing lighting on surrounding streets and housing estates may already constrain the value of the site and surrounding areas for bats. However as the single bat activity survey only provides a snapshot view the actual bat activity might be generally higher or lower than that recorded. Additional lighting to front of the houses or next to the access road should be looked at carefully although any light spill on to the eastern boundary may not significantly impact on bats given lack of activity reported here. Any lighting to the rear of the properties would only spill out (if not controlled) towards the centre of the existing field and so unlikely to have a significant impact on current bat flyways. However given the new landscaping proposed then excessive lighting may constrain the value of the new habitat features a little for bats over new wetland, hedges and meadow vegetation. If minded to approve the application CBC it is therefore recommended that a lighting scheme is conditioned for submission that reduces the potential for impact on bats. A lux contour plan that shows any isolines of greater than 1.0 lux falling on vegetation will indicate locations not very suitable for bat use. Lighting can be controlled for the access road but it is difficult to ensure that no additional external lighting

is put up by new residents. Modest external lighting to the front of the properties, that does not cause undue light issues for bats, could be installed at the outset to help try and head this issue off. I agree with the Ecological Appraisal that some roosting boxes should be erected on site to improve the site for bats so that the potential for adverse effects is further reduced (section 7.3).

I am content to accept that dormice and great crested newts are not present on this site. The probability of water voles and white-clawed crayfish being present within the stream corridor is also agreed to as being low. Otters may occasionally visit the corridor and could rest up under tree bases (holts) but no evidence that this occurs has been found. Given that the stream corridor is to be retained and trees will remain intact here then these protected riverine mammals are not a significant consideration in my view.

Reptiles are probably only present in quite low numbers on this proposed development site. I think that a few slow worms or even grass snakes may use parts of the site at certain times, e.g. boundary areas, young plantation and stream corridor. Measures for protecting reptiles (including a precautionary survey) will therefore be necessary as the Ecological Appraisal advises and this can be dealt with as part of a planning condition.

There will be a range of nesting birds present in the hedgerows, trees, shrubs and possibly ivy and bramble at certain times on site. Removal of such vegetation should therefore be avoided during the bird nesting season if possible. General measures for nesting birds can be adopted as a part of a biodiversity mitigation scheme. There is a small issue however of once the development is occupied that there might be some increase in disturbance to nesting birds however this is probably not significant given the low number of properties involved. To counter in this in some respect I agree with the Ecological Appraisal that nesting boxes should be erected on site to improve its value for birds (section 7.3).

I note that previously some objectors referred to the presence of deer which as you will know are not protected or priority species. Deer would be less likely to be attracted to the site post development due to its changed characteristics. However this would certainly not be a significant impact given that a good part of the site would be retained and that this would in any case only comprise a very small part of these species ranges.

The Tree Survey does not recommend any felling of trees as such to effect the development except probably for some tree surgery near to the proposed access. An Arboricultural Method Statement has been written up on the submitted Tree Protection Plan (TPP) drawing. The TPP should be implemented subject to the views of the Local Planning Authority's Tree/Landscape Officer particularly as there are some TPO trees in the area. All ecological measures and safeguards being proposed in the Ecological Appraisal and herewith need to be confirmed in any Construction Environmental Management Plan (CEMP) that may be drawn up for the development. A CEMP is mentioned in 8.8, 8.9 and 8.11 of the Design & Access Statement but confusingly still refers to an outline rather than a full consent.

Landscape Planting Proposals (drawing DLA-1683-L-003-04) and a Landscape Management and Maintenance Plan (document dated September 2016) have been submitted. This include details of species to be used as hedging, shrub/ground cover plus the establishment and management of patches of meadow grassland and wet grassland associated with an attenuation pond and extensive swales. Taken together the landscaping proposed will diversify the site to give varied habitats and features. The plant species to be introduced should provide food and shelter for many small animal species particularly pollinating insects.

Previously there was concern about the aftercare of landscaping and the fact that the created and existing habitats might be damaged or changed by the residents of the proposed 15 dwellings. This risk is less of a concern given there would only be 4 dwellings

set back from the sensitive boundary features, a greater retention of existing habitats on the site plus improved quality of landscaping for biodiversity. It would be difficult to conclude that even with some adverse effects occurring (e.g. from the dumping of garden waste and the keeping of domestic animals) that these would be of sufficient scale to prevent a neutral or more likely overall positive net for local biodiversity accruing. However given the special location of the site within an AONB a precautionary approach is probably justified. The long-term management of the site should therefore be given some certainty and be appropriate for conserving and enhancing wildlife. A sum may need to be offered by the developer to cover the costs of regular, but not too intensive, maintenance of vegetation as is advised or implied in the landscaping proposals and the Ecological Appraisal. The long-term management must cover the maintenance of the sustainable drainage system and the significant area of retained grassland (presumably by mowing by machine/tractor in late summer). The developer's sum may need to be topped up by a modest annual charge on each property to make this happen. This could be delivered through either a Section 106 agreement (which the developer seems to be expecting) or via implementation of a CIL approach? This is particularly important to address as public access to the open areas of the site is being offered (Design & Access Statement 4.8).

NPPF 115 is very relevant as the site lies just within an AONB. However it is my view that NPPF paragraph 118 is the main policy to consider in helping to come to a decision about the biodiversity merits of this planning application. Nothing in paragraph 118 would lead one to a conclusion that the development proposal should be refused.

Conclusion

The development with various measures in place will not have an adverse effect on biodiversity overall and provides some potential for localised gains. This is dependent on the submission of appropriate schemes and proper implementation of these alongside the landscape proposals that have been submitted. In my view the main policy areas of the NPPF relevant to biodiversity matters are paragraphs 115 and 118.

Recommendations

Pre-determination - If the planning application is not determined before December 2017 then an additional walk over survey will be required to see if the site information on ecology already presented is still valid.

Determination – If consent is to be granted then obligations such as the following should be arranged:

1. Condition A – *Prior to the commencement of the development detailed measures for the conservation and enhancement of the following protected species are required: (a) badger, informed by an updated survey of this species presence on and adjacent to the site; (b) various bats including the lighting scheme for the development; (c) reptiles, informed by an updated survey of species including slow worm and grass snake; (d) nesting birds. These will be submitted as a scheme of Biodiversity Mitigation and Enhancement based on Section 7.2 and 7.3 of the Ecological Appraisal dated September 2016 for approval by the Local Planning Authority and then implemented.*

Reason: To ensure that biodiversity is conserved and in accordance with Local Plan Policy X, ODPM Circular 06/2005 plus National Planning Policy Framework paragraphs 109 and 118

2. Condition B – *The measures of the Tree Protection Plan drawing DLA-1683-L-003-02 incorporating an Arboricultural Method Statement are approved and shall be implemented shall be implemented. All protective structures installed shall be maintained until construction work has been completed. No materials, soils, or equipment shall be stored under the canopy of any retained tree within the application site.*

Reason: To prevent loss of amenity and damage to trees and shrubs to be retained in accordance with Local Plan Policy X, ODPM Circular 06/2005 plus National Planning Policy Framework paragraphs 17, 109 and 118.

3. Condition –No development hereby permitted shall commence including ground works and vegetation clearance until a Construction Environmental Management Plan (CEMP) is submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority. The CEMP shall include the following items: (i) Risk assessment of potentially damaging construction activities; (ii) References to the implementation of the Biodiversity Avoidance and Enhancement Scheme that is required under separate Condition A; (iii) References to the Tree Protection Plan to be implemented under separate Condition B; (iv) Other items [insert relevant text here for other items as deemed necessary, e.g. hours of working, visual impact, dust, noise, water management, travel plan, management of hazardous substances] (v) Responsible persons and lines of communication

Reason – To protect the environment and local amenity in accordance with Local Plan Policy X, paragraphs 17, 36, 109, 118, 120, 123 and 125 of the National Planning Policy Framework and [insert local policy here]

4. Condition – Prior to the commencement of the development for both the construction and operational phases a Lighting Scheme shall be submitted to the Local Planning Authority for approval in writing. The scheme shall include the following details (a) the position, height and type of all lighting, (b) the intensity of lighting and spread of light (Lux plans), (c) the measures proposed must demonstrate no significant effect of the lighting on the environment including preventing disturbance to bats so that light falling on existing tree and hedgerow lines and the vegetation associated with the new sustainable drainage feature will not greatly exceed 1.0 lux. (d) the periods of day when such lighting will be used for residential needs.

The approved scheme shall be implemented for the duration of the development and maintained thereafter in accordance with the scheme.

Reason: To ensure the foraging and commuting of bats is not discouraged at this location and in accordance with Local Plan Policy X, ODPM Circular 06/2005 plus National Planning Policy Framework paragraphs 109, 118 and 125.

5. Condition – The measures of soft landscaping and aftercare are approved and shall be implemented as set out within the Landscape Management and Maintenance Plan dated September 2016 and Landscaping Planting Proposals drawing DLA-1683-L-003-04.

Reason: To ensure that biodiversity and amenity is conserved and in accordance with Local Plan Policy X, ODPM Circular 06/2005 plus National Planning Policy Framework paragraphs 17, 109, 115 and 118.

6. S106 agreement item or use of CIL is recommended to secure Green Infrastructure, i.e. public access and for the funding for long-term maintenance of landscaping based on the submitted Landscape Management and Maintenance Plan (document dated September 2016). The long-term management will also need to also cover the maintenance of the sustainable drainage system and the existing grassland which is not being landscaped.

7. Advice Note - To assist in the conservation of countywide biodiversity, all species and habitat records from the ecological work commissioned by the applicant should be copied [preferably in electronic format] to the Gloucestershire Centre for Environmental Records (GCER).

8. Advice Note - If a protected species (such as any bat, badger, water vole, otter, white-clawed crayfish, reptile or any nesting bird) is discovered using a feature on site that would be affected by the development or construction work all activity which might affect the species at the locality should cease. If the discovery can be dealt with satisfactorily by the

implementation of biodiversity mitigation measures already approved by the Local Planning Authority then these should be implemented. Otherwise a suitably qualified ecological consultant should be contacted and the situation assessed before operations can proceed. This action is necessary to avoid possible prosecution and ensure compliance with the Wildlife & Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010 (as amended) and the Protection of Badgers Act 1992. This advice note should be passed on to any persons/contractors carrying out the preparatory or construction works.

It is my view that the above advice is in accordance with the National Planning Policy Framework, ODPM Circular 06/2005, Natural England's Standing Advice and with Section 40 of the Natural Environment and Rural Communities Act 2006 which confers a general biodiversity duty upon Local Authorities whilst exercising their functions.

Gloucestershire Centre For Environmental Records

26th October 2016

Biodiversity Report available to review on line.

Severn Trent Water Ltd

19th January 2017

Thank you for the opportunity to make comment on the above planning application and please accept my sincere apologies for my delayed response.

Due to the age of this application, I presume that comments are no longer being taken. If, however you are still accepting comments please attach the following:

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

- The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and
- The scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is to ensure that the development is provided with a satisfactory means of drainage as well as to reduce or exacerbate a flooding problem and to minimise the risk of pollution

If you feel that a more site specific/Grampian condition is required, please let me know as soon as possible, with all supporting documents and I shall address this with the Senior Evaluation Technicians immediately.

Thank you again for your patience during this time.

Building Control

20th October 2016

No comment.

Campaign To Protect Rural England

10th November 2016

Proposed erection of four dwellings with landscaping and public open space at land on the South side of Glenfall Way, Charlton Kings, Cheltenham

1. CPRE objects most strongly to this further application for housing development in the Cotswolds AONB on the edge of Cheltenham. This is a highly sensitive greenfield location which lies at the boundary between the urban environment and the foothills of the Cotswolds escarpment.
2. Last year, this site was the subject of an outline application (15/00025/OUT) for 15 dwellings which was eventually withdrawn. Please refer to my letter of 12 February 2015 which objected strongly to that application. The same fundamental reasons for refusing that application still obtain. Indeed, the fact that this sensitive part of the AONB would be sacrificed for just four, large executive homes makes the case for refusal even stronger.
3. The same site was the subject of a planning application in 2007-2008, originally for 44 dwellings although this number was reduced to 34 at the time of an appeal. The 2007/8 application was refused by Cheltenham Borough Council and the subsequent appeal was dismissed. In dismissing the appeal, the planning inspector was quite clear that residential development of the site, however designed and landscaped, would result in significant harm to the AONB through change in character and appearance (see paragraph 58 of Appeal Decision of 3rd October 2008).
4. Although, since 2008, many of the planning policies then in force have been superseded, the fundamentals of the case have not changed. PPS3 and the emerging SW Regional Spatial Strategy have been replaced by the NPPF and by the emerging Joint Core Strategy which is nearing the end of its consultation process. In line with consistent and repeated government statements, none these documents in any way diminish the level of protection to be given to nationally designated areas of landscape value such as AONBs.
5. The draft JCS has recently been amended to reflect the Interim Findings of the inspector conducting the Examination in Public and the amended version has been approved by Cheltenham Borough Council. With respect to land in the AONB, JCS Policy SD8 now states:

"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."

6. In the absence of an approved JCS and a new Local Plan, Saved Policy CO2 of the former Cheltenham Local Plan still applies. This states:

"Development which would harm the natural beauty of the landscape within the AONB will not be permitted."

7. Cheltenham Borough Council is required, under Section 85 of the Countryside and Rights of Way Act 2000, to have regard to the purposes of AONBs in undertaking its functions. It should thereafter also take into account policies in the statutory Cotswolds AONB Management Plan (2013 – 2018), which was formally adopted by the Cotswolds Conservation Board after extensive public consultation.

8. The latest proposal is for a much smaller number of dwellings than both the 2015 or the 2008 proposals. Nevertheless, the environmental arguments that led the inspector to dismiss the 2008 appeal remain true. There have been no substantive changes to the highly attractive surrounding area. Any residential development of the site would be highly visible from the open ground descending from the Cotswold escarpment, including from the footpaths that cross it.

9. A new and additional matter affecting the current application is the 'Landscape Character, Sensitivity and Capacity Assessment of Cotswolds AONB within the Cheltenham Borough Administrative Area' undertaken by Ryder Landscape Consultants as evidence to the forthcoming Cheltenham Local Plan. CPRE has examined this report which suggests that there may be only a 'moderate' constraint to some development in this area of the AONB. CPRE vigorously refutes the implications of this report which represents the views of just one company and which has not been tested.

10. We point out that the thresholds used in the report are unjustifiably permissive, that it was conducted in a very brief timescale, so that examination of each area will have been precursory, that it has not been subject to any independent scrutiny and that in any case its application would be out of context.

It cannot therefore be given weight in the consideration of this (or any other) planning application. The proposed development would extend the Cheltenham urban area into the AONB (contrary to the principles of the JCS, noted above) thus creating a very damaging precedent that would put the whole of the AONB bordering Cheltenham under threat of speculative development which would be very difficult to resist.

11. Turning now to the detail of the proposals, we note that permission is sought for development of a much larger area than that for the curtilage of the dwellings themselves. If permitted, this would put the whole of the site at risk of development, making any application for development of the remainder of the site difficult to resist. In our view, should the Borough Council be minded to permit the proposed housing, the area of the site must be limited just to that required for housing and not the whole site. This means that the application in its present form should be refused.

13. Finally, the designs of the four houses proposed are totally unsuitable for such a sensitive location. Contrary to what is claimed by the applicants, the designs bear no relation to local architectural styles and use no sympathetic materials.

14. For all the reasons given above, CPRE is strongly opposed to this development proposal and urges the Borough Council to **refuse** the application.

County Archaeology

21st October 2016

In connection with the above planning application I wish to make the following observations.

I advise that in connection with a previous development proposal on this land a programme of archaeological assessment and evaluation was undertaken in 2007. The work comprised an archaeological desk-based assessment (Cotswold Archaeology, report dated July 2007), geophysical survey (Archaeological Surveys, report dated August 2007), and an archaeological field evaluation (Cotswold Archaeology, report dated October 2007). I note that these reports have been submitted in support of the current planning application.

I advise that the result of the programme of archaeological assessment and evaluation was negative, in that no significant archaeological remains were found during the work.

Therefore, in my view this site has low archaeological potential, and I recommend that no further archaeological investigation or recording should be required in connection with this planning application.

I have no further observations.

Lead Local Flooding Authority

1st December 2016

- a) I refer to the above application received by the Lead Local Flood Authority (LLFA) on 21st November 2016, for comment on the management of surface water. The site is situated within flood zone 1 as demonstrated by the Environment Agency's (EA) interactive web based mapping service (see location below). The submitted FRA is robust enough but does not completely satisfy the strategy developed for surface water runoff generated from the proposed development.
- b) According to paragraph 2.6 of submitted FRA it is said that at the detailed design stage following fixing of the site layout full BRE365 tests will be undertaken to confirm actual design rates at the design invert levels. Groundwater levels will also need to be monitored through the winter to ensure the invert level of an infiltration system does not sit in waterlogged ground.
- c) Also according to paragraph 3.6 of the submitted FRA it is said that with the input of mitigation measures, the proposed development of the site can deliver a reduction in off-site surface water runoff rates. The development of the site provides opportunities to alleviate some of the existing runoff from the site. The illustrative design shown is one of many SUDS solutions which can be developed further in the detailed design once the BRE365 tests have been completed.
- d) Last page of FRA states that "soakaways will be managed in accordance with the guidelines in CIRIA C753, Chapter 32. This is an outline application so the final details of the SuDS devices, and exact maintenance requirements are not yet fully known". LLFA received this application as full application not an outline so clarification required on above paragraph in the FRA.
- e) This is a full application and LLFA requires detail design to be submitted at this stage of application. As from Submitted FRA it is clear that development is very much reliant on soakway /infiltration results so full BRE 365 tests will be required to fully evaluate the infiltration option.

Lead Local Flooding Authority

2 February 2017

I refer to the above planning application, which the Lead Local Flood Authority previously objected on 1st December, 2016 due to unclear detail provided in the FRA and Drainage Strategy. Following further submission of FRA addendum and updated information, it is now confirmed that the proposal meets the requirements of a major application for which the LLFA is a statutory consultee.

LLFA recommends SuDS management program should be implemented to ensure effective operation of pollution prevention elements of the drainage systems are maintained for lifetime of the development.

LLFA have no further objections to this applications based on the information provided, however I would recommend the following condition should apply to any planning approval

Condition

No part of the development hereby permitted shall be commenced until a detailed permanent surface water drainage management plan is submitted to, and approved in writing by, the Local Planning Authority, with consultation with Gloucestershire County Council as the Lead Local Flood Authority. This detailed permanent surface water drainage management plan will be in accordance with the principles of sustainable drainage systems, and those set out in the Addendum to Flood Risk Assessment Report (Report Ref. 420 Glenfall FRA Addendum V1 18.01.17, Rev. -, dated 18th January 2017), and those parts of the Flood Risk Assessment (Report Ref. 420/FRA2. Rev. V2, dated 16 September 2016) not superseded by the former document.

Reason

To ensure that surface water from the development is managed in accordance with the principles of sustainable drainage systems.

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

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

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

Ubico Ltd

21st October 2016 - Unless a turning area is provided for the Waste & recycling vehicles at the end of the road, the collection point for all bins will be on Glenfall Way. This is due to the associated hazards with reversing.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	13
Total comments received	160
Number of objections	159
Number of supporting	0
General comment	1

- 5.1** Letters were sent to 13 immediate neighbours of the site, a site notice was also displayed adjacent to the site and also an advertisement was placed within the Gloucestershire Echo. In response to this publicity, 160 letters of representation have been received which are overwhelmingly opposed to the development.
- 5.2** The two main revisions to the scheme were also consulted upon.
- 5.3** The nature of the objections can be distilled in to three main areas (although it is accepted that such an exercise is somewhat simplistic given the volume of concern):
- The Council's AONB assessment is a flawed document and its conclusions for this site are incorrect
 - The site is located within the AONB and therefore development is unacceptable
 - The development will compromise the natural beauty of the site and compromise views to the scarp
 - The proposed architecture is inappropriate for its context

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.1.1** The main consideration in relation to this application is the principle of development within the AONB and it is this matter that the report will first discuss. Following on from that, the considerations relate to the design and layout of the proposed development and how it will impact on the natural beauty of the AONB, potential impact on neighbouring amenity, highway considerations, and ecological considerations.

6.2 Policy context

- 6.2.1** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan comprises the saved policies of the Cheltenham Borough Local Plan, second review, 2006-2011 (adopted 2006). Of particular relevance to this proposal is development plan policy CO2: Development within or affecting the AONB. This policy states that:
- 6.2.2** *Development which would harm the natural beauty of the landscape will not be permitted.*
- 6.2.3** The policy also goes on to state that major developments will not be permitted within the AONB.
- 6.2.4** Paragraph 14 of the NPPF states that a presumption in favour of sustainable development should be seen as a golden thread running through plan making and decision taking. For decision taking, this means approving development proposals without delay, unless material considerations indicate otherwise. The second bullet point states that where a development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the framework as a whole, or specific NPPF policies indicate development should be restricted. In the case of this application, the footnote accompanying paragraph 14 specifically refers to the AONB as an example of where specific policies restrict development.

- 6.2.5** Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development and that 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. At this time, the Council cannot demonstrate such a supply although through the development of the JCS and emerging Cheltenham Plan, this matter will soon be addressed.
- 6.2.6** Paragraphs 115 and 116 of the NPPF are also distinctly relevant when considering proposals within the AONB. Paragraph 115 requires 'great weight' to be given to conserving the landscape and scenic beauty of the AONB, which has the highest status of protection in relation to landscape and scenic beauty.
- 6.2.7** Paragraph 116 states that, *'Planning permission should be refused for major developments in designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest'*.
- 6.2.8** The NPPF sets the weight to be attached to existing Local Plan policies. Annex I 'implementation' of the NPPF sets out, at paragraphs 214 and 215, that for Local Plans which have not yet been adopted in accordance with the Planning and Compulsory Purchase Act 2004, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The Cheltenham Local Plan was adopted in accordance with pre-2004 legislation and therefore only policies which comply with the NPPF carry weight, and where the Local Plan is not in accordance or is silent then the NPPF is the lead document in making planning decisions.
- 6.2.9** It is considered that local plan policy CO2 is consistent with paragraphs 115 and 116 of the NPPF so full weight can be given to it in the assessment of this application. But in light of their requirements, to appropriately consider this proposal it is first necessary to establish whether the proposal would amount to "major" development within the AONB.
- 6.2.10** The emerging JCS provides discussion on this matter and states that whilst major development can be defined in quantitative terms (i.e. a threshold number of dwellings), importantly, it also advises that qualitative considerations are equally, if not more, important. It is both a matter of context and a matter of fact and degree: what is deemed to be 'major' in one area may not be so in another.
- 6.2.11** In relation to quantitative measures, having considered the scale of the proposal, officers are of the opinion that this would not constitute major development in the AONB. This conclusion was also drawn by the Inspector in the 2008 appeal decision which proposed a considerably higher number of dwellings. In this decision, the Inspector offered the following comments on this point at paragraph 15:
- 6.2.12** *I acknowledge that the scale of development would not amount to a "major development" in AONB terms. A proposal for 100 dwellings at Bourton on the Water was not consider by the Local Plan Inspector to be "major". However, that is not to say that the impact of the development would be insignificant or that it follows from the lack of a requirement to demonstrate exceptional circumstances that the development would be acceptable*".
- 6.2.13** These comments are of equal relevance in today's policy climate.
- 6.2.14** Regarding a more qualitative approach, as discussed within the emerging JCS, the Council has published a review of the AONB, titled, *Landscape Character, Sensitivity and Capacity Assessment of the Cotswold's AONB within the Cheltenham Administrative Area*. This document has been produced in order to support the preparation of the emerging Local Plan, but officers consider it is a material consideration when assessing landscape matters. The next section of this report will set out what this AONB review is and its findings for this site.

6.3 Landscape Character, Sensitivity and Capacity Assessment of the Cotswold's AONB within the Cheltenham Administrative Area.

- 6.3.1** The aim of the report was to conduct an independent assessment of the landscape and visual sensitivity within the borough between the urban edge and the borough boundary to the east and south east of the town which is within or immediately adjacent to the Cotswolds Area of Outstanding Natural Beauty (AONB).
- 6.3.2** A key part of the commission was to examine the effects of any potential development on the AONB, including its setting and views of and from the AONB, townscape edge character and views of the town. The report provides useful objective guidance as to where new built development might be possible given the right scheme and where it is unlikely that development could occur sustainably.
- 6.3.3** Essentially, the report helps this authority understand the value of its AONB more thoroughly and helps to inform robust decision-making both at an applications level but also when considering site allocations. The Council has benefitted from a similar review of the green belt for some time now but the evidence in relation to the AONB was less clear.
- 6.3.4** In terms of methodology, the work was undertaken in the following manner:
- 6.3.5** *The study comprises of two distinct areas of work: the first is a landscape characterisation process where the study area (the landscape to the east of Cheltenham) was surveyed and divided into distinct landscape character types and landscape character areas. Each type and area was then described following the standard methodology explained below in Section 2.5. Once the landscape character had been spatially identified and then described, the second area of work – a value and capacity analysis followed. The objective of this work was to assign relative value and capacity of the landscape to development, with the main output being the maps that show the various capacity and sensitivities for the specific areas.*
- 6.3.6** Members are advised that the methodology is relatively complex but that it is clearly set out within the report which can be found on the Council's website. The overall aim is to assess landscape capacity, and the statement defines this as:
- 6.3.7** *"Landscape capacity refers to the degree to which a particular landscape character type or area is able to accommodate change without significant effects on its character, or overall change of landscape character type. Capacity is likely to vary according to the type and nature of change being proposed."*

Landscape Capacity is used to describe the ability of a landscape to accommodate different amounts of change or development of a specific type. This should reflect:

- The inherent sensitivity of the landscape itself, but more specifically its sensitivity to a particular type of development in question. This means that capacity will reflect both the sensitivity of the landscape resource and its visual sensitivity;

- The value attached to the landscape or to specific elements in it.

- 6.3.8** The report divides the AONB in to different character types and character areas and the application site falls to the south west of a wider area identified as Ham Lowland Pasture (site ref: LCA 6.2) (see below).

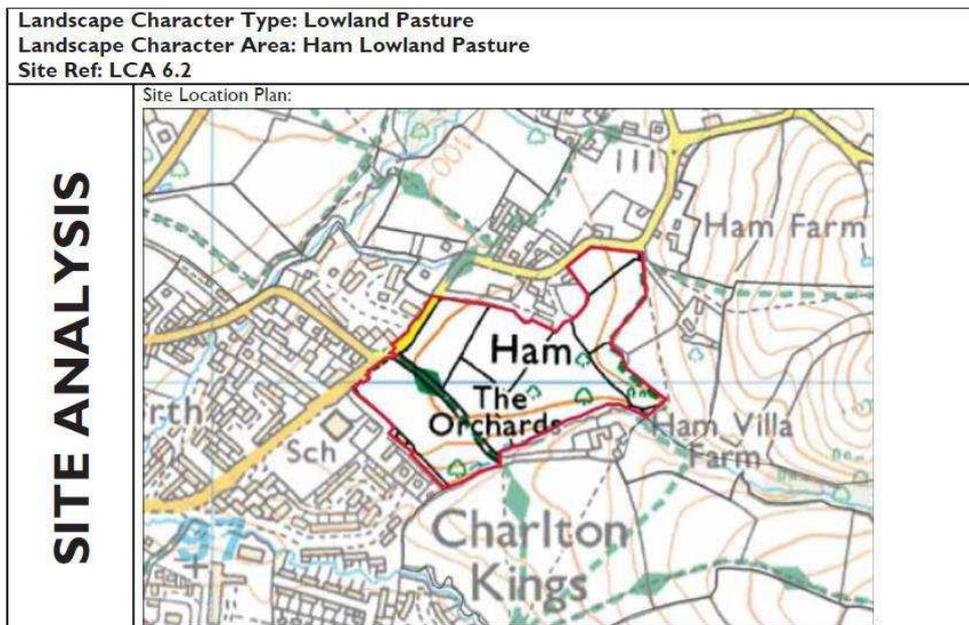


Image 1: Extract from AONB review showing extent of surveyed site: LCA 6.2

6.3.9 The report provides the following analysis of the character area:

6.3.10 *Landscape Character Appraisal: A generally gently sloping area, more flat towards the northwest of the site and sloping more towards the south. Comprising principally pastoral land use with small to medium scale fields defined primarily by mature hedgerow and post and rail fencing. A watercourse drain forms the boundary to the south of the area, along which mature vegetation exists. Boundaries throughout the area comprise a combination of post and rail fencing (in generally poor condition), along with mature tree planting, gappy hedgerow planting and ornamental shrub planting associated with residential boundaries.*

6.3.11 *Visual Issues Appraisal: Views are generally filtered and screened in places looking into and out of the area by boundary vegetation, however this vegetation is gappy in places and allows views into and out of the area at intermittent points. Views from the area looking south are elevated and look across the River Chelt Valley and the rooftops of the urban edge of Cheltenham, towards the escarpment slopes of Hartley Hill and Wistley Hill to the south. A number of residential properties are located along the boundaries of the area and consequently have views into the area, particularly properties along the southwest, northwest and northern boundaries. Views looking from the north of the area are slightly more contained, given the flatter topography, with views looking east towards the escarpment slopes of Ham Hill available.*

6.3.12 *Visual Sensitivity: Views from the site are contained in places by mature boundary vegetation and adjacent residential development. However views looking south from the elevated position of the area look towards the rising escarpment slopes of the Cotswold's AONB. Views into the area are available from adjacent residential properties, surrounding footpaths and by road users along Glenfall Way road to the north, resulting in an overall assessed visual sensitivity of **High**.*

6.3.13 *Landscape Sensitivity: As summarised in the landscape character appraisal, given the small to medium scale of the landscape character area, high levels of boundary vegetation, sloping topography and views into the area from adjacent residential properties and Glenfall Way, the overall landscape sensitivity is assessed as **Medium - High**.*

6.3.14 *Landscape Value: The landscape character area falls within the designated Cotswolds AONB, which is a national landscape designation. With the numerous footpaths that exist within and nearby the character area, the area has moderate recreational value. With the*

sloping topography, particularly to the south of the area, the land is particularly visible from residential properties to the south of the area. The visual connections with the escarpment slopes to the south of the area are valuable perceptual aspects. The quality of the landscape elements are moderate, however degraded in places such as the post and rail fencing to the north of the area and the poorly managed hedgerow boundaries. Given the LCA falls within a nationally recognised AONB designation, the overall value of the landscape character area is assessed as **High**. However it is noted there are elements of degraded landscape that may reduce this value slightly.

6.3.15 Landscape Capacity: The Landscape Capacity for the Landscape Character Area as a whole is assessed to be **Low**. However it is noted that there are areas within the study area which are slightly more degraded, more visually contained and less accessible by public rights of way and therefore have a slightly reduced landscape value. The area to the northwest of the character area comprises flat topography, is located adjacent to a school and is visually contained by surrounding vegetation, with additional tree planting which is yet to reach full maturity. It is therefore considered that this location has a slightly reduced landscape value and therefore the capacity rating for residential development = **LOW / MEDIUM**. Should the identified area within the landscape character area be considered for development, the following sheet assesses the potential planning principles with regard to landscape and visual matters.

6.3.16 The figure below identifies the area that has been identified as having a low/medium landscape capacity. It is this parcel of land to which this application relates.

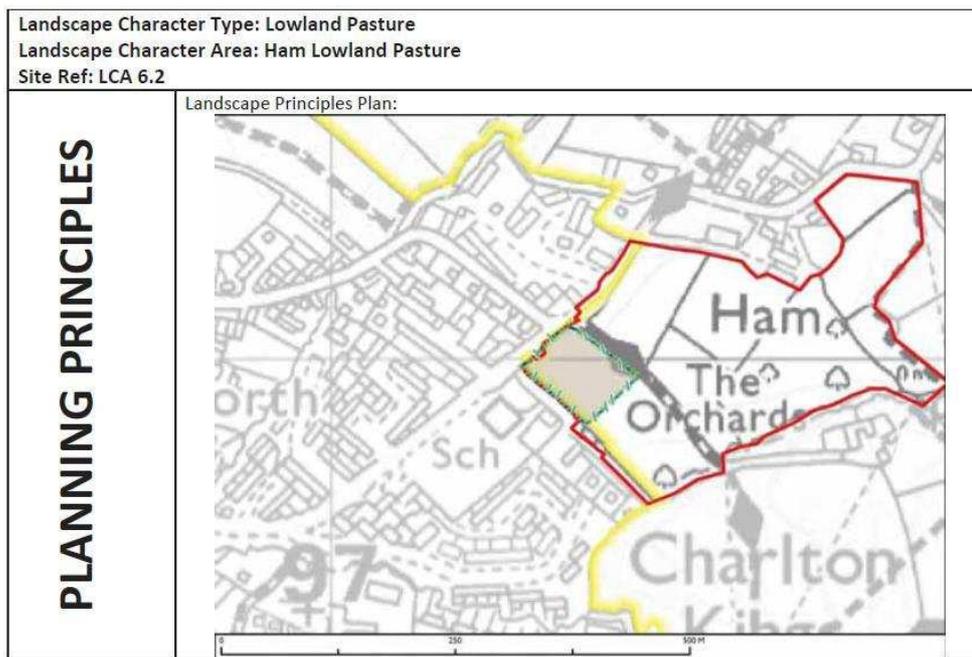


Image 2: Extract from AONB report showing the location and extent of land that offers limited development potential subject to suitable mitigation

6.3.17 Officers are mindful that this study is a standalone document on matters relating to landscape and has to be treated as such. Notwithstanding this, based on its conclusions on qualitative issues, coupled with the Inspector’s previous findings on more quantitative terms, officers are satisfied that the development proposed does not constitute “major” development within the AONB.

6.3.18 The proposal therefore needs to be objectively assessed against the requirements of Local Plan CO2 and paragraph 115 of the NPPF: this means consideration of the impact of the development on the natural beauty of the landscape, with ‘great weight’ being afforded to the conservation of the landscape and the scenic beauty of the area. The AONB review set

out above is an important material consideration in this assessment but any adverse impact on the AONB as a result of the proposal, which cannot be adequately mitigated, should weigh heavily in the decision.

6.4 Development within the AONB

- 6.4.1** The policy context relating to how to consider development within the AONB is set out above. Members will be aware that the Cotswold Conservation Board exists to promote the conservation and enhancement of the natural beauty of the AONB and within the local plan at para 7.22 it states that:
- 6.4.2** *In assessing proposals for development, the Council will be guided by the advice of the Cotswolds AONB Conservation board.*
- 6.4.3** The plan goes on to state that the board have recommended guidelines that should be used when considering planning applications. The most relevant is:
- 6.4.4** *As the role of the built form in the AONB is so important, control of development should pay special regard to the use of suitable materials, traditional design and siting to minimise impact on the landscape. It should promote appropriate density, location in appropriate settlements, and high quality landscaping.*
- 6.4.5** This approach is reinforced in the board's position statement titled "Housing and Development". This statement relates to the use of land to meet the growth of housing and employment within the Cotswolds AONB. The documents states that the board's primary concern is with *"open market housing development and that there will be leakage of such development from the surrounding large cities and towns creating further commuting and squeezing out local residents."*
- 6.4.6** It is also stated that the Cotswolds is *"an environmental asset surrounded by development pressure; therefore development needs to be carefully managed."*
- 6.4.7** To do this, the position statement provides further guidance on what should be considered in the assessment of planning applications. Of distinct relevance are:
- 6.4.8** *Building styles should respect the local tradition. Inappropriate, particularly suburban, styles and materials should be avoided. Where new building is required, it should be to a high standard of design as befits a nationally designated landscape. Innovative schemes based on sustainable construction principles are to be preferred to timid pastiche or over-cautious design.*
- 6.4.9** *Developments should respect and conserve and not obstruct public views to higher slopes or skylines or sweeping views across the landscape.*
- 6.4.10** Members are advised that nowhere in the Local Plan, the NPPF, or the Cotswolds Conservation Board guidance does it state that non-major development within the AONB is unacceptable in principle. The AONB is however rightly afforded significant protection from development pressures and it is for this reason that the Council's own policy states that development which will *harm* the natural beauty of the AONB will not be permitted and that the NPPF advises that *great weight* should be given to conserving landscape and scenic beauty within AONBs.
- 6.4.11** This report will now focus on the merit of the scheme that has been submitted to assess the level of impact that it will have on the AONB.

6.5 Design, layout and impact on the AONB

- 6.5.1** Local Plan Policy CP7 requires development to be of a high standard of architectural design and to complement and respect neighbouring development. As already discussed, great weight also needs to be afforded to conserving the natural beauty of AONB and therefore the impact of the proposal on the AONB needs to be fully considered.
- 6.5.2** Members will note from the relevant consultation responses that the proposal has split interested parties in relation to design and layout considerations. The proposal has also evolved since its original submission in October 2016. With this in mind, this report will seek to carry out an objective design critique to assess the level of impact on the AONB. There are three main issues to consider:
- a) Site layout
 - b) Architectural approach, scale and massing
 - c) Landscaping and mitigation

6.6 Site layout

- 6.6.1** The Council's recently published landscape study has identified a small part of the site to the North West as having some limited potential for residential development. The document goes on to provide general principles to consider should any proposals be forthcoming. The assessment states:
- 6.6.2** *Principles for development: The surrounding settled residential context and lack of commercial or industrial development indicates that if development were to be considered in this location, residential development would be the most appropriate.*

Given the flat topography of the northwest corner of the landscape character area and the slight visual containment this affords, the existing boundary vegetation and the local context of residential housing, it is considered that should development be considered here, this location would be the most visually contained and have some mitigation potential given the existing newly planted area to the south-western part of the character area.

Provision of well-established and thoughtful boundary planting would be essential, particularly to the south and east of the area to ensure long distance views into the site are not compromised. Improved boundary planting adjacent to the school to the northwest edge and along Glenfall Way is also recommended.

Site Integration: Fields and boundaries are comprised of a combination of timber post and rail fencing and mature hedgerow vegetation. Improvement to the existing fencing infrastructure and gapping up of existing hedgerow and planted boundaries is recommended.

- 6.6.3** In terms of the general site layout, it is fair to say that the proposed development responds to the principles within this Landscape Study. The built form of the proposal is located to the North West corner of the character area, which the study has identified as being the most visually contained and having some mitigation potential.
- 6.6.4** The application has been critiqued by the same landscape architect that produced the AONB assessment and their comments are set out in full above. Of distinct relevance in relation to site layout are considered to be the following observations:
- 6.6.5** *The surrounding landscape has a settled landscape character with the presence of suburban houses, individual houses and roofscapes in the landscape scene. This does not make the landscape any less important than areas that do not have residential settlement within their extents, it is just part of their character. Given the amount and location of houses in the local landscape it cannot be argued that houses are out of keeping in landscape terms within this part of the AONB.*

- 6.6.6** *The extent of development stopping short of the white rendered no.3 The Orchards would not make it appear that Charlton Kings is extending into the surrounding countryside. Both no.3 and no.4 The Orchards extend further than the proposals.*
- 6.6.7** *Physical coalescence of built form between this part of Charlton Kings and other parts of the village and Chase Avenue and Castlefields Avenue is not achieved nor do I suspect perceived coalescence would occur either.*
- 6.6.8** Despite these comments, the landscape advice also states that:
- 6.6.9** *The proposals would fundamentally change the rural character of the small field parcel into a residential area.*
- 6.6.10** The analysis suggests that limited and sensitive residential development with appropriate mitigation could occur on this site without harming the AONB. That said, the siting of buildings is meaningless if the development is not successfully designed to mitigate the impact of development on the AONB, this is not just in relation to the proposed architecture, but also the proposed landscaping to ensure that the change in character does not bring with it harm.

6.7 Architectural approach, scale and massing

- 6.7.1** Architecturally, the application has always proposed unashamedly contemporary dwellings which, as a general principle, officers have been supportive of. If this parcel of land is to be built upon, it is considered that this would be most successful with high quality buildings designed for the 21st century. This approach is compatible with Cotswolds Conservation Board position statement on new development which advises that: *Where new building is required, it should be to a high standard of design as befits a nationally designated landscape. Innovative schemes based on sustainable construction principles are to be preferred to timid pastiche or over-cautious design.* It is also worth noting that within the immediate locality, there is a real variety of architecture that helps to tell the story of how this part of Charlton Kings has developed over the years.
- 6.7.2** That said, development must also respect the natural beauty of the area and not dominate its surroundings. The position statement of the conservation board advises that: *Developments should respect and conserve and not obstruct public views to higher slopes or skylines or sweeping views across the landscape.*
- 6.7.3** In its first iteration, the houses proposed were considered to be unacceptably large. The proposal was for four large, two storey dwellings that imposed themselves on the surrounding landscape and would have been harmful to the important views across the site towards the escarpment. The buildings were sited in a manner that was not suitably respectful to the characteristics of the site and were described in the following manner by the Council's landscape consultant:
- 6.7.4** *The architectural style of the buildings is contemporary and is unlike any other buildings residential or otherwise that are visible in the landscape context to the site. This styling will create a greater visual contrast with the existing village and other properties that can be seen within the AONB.*

Of particular note is the size and scale of the dwellings especially the single ridge and large span of their roofs. They appear to be more the scale, style and colour of light, industrial units within the landscape than residential properties. This effect on the illustrations is exacerbated by their arrangement in a row.

These units will also appear fundamentally large in comparison to other residential properties. The indicative sections and photomontages make them appear 'top-heavy' on their first floors which adds to their increased prominence and ability to block the view to the

wider landscape. If the amount of space on the upper floor was reduced or lower elements placed to the front this may be reduced.

Their setting on the site does tie in with previous comments about where development may be able to be accommodated but they are not helped by their apparent lack of garden space around the properties. In plan form they appear to sit centrally to the four individual plots and there is no major garden but rather a sense of being squeezed in to the available space. By moving the buildings back in their plots closer to the west boundary a larger garden could be created to the east elevation.

- 6.7.5** The Architects' Panel shared similar concerns, stating that whilst they considered that the site had development potential, *"The buildings are too bulky for such a constrained site; large houses with very small plots...The choice of zinc cladding to the first floors and roofs has resulted in a heavy and rather industrial top-heavy appearance."*
- 6.7.6** The panel went on to conclude that they *"felt development on this site should provide more space between houses to break up the overall mass of buildings, reducing its scale and dense appearance. A fresh look at the site layout to avoid the design dilemma of dual aspect dwellings might result in a more successful scheme"*.
- 6.7.7** The Parish Council were also critical about the design of the original proposals, stating that *"In our view the proposed designs jar with their surroundings and the setting (of the AONB). Whilst there is no overarching uniform vernacular in the vicinity and there has been new build in the last few decades, these designs and their construction material in particular are at odds with the immediate streetscape and would not integrate into the landscape"*.
- 6.7.8** In contrast, the Civic Society was very complimentary about the original scheme, stating that, *"Our view is that the style of these dwellings is appropriate for the AONB setting. We do not think the proposed dwellings look industrial more agricultural. A lot of thought has gone into the design; we think this is a quality scheme."*
- 6.7.9** Officers had distinct reservations over the original proposals. Whilst the site layout crudely responded to the AONB capacity report, the mass and scale of the houses prevented that layout being executed in an acceptable manner. The houses dominated the site, would have had an overbearing presence along Glenfall Way and would have had a particularly harmful impact on views across the site to the scarp. Members will note on planning view that the site affords long distance views to the scarp and this is considered to be a particularly important attribute that any development needs to respond to. These views would have been completely lost had the original proposals been built out.
- 6.7.10** This was fed back to the applicant who revisited their original proposals in an attempt to address the concerns that had been raised. Essentially the ask of the applicant was to reduce the bulk of the buildings and reconsider the layout so that the important views the site affords would be maintained in a much more comprehensive manner. It was advised that for development to be successful it needs to be more respectful of and recessive to the natural beauty of the AONB.
- 6.7.11** In response, the applicant made some subtle changes to the layout of the site and reduced the size and height of the proposed houses. This allowed the scarp to be seen more readily and reduced the impact that the new development would have on Glenfall Way. In response to this change, the following thoughts were provided by the Council's landscape consultant:
- 6.7.12** *The revised scheme as presented appears to be a considerable improvement in visual terms with the reduction of the visible mass of the upper storeys of the buildings from the Ryeworth Road junction and elsewhere from publically accessible locations.*

There is a much greater opportunity to retain the unfettered view to the distinctive scarp of the AONB with this re-designed scheme.

There are still considerable implications for the landscape character of the site and its boundaries that need to be addressed to provide comfort that the development is contributing as positively as possible to the surrounding area.

6.7.13 The revisions were also critiqued by the Architects' Panel who provided the following observations:

6.7.14 *The panel was generally supportive of the scheme which was still for 4no dwellings but each house was now 50sqm smaller than the previous proposal with less first floor terracing and a much reduced building footprint. The sketch perspective showed how the overall scale of the development was considerably less imposing.*

The panel thought the design could be further improved by modifying the footprint and stepping the two central houses to break down their uniform appearance.

Some panel members thought the elevations were in danger of losing some of the architectural interest of the original scheme, e.g. through the removal of the zinc cladding and the introduction of uniform flat roofs.

6.7.15 From an architectural perspective, the comments on the revised scheme made it quite clear that the proposals were heading in the right direction. Indeed, officers felt at that point it had probably done enough to tip the balance towards acceptability. Nevertheless, in light of the significant level of objection to the application (which did not reduce as a result of the revisions) the applicant decided to make further changes to the scheme, and it is these that are now before Members.

6.7.16 The revised scheme has sought to reintroduce the architectural flare that the Architects' Panel felt the proposal was at danger of losing. All of the properties are now to be sunken into the ground slightly (with steps up to the garden space) and three of the four house designs have been reduced in height (two of which are now one and a half storey properties). This has enabled the pitched zinc clad roofs to be reintroduced and the architect has also taken the opportunity provided by the reduction in height and mass to introduce dramatic, splayed zinc clad dormer windows; a feature that officers consider injects the architectural quality that the site deserves.

6.7.17 The dwelling fronting onto Glenfall Way remains two storeys but has been reoriented and repositioned to enable much more expansive views through to the scarp beyond and this is demonstrated by the proposed photo-montage that has been submitted showing the critical view from Ryeworth Road. It is apparent from this image that the reduced scale of plots 2, 3 and 4 results in a very limited impact on this view and officers are satisfied that whilst this view will change, it is not considered to be harmful given the reduced scale and mass and the architectural quality of the scheme. The proposal is now respectful of the defining attributes of the site, the views across the site, and has a much more appropriate presence within the street scene. Members are also advised that when viewed from the road/footpath to the north east of the site, the four dwellings present an interesting and varied elevation of an appropriate scale.

7. Landscaping and mitigation

7.1.1 Given the location of the site within the AONB, appropriate landscaping and mitigation is essential if the proposed development is to assimilate itself successfully with the broader landscape. Indeed, the Council's own evidence in relation to landscape capacity makes it quite clear that for development to be acceptable and not have a harmful impact on the AONB these are absolutely critical matters.

7.1.2 The assessment advises that for successful integration, thoughtful boundary planting would be essential, particularly to the south and east of the site to ensure long distance views are

not compromised. With this in mind, members will note that the original proposal sought to introduce a stone wall containing a hedge, an alien feature in this locality. The character of the area is defined by hedgerows and softer boundary treatments and therefore the applicant has amended the proposal to reflect this more successfully. The southern and eastern boundary of the development is now proposed to be a native mixed hedge which is a much more appropriate treatment.

- 7.1.3** The rest of the land is to be left as open grass meadow. To add a degree of separation and a buffer between public and private space, a landscaped 'ditch' is to be provided between the meadow and the amenity space. This is proposed to be planted with a wild flora grass mix, which in combination with the proposed hedge will create a soft and appropriate boundary. It is also proposed to introduce a public footpath across the site that will loop around the recently planted trees and connect with the footpath beyond. This will not replace the existing footpath to the north east of the site but provide a quieter alternative and also bring some public benefit to the scheme (the existing road is subject to a reasonable amount of traffic caused by the waste disposal site that it leads to). Should planning permission be granted, it is recommended that the provision, maintenance and retention of the footpath is secured by way of a suitably worded planning condition.
- 7.1.4** It is also proposed to thin the recently planted saplings to the south of the site. This is important for two reasons; firstly it enables a more appropriate footpath link but secondly and perhaps more importantly, it will help the long term preservation of the expansive views across the site. These saplings will grow tall in the future and will compromise the existing views; the landscape proposals associated with this scheme enable the maintenance of these trees to safeguard these views.
- 7.1.5** Officers are of the opinion that the proposed landscaping scheme is now an appropriate response to the site that will allow the development to integrate successfully with the wider environment. It will safeguard views into and across the site and help retain the rural characteristics of the site. Site management and maintenance is critical though so again, a condition is recommended to secure this, if permission is granted.

7.2 Summary

- 7.2.1** When assessed against the requirements of local plan policy CO2 and the requirements of paragraph 115 of the NPPF and in the context of the recent AONB review, it is considered that the revised scheme represents a successful approach to the development of this parcel of land. The landscape assessment has identified a relatively small parcel of land as having limited capacity for residential development and this development, following significant revisions, responds to the constraints successfully.
- 7.2.2** The reduced height, scale and mass in combination with the revised site layout ensure that views to the scarp are maintained and the proposed architecture offers contemporary and interesting buildings which are suitably respectful to the site. The proposed landscaping scheme helps to integrate all of these matters into their rural context and therefore whilst the character of the site will change, this is not considered to be a harmful change.

8. Impact on neighbouring property

- 8.1** Local plan policy CP4 requires development to protect the amenity of adjoining land users and the locality. When assessing the application against the provisions of this policy, officers are satisfied that there will be no impact on privacy or light levels enjoyed by immediate neighbours. Whilst the nature of the site will change and views across the site will be altered, this is not within the remit of policy CP4 and these matters have been discussed above.

- 8.2 The proposal will not affect neighbouring amenity and complies with the requirements of local plan policy CP4.

9. Access and highway issues

- 9.1 The proposed development is served from an access road that runs along the south western boundary of the site. It is accessed via the existing 'access' to the site which members will see on planning view. The County Council has not raised any concerns with the proposal and instead, has referred officers to their standing advice which relates to matters such as visibility. The visibility from the proposed access is acceptable to serve the four houses proposed and therefore no objections are raised from a highway safety perspective.
- 9.2 In addition, the proposal provides adequate off road parking for the four houses and a turning area is provided at the end of the access road.

10. Trees

- 10.1 There are a number of trees within the application site, some of which are protected. The Tree Officer has reviewed the application documentation and whilst additional tree protective fencing would be required to ensure all trees are protected, no objection has been raised, subject to a number of suggested conditions being attached to any permission.
- 10.2 Revised drawings have been subsequently submitted that show tree protection to all trees.

11. Ecology and Biodiversity

- 11.1 Paragraph 118 of the NPPF advises that local planning authorities should aim to conserve or enhance biodiversity by applying various principles. One of these principles is to ensure adequate mitigation within development proposals.
- 11.2 The application is accompanied by an Ecological Appraisal Report, which is not available within the public domain as it includes information regarding certain protected species. In addition, other documents with some ecological relevance also include the Design and Access Statement, submitted plans and Tree Surveys.
- 11.3 The submitted information has been reviewed by the County Council's Principal Ecologist and a detailed consultation response provided. Some of this response has been redacted, again, due to the protected species referred to.
- 11.4 In summary, the various ecological measures put in place as part of the proposal will not have an adverse effect on biodiversity and does provide the opportunity for potential local gains. In view of the relevant national ecological guidance, it is considered that the proposal is compliant, subject to the inclusion of conditions to ensure the level of additional information to satisfy that mitigation measures are sufficient is provided. The GCC Ecologist has suggested a number of conditions to ensure this is the case, which have been attached to this recommendation.

12. Flooding

- 12.1 Due to the site area of the application site, a Flood Risk Assessment has been submitted. The Lead Local Flood Authority (LLFA) has been consulted and an initial objection was raised. It was considered that whilst robust, the submitted FRA did not completely satisfy the strategy for surface water run-off. The applicant was essentially seeking to submit the finalised scheme post decision but the LLFA rightly requested this prior to determination.

- 12.2 Following the submission of this additional information, the LLFA has now confirmed the proposal now meets the requirements for a major application subject to the inclusion of suggested conditions.

13. Archaeology

- 13.1 Gloucestershire County Council's archaeologist has been consulted and, based on the information accompanying the application, recommends no further archaeological investigation is required as the site has a low archaeological potential.

14. Other considerations

14.1 Red line and precedent:

- 14.2 Some concern has been raised by residents in relation to the extent of the red line which covers a broader parcel of land than that which the development is sited. The concern being that if planning permission were to be granted this would potentially open the site up for more comprehensive development.

- 14.3 Officers accept that the red line is bigger than it perhaps needs to be but this does not weaken the Council's position should this scheme be granted consent and further applications be submitted. Members are well aware that every application needs to be considered on its merits and it is the specifics associated with this parcel of land that have lead officers to the conclusion that relatively low-key development could be supported. This is informed by the evidence of the Council's AONB assessment which makes clear distinctions between this land and other parts of the AONB. The evidence enables the authority to make more robust decisions about development within the AONB and it is therefore very valuable for the authority. It is this evidence that will enable the authority to rebut other applications (should they be forthcoming) and indeed the assessment has been used in the recent refusal of an application for up to 10 dwellings on a piece of land within the same character area as this application, adjacent to Ham Court.

14.4 JCS housing policy

- 14.4.1 JCS policy SD11 relates to residential development and sets out the following important considerations:

- 14.4.2 *On sites that are not allocated, housing development and conversions to dwellings will be permitted on previously-developed land in the existing built-up areas of Gloucester City, the Principal Urban Area of Cheltenham and Tewkesbury town, rural service centres and service villages except where otherwise restricted by policies within district plans.*

- 14.4.3 It goes on to state that:

- 14.4.4 *Housing development on other sites will only be permitted where:*

- i. *It is for affordable housing on a rural exception site in accordance with Policy SD13, or*
- ii. *It is infilling within the existing built up areas of the City of Gloucester, the Principal Urban Area of Cheltenham or Tewkesbury Borough's towns and villages except where otherwise restricted by policies within district plans, or*
- iii. *It is brought forward through Community Right to Build Orders, or*
- iv. *There are other specific exceptions/circumstances defined in district or neighbourhood plans.*

- 14.4.5** On face value, this policy implies that development within the AONB is unacceptable because it is not within the principal urban area of the town. That said, two things have to be considered before weight is given to this policy. Firstly, the JCS is yet to be adopted and without it, the Council cannot demonstrate a five year supply of housing. As set out elsewhere in this report, without a five year supply, policies that relate to the supply of housing cannot be given weight. Secondly, the housing policies within the JCS are still subject to some objection so full weight cannot be attributed to them anyway.
- 14.4.6** Ultimately, whilst the aims of this policy are understood and the policy will be a helpful tool in the determination of future applications once adopted, this application has to be considered against the current policy context, which is set out earlier in this report. This context requires the decision-maker to consider the impact that development within the AONB will have on its natural beauty and the conclusions on this point have already been discussed at length.

14.5 Environmental Impact Assessment

- 14.5.1** Upon receipt of the application, a screening exercise was undertaken against the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. Whilst the site is located in a sensitive environment, the project does not fall within the remit of these regulations and therefore does not require the submission of an Environmental Impact Assessment.

14.6 The Countryside and Rights of Way Act 2000

- 14.6.1** The CROW act places a duty on all public bodies to have regard to the purposes of AONBs. It is a material consideration in the determination of planning applications and seeks to meet the same objectives of local plan policy CO2 and NPPF advice set out in paragraphs 115 and 116. This duty has formed part of the recommendation that is set out below.

15. CONCLUSION AND RECOMMENDATION

- 15.1** This report has attempted to balance the conflicting thoughts in relation to development on this site and the strength of public opinion has not gone unnoticed.
- 15.2** That said, having carefully evaluated the policy context, fully considered the AONB review and worked with the applicant to enhance the quality of the scheme and reduce its impact on the AONB, officers consider that, on balance, the development that is presented to members is acceptable.
- 15.3** It is accepted that development of the site will change how it is experienced in its immediate context but change is not automatically harmful and proposals have to be considered objectively. Just because a site is located within the AONB does not make it immune to or exempt from development. The proposal does not constitute “major” development.
- 15.4** This is not a conclusion that officers have arrived at lightly and it is fully accepted that it will not be a popular recommendation with some members of the public. But, officers are tasked with critically evaluating all of the evidence that is before them and, in this instance, in the context of para 186 of the NPPF which states that “*Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development*” and para 187 which states that “*Local planning authorities should look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible*” officers are satisfied that the balance tips in favour of the development.

- 15.5** Much of this conclusion stems from the AONB assessment. This independent and objective assessment has identified a small parcel of land within the application site as having limited capacity for residential development. The requirement of the applicant was to work up a scheme that mitigates the impact of the development through site layout, scale, massing and landscaping. Officers consider that the application executes this difficult balancing act successfully and it is therefore very difficult to articulate a specific harm that is caused by the proposal. The delivery of four additional houses to the Council's housing supply also attracts weight at a time when we cannot provide a five year housing supply.
- 15.6** Local Plan policy CO2 states that development which harms the natural beauty of the AONB will not be permitted and paragraph 115 of the NPPF requires authorities to place *great weight* to conserving landscape and scenic beauty in AONBs. Officers have placed great weight on this matter when assessing the proposals and consider that the proposal that is before members satisfactorily preserves the prevailing characteristics of the site. The proposal is therefore not harmful and will conserve the natural beauty of the AONB.
- 15.7** It is recommended that planning permission be granted. Recommended conditions will be circulated under separate cover.

16. CONDITIONS / INFORMATIVES

- 16.1** To be circulated separately

APPLICATION NO: 16/01789/FUL		OFFICER: Mr Martin Chandler	
DATE REGISTERED: 4th October 2016		DATE OF EXPIRY : 3rd January 2017	
WARD: Battledown		PARISH: CHARLK	
APPLICANT:	Strategic Land Partnerships		
LOCATION:	Land On The South Side Of Glenfall Way, Charlton Kings		
PROPOSAL:	Proposed erection of four dwellings with landscaping and public open space.		

REPRESENTATIONS

Number of contributors	157
Number of objections	156
Number of representation	1
Number of supporting	0

11 East Court Mews
 London Road
 Charlton Kings
 GL52 6UN

Comments: 6th December 2016

I would like to alert you to our very strong objections to the proposed plans for four new houses on land off Glenfall Way. I was totally shocked to learn of such plans having read the "Intouch" bulletin as the land has been designated as a Cotswold Area of Outstanding Beauty!!

It seems that the aim of the council is to completely ruin the environment, culture, community and safety in the Charlton Kings area. I notice a new building development almost on a daily basis. I was horrified to come across huge new houses built in Bafford Lane and then later to discover that yet another huge house build is underway. Not only are such houses spoiling areas of beautiful countryside, ruining habitat for wildlife but they are creating way too much traffic in an area which can't cope with such volumes. I see the gridlock along Eastend Road twice a day due to the school traffic, which seriously deteriorated following the development at Coates Gardens.

Also there has been a significant increase in householders in Charlton Kings area selling off land in their gardens for further housing development. It is quite unbelievable how many developments have been permitted despite the horrific impact upon the environment, levels of traffic plus impact upon local services eg schools and GPS.

Due to our experiences of never ending developments that have been permitted by the council, we therefore strongly object to the plans for Glenfall Way.

I could understand why the Council might give planning permission for affordable housing for local people, but it is evident from the huge price tags on such houses that they well out of the reach of young people whose families have lived in Charlton Kings for generations.

I truly hope that the Council will realise that Charlton Kings/Battledown area has now reached saturation point and prevent developers from building huge homes attainable by the wealthy only.

2 Carisbrooke Drive
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YA

Comments: 31st October 2016

We are very concerned about the above proposals for the following reasons:

- The site is within an Area of Outstanding Natural Beauty. To build on this land would make nonsense of such a designation, also setting a precedent for surrounding land similarly designated, which too would be threatened in the future. Wildlife would also be driven out, including deer.
- The house design is something of an eyesore resembling a warehouse and completely out of keeping with the surrounding dwellings.

Our main concern is the threat to the AONB, which should have high level protection from any development.

60 Horsefair Street
Charlton Kings
Cheltenham
Gloucestershire
GL53 8JH

Comments: 6th November 2016

I have already written my comments this evening, which were lost when I clicked submit! My apologies if this is duplication.

I object very strongly to the proposed loss of land in the AONB. If this development is allowed to go ahead, it will open a door to every other small parcel of grazing land all the way up to the junction of Ham Hill and Mill Lane, destroying the character of Ham on the way, making the road incredibly dangerous and taking land that is needed for grazing out of use. The existing AONB boundary should be respected as the natural end to development along the south side of Glenfall Way.

I do not have any faith in the capacity of the planning system to control this 'slippery slope' of development on the basis of individual applications. New Barn at the end of Mill Lane is a perfect example of proliferating development, and the impact on the landscape is readily apparent.

As a local horse rider, I also object to the increase in traffic volumes on Glenfall Way. The road is used very heavily by cyclists and horse riders because it forms part of one of the only possible circular routes. It is already a very busy road, and at this precise spot - sandwiched between school traffic, skip lorries and the Ryeworth Road junction - any increase would be extremely dangerous.

Finally, as a landscape architect, I am extremely sceptical about the workability of the landscape proposals. The areas beyond the building curtilages would require a very onerous management regime to work, and I don't believe this would happen. Similarly, I cannot imagine that the residents of these houses will accept scrubby native species trees like Alder and Field Maple, or large canopy trees like Oak in their gardens in the long term - far more likely they will be replaced with decorative garden trees that are wholly out of character in this position.

Comments: 23rd January 2017

Comparing these plans and elevations with the previous set, I really can't see there has been any reduction in the proposed damage to the landscape or visual amenity.

These proposals take up more space, lose a wetland feature that might have provided some useful habitat and are still misleadingly showing proposed trees in the private garden areas that they can't possibly guarantee (occupiers will simply remove them). The bulky units - aggravated by pale-coloured zinc cladding - are still going to be very intrusive, visually and don't relate in any positive way to the neighbourhood.

It is difficult to tell exactly what changes have been made, because the revisions aren't listed clearly (also no key on the illustrative landscape plans) - this is standard practice in any drawing office and it is tempting to conclude that this lack of clarity is intentional.

None of the changes address any of the concerns voiced about traffic at this dangerous and busy junction.

The simple fact is that this is AONB land, and that allowing development on this plot will open the door to every bit of roadside land through Ham and up to the new Eden Villas scheme, destroying the quality of this edge of Cheltenham. The application has already reinvigorated the application on adjacent land, and the owner of the corner plot by the White House is busily taking down trees. This area is meant to be protected!

Comments: 18th June 2017

My previous comments and concerns about this application still stand; nothing significant has changed in this latest submission to change them.

This land is in the AONB, is protected for a good reason and should remain so. I can't see any exceptional circumstances for allowing speculative housing development to take place here.

The proposed development is ugly & visually intrusive, blocking the view. It sits awkwardly on the land and if permission is given, then it will clearly be re-submitted again with a far greater number of units.

More importantly, it sets a precedent. If this permission is granted in the AONB, it will effectively sound the death knell for all the small plots of land along Ham Road and Mill Lane. No doubt applications will soon be received again for housing on the adjacent field to this one, on the corner paddock by the cottages and for the newly-built 'stable block' at New Barn. This area rightly HAS protection and the planning authority should enforce it.

78 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LT

Comments: 7th November 2016

I object to this proposal. The land is not urban, it is rural.

The proposed development is in an Area of Outstanding Natural Beauty and I feel it would detract from this and would almost certainly be in breach of the many laws designed to protect AONB.

The previous 3 (very similar) planning applications have already been turned down and as far as I am aware nothing has changed in either local or national planning policy to suggest that the previous decisions were wrong. I think the previous decisions should also apply to this application.

There is a very big danger that granting this application would set a precedent for the neighbouring fields to be similarly developed in the future, gradually eroding the area of natural beauty and turning it from open fields into urban sprawl. This contradicts the statutory duties of the Cotswolds Conservation Board which include:

- a) to conserve and enhance the natural beauty of the AONB; and
- b) to increase the understanding and enjoyment of the special qualities of the AONB

A development on the land would not conserve it and building on AONB land will not enhance its natural beauty.

The varied wild life that currently enjoys use of this land would be disturbed and displaced. The development would destroy the habitat of the various creatures that currently live there.

1 Orchard Cottages
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NQ

Comments: 7th November 2016

We are writing to object to yet another planning application for four large houses in the field at the top of Glenfall Way. Having lived in Ham for 10 years we are constantly faced with the threat of development regardless of the fact that this is an Area of Outstanding Natural Beauty.

Our objections are as follows:

1. The land lies on the fringe of the AONB which is regarded as the most vulnerable to change. This could open the flood gates to developing in Ham and other AONBs all for four expensive mansions at the benefit of a land owner who is based in Exeter and to the detriment of our beautiful local area.
2. The whole field is shown within the red line development area in the application and the wording is not precise enough to confirm that in the long term no further built development is envisaged. Once residential use is permitted on this part of the site it would make it easier to apply for further development on the rest.
3. The development is unplanned, speculative open market housing on greenfield land when it has been agreed that brownfield land should be developed first. The land has not been allocated for housing in Cheltenham's plans and a report which singled out this site as having capacity for development has not been validated on enquiry.
4. No special circumstances exist for permitting this development: a shortfall of housing is not a reason to encroach on the natural beauty of the AONB as Ministers have stated and two previous inspectors judged. In addition we cannot see how four large dwellings supports any reduction in housing shortfalls.
5. The application is contrary to Cheltenham's saved policy CO2: "Development which would harm the natural beauty of the landscape within the AONB will not be permitted" - Four large zinc clad houses, like warehouses, that will be seen from paths on the AONB and by local residents can in no way be said to enhance natural beauty.
6. The design and materials are contrary to Cotswolds Conservation Board's policy DTP1 which requires that development should be compatible with the distinctive character of the location and designed to respect local building styles and material.

Finally we would like to add that having recently been advised that a paddock directly behind our property has been sold to yet another developer following Bruton Knowles advertising that the land could be subject to planning we are becoming increasingly concerned that any permitted

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development will inevitably lead to continued applications as a precedent will have been set. We moved to Ham to enjoy the countryside and not to find that individuals, who often don't live in the area, are committed to ruining the landscape and environment for wildlife we are so fond of.

We would therefore appreciate careful consideration of our objections which we know are shared by many of the residents of Ham.

Fieldway
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NG

Comments: 7th November 2016

I write to object to the above planning application.

The application site lies in the Area of Outstanding Natural Beauty. This proposal will be detrimental to the scenic edge of the AONB and will harm its intrinsic natural beauty. This point has been rehearsed so many times before now (in my own and many others' objections) in response to planning applications for this site; Planning Inspectors have upheld these objections previously. Ministers have said that a shortfall in housing is not a reason to encroach on the AONB and in any case, permission for four large houses here will solve nothing for Cheltenham Borough Council's housing shortfall, except bring further development pressures in its wake which will have to be fought by the Borough Council at great cost.

No 'special circumstances' exist to permit housing here. The land is not allocated for housing; this is yet again a speculative development. The houses will be visible from many local footpaths and the immediate locality. The site's 'capacity' for development, identified in a strategic review report commissioned by Cheltenham Borough Council, has been neither tested nor validated at Inquiry.

Furthermore, the proposed houses are ugly in style and materials having a pronounced industrial flavour with their bulky zinc clad rooves and are singularly out of step with the Cotswolds Conservation Board's Policy DTP1 in their respect to local building styles and materials and the Borough Council's own saved Policy CO2.

If this planning application is given permission the AONB protective legislation will be undermined. Many other applications will follow in its wake; this current application has been carefully worded to enable further applications for more housing on this site.

The facts do not change - development here in the AONB will be highly damaging as stated above and I strongly object to it.

Comments: 31st January 2017

I write to object to the above planning application. I note that there is no intrinsic change to the above proposal from the previous application to which I objected. This proposal remains an inappropriate, major development in the Cotswolds AONB and will cause permanent, material damage.

Please regard this letter of objection as a valid addendum to my previous letter dated 5th November 2016.

Comments: 20th June 2017

I have examined the recently revised plans for the above planning application. I find no relevant change as my previous objections have been concerned with the appropriateness of any

development in the Cotswolds Area of Outstanding Natural Beauty, therefore, I re-state my previous objections to this proposed development.

3 Natton Cottages
Ham Lane
Cheltenham
Gloucestershire
GL52 6NJ

Comments: 7th November 2016

I refer to the above proposal and confirm our complete opposition to any development of this site which is clearly in the AONB.

Following the recognition that this is part of a clearly and legally identified area of Outstanding Natural Beauty, it is once again time to draw firm lines to any further wholesale development right in to the very distant future and beyond.

In effect, the land is already subject to a 'Planning Consent' which is to keep it as open natural fields which is part of the wider desirable natural landscape. The field itself does host a whole range of wild life even though it is not of the rare variety but the none the less important more common species. It is not as has been argued a minor part of the AONB which can just be taken away.

Developments of the type sought in Glenfall Way and particularly in this area are proposed purely for profit which in this case is the latest proposal from a developer who is cynically trying to recover the value of an ill-considered purchase of this land when it was thought a free-for-all-builders was going to prevail.

Reading the actual Planning proposal - it is clear that the Architects fully realise and note that the development is in the AONB, but their housing style proposed looks like industrial estate buildings and definitely does not bring anything to the area nor match what the ANOB and the Cotswolds is all about if the houses were built.

The fact that the plans are outline suggests that the usual ulterior motive by the builders will be to massively change the plans if they are approved, no doubt doubling the number of houses on this site from the four to eight or more. There are more than enough brown field sites within Cheltenham much more suitable for residential development. The countryside around the town should be left for all to enjoy and not put under concrete because ONCE IT IS GONE - IT IS GONE. Indeed it would be more appropriate to bring life back to the town centre by encouraging flats to be installed above the existing shops.

Once again and stating the obvious - there have been a number of speculative purchases of 'development' land further into the AONB and if this application is allowed in any shape or form - no doubt the flood gates will open for applications of all sorts.

Certainly, if allowed - the hard work and reasoning for protecting the area known as the AONB in the first place becomes totally pointless if it is so easily to be over ridden.

In addition there is a small industrial business near the site which handles waste material. It would be likely in view of the number of precedence's for this action that residents in houses built close to the site would complain probably about noise or dust etc. and the business would be forced to close. The open field provides for a nice buffer zone where as far as is aware no problems are encountered.

In conclusion, nothing has changed which saw previous applications refused. The legal framework for the area confirming ANOB - excellently reviewed in many previous letters, is still

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the same and as strong as ever. The area is outside the JCS as highlighted in several letters and so urge the planners to totally reject the application and if possible put further barriers in place to prevent this time wasting re- occurrence of trying to build unnecessary and unsuitable developments in the AONB.

Comments: 30th January 2017

I refer to the above proposal and revised proposal and once again confirm our complete opposition to any development of this site which is clearly in the AONB. (Letter Ref:- 5th November 2016)

Further to our comments in our previous letter - the revision of plans for an AONB site are surely pointless and definitely demonstrate that the developers know this is the case as no amount of plan revision will suit this area. It is also a MAJOR development which is to the detriment of the AONB.

The field itself does host a whole range of wild life even though it is not of the rare variety but the none the less important more common species. It is not as has been argued a minor part of the AONB which can just be taken away. The area should either be left as it is or lightly farmed to preserve its natural open and untouched aspect.

The revised plans still look like an industrial site and demonstrate a complete lack of vision and sympathy by the architects for the AONB area. This should be a mote point anyway as the whole application must be refused.

In conclusion, nothing has changed which saw previous applications refused. The legal framework for the area confirming ANOB - excellently reviewed in many previous letters, is still the same and as strong as ever. The area is outside the JCS as highlighted in several letters and so urge the planners to totally reject the application.

Is it not time to seek to take measures to prevent this time wasting re- occurrence of trying to build unnecessary and unsuitable developments in the AONB?

Comments: 19th June 2017

Letter attached.

16 Ham Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NP

Comments: 7th November 2016

This is to protest in the strongest possible terms at the latest attempts of developers to build on the field next to the primary school at the top of Glenfall Way. Were the application to be approved, it would constitute a material erosion of the fringe of the AONB and further set a precedent for more similar erosion elsewhere at the foot of the escarpment. The wording of the application is such that it would not preclude subsequent development of the balance of the site.

Priority should be given to brown field development over greenfield site development.

Four zinc clad buildings would harm the natural beauty of the landscape, close to where the Cotswold Way descends the escarpment, and would be totally out of keeping with other buildings in the area. The proposed buildings would be very close to the Stevens refuse site, which frequently generates noxious gases and smoke, which may have been associated with respiratory complaints among local residents, and can be a noise nuisance. The far end of the site is marshy and home to amphibians. Over recent years, we have seen a catastrophic decline

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in local populations of newts, frogs and toads. During the July 2007 floods, there was serious flooding at the foot of the hill. The marshy area constitutes a natural drainage buffer. Building on the site will reduce the adsorption of rainwater, speed up run-off and further increase the risks of flooding at the foot of the hill.

Broadband service levels in Ham Close are extremely poor. In all probability any new development would only serve to worsen the bandwidth available to existing residents.

In more general terms, our recollection is that previous applications played up the social virtues of "mixed housing" development, for this only to be conveniently dropped when proposing four large houses.

On a broader front, it cannot be acceptable for developers to keep coming back with variants of applications for development in the hope that local opposition will tire. Having failed with two applications on the site there should be a moratorium of at least ten years before a fresh application can be made. Legislation should be passed to require developers, who have failed twice to gain planning permission, to write down the value of the land to purely agricultural values. This would focus their attention on serious prospects for development rather than disturbing local communities with repeated highly speculative applications.

Please be assured, Madame, that the undersigned will support all legal measures to thwart this proposed vandalism of our AONB.

14 Carisbrooke Drive
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YA

Comments: 7th November 2016

Once again we face another unsuitable planning application for property to be built on the Area of Outstanding Natural Beauty that protects our countryside, despite the previous applications being withdrawn or dismissed at appeal (with the backing of the Secretary of State for Communities and Local Government)

This development will destroy the natural views and character of the area we currently enjoy, and cannot be allowed to continue. The proposal is insensitive to the environment, how can four large prominent buildings clad in zinc possibly contribute to the area? From the D&AS (3.17) "The development is designed to integrate into the landscape". How so?

We object most strongly to this application, and allowing it permission sets a dangerous precedent for future development of the AONB, and the wanton destruction of our countryside.

37 Chase Avenue
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YU

Comments: 7th November 2016

I wish to register my opposition to the proposed development of up to 15 dwellings on land to the south side of Glenfall Way.

The comments of my wife and I are as follows:

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1. Any development in this area will have a detrimental effect on traffic along Glenfall Way.
2. The additional traffic could endanger primary and junior school children crossing the road and put their safety at risk.
3. Development on land in this location could be detrimental and reduce the amount of current natural water absorption and cause water run-off which will affect other locations downstream.
4. The area is in the AONB and should not be changed as it is likely to cause more harm than good.
5. The proposed development is on ground that is essentially farm land and backs onto Chase Avenue and the water run-off already has a huge impact on the volume of water running in the river through Charlton Kings, especially at the Ford at the bottom of School Road.

My wife and I urge Cheltenham Borough Council to reject plans for any development of this land.

8B Briarbank Rise
Cheltenham

Comments: 31st October 2016

I am writing to object to the planned development on Glenfall Way in an AONB area. The developers have now submitted plans for a third time, reducing the number of houses from 32 to 16 and now to just 4. This is the most ridiculous submission as it will have no impact on the housing shortage in the town. The site is an AONB area, if the council is willing to sacrifice this for 4 extremely large houses (not as if the proposals support social housing or those in dire need) surely councillors will have thrown out all regard for any areas with such status. If you are going to start on AONB areas (which should be the last areas of all to look at) at least put some serious housing in, this is certainly not it as it is designed for the elite who could purchase properties anywhere in the town.

Ridiculous proposal.

82A Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LT

Comments: 7th November 2016

I strongly object to these plans, this is an AONB, there are no 'exceptional circumstances' attached to these plans so planning shouldn't be granted.

The plans will have a catastrophic impact on the area in a number of ways. Part of the beauty of this location is the vista through the field, wildlife can regularly be seen, Deer, Buzzards, foxes to name a few, all will be displaced and wildflowers destroyed. Throughout the seasons you can fully appreciate why it is part of an AONB. All of this will be destroyed by these houses.

If planning is granted here what is here to stop development throughout the AONB? The negative impact this development will have is far greater than the impact it will have on the housing issue in the county. The fact that it is now four large dwellings just confirms that this development is just for profit nothing else.

3 The Orchards
Glenfall Way
Charlton Kings Cheltenham
Gloucestershire
GL52 6BJ

Comments: 31st October 2016

I'm surprised we are even having this discussion. The site is an area of Outstanding Natural Beauty. Building should not be permitted FULL STOP.

This land is protected for a reason.

If this development were to get the go ahead, it would be the beginning of the end for Ham as field after field would gradually be turned over to developers.

Is this in the interest of our town or a money making scheme for developers.

Comments: 17th November 2016

I wish to add to my earlier objection.

Along with my other reasons for objecting. If you grant planning permission on this AONB site it will not only be devastating for the local area and residents but it will certainly have a negative impact on my property.

My views to the beautiful field will be obscured and the unsightly buildings will be in my line of vision. The monstrosities will overlook my property which I would be furious about. We purchased this property because of the rural nature and wildlife.

The developer has put a red line around the whole field and not just the 4 houses. By giving planning permission to the 4 houses they will come straight back requesting permission for the whole field. It's crafty what these developers are trying to do.

The area is home to much wildlife and it is clear a site visit hasn't been carried out fully as if so, they would have realised they were building over an active badger sett.

I would hope that this application is refused again. The amount of people that are fully objecting should be enough to save this AONB.

Comments: 23rd January 2017

I am disappointed we are here once again. This beautiful, unspoilt area is in an area of outstanding natural beauty. If planning permission is granted so many people will be unhappy. The wildlife that is witnessed on a daily basis would suffer.

My property (No 3 The Orchards) would be greatly overlooked as well as our neighbours and shared driveway. The revised drawings show a further window has been added, lack of consideration of overlooking is clearly apparent.

Myself and our neighbours have a septic tank in the field and no consideration has been given to our access route for maintenance and emptying. The tanker accesses the field through the gate on Glenfall Way. Please note our right of way goes through where the houses are shown on the drawings.

The above should be taken into account along with the other listed concerns as follows:-

1. No explanation of revised drawings to make people aware of the scale of the changes.

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2. The development extends beyond the Ryder report 'grey area' (a report published by external agents which colour coded pockets of land on the AONB where they felt development could be permitted, this was just in their opinion and seemed very convenient that most pockets of land identified had previous planning apps on them!)
3. The extended gardens reduces the promised 1.2 hectares the previous design pledged to be kept open and will further impact the view in and out of the AONB
4. The designs are contrary to Cheltenham Saved Policy CP7 (a) and (c): Design
5. The new designs are just as inappropriate and alien to surrounding area: flat roofs, zinc siding, new pre-rusted steel features at front door
6. Good design has not been achieved - errors of overlooking, poor window design, missed chances to celebrate AONB
7. The Cheltenham Plan Part 1 (preferred options 2011- 2031), out soon for consultation, shows the Glenfall Way field as NOT designated for development
8. The above plan proposes a five year supply of housing land without breaching the AONB including Glenfall Way field!
9. The Ryder Report is still to be tested at the Examination in Public and so, until the Plan is adopted, it should not be used to support this application.
10. The Cotswold Conservation Board has rejected the principle of development on this site.

Comments: 19th June 2017

All of my previous objections still stand.

Will we all be having to comment again in a few more months when the application is once again tweaked.

No development should be acceptable in the Cotswolds Area of Outstanding Natural Beauty unless it enhances and conserves it. This scheme neither conserves nor enhances. It obliterates natural beauty under suburban gardens, hard pavings and driveways all wrapped in close-boarded fencing surrounding the clumsy redesigned architecture.

The designs ignore all the most common requirements for good architecture as voiced for instance in the National Planning Policy Framework (NPPF) and the Cotswolds Conservation Board's Management Plan. There is no sign of:

- Response to local character and surroundings
- Use of locally appropriate materials
- Integration of the new development into the natural, built and historic environment
- The buildings actually being visually attractive.

The NPPF says "Permission should be refused for development of poor design." We think this should apply in this case. It must be poor design to have a site within and overlooking the AONB but to deny views to 3 of the 4 houses; to site balconies north on the shady side of two of the properties with views to Stevens waste handling company's lane; to have a large area to work in but cramming the two similar H-block 'bungalows' together exactly alongside just 5m apart with head-high walls between; to use the sunny side of all the buildings not for relaxation and enjoyment but for car parking, hard standing and mean little garages.

I was appalled to find that Martin Chandler, CBC Development Control Manager, (the Case Officer since Chloe Smart left to join Hunter Page, the Agents for the application), told us that he

was minded to approve the application, even before seeing the revisions. How can he be minded to approve what he hasn't seen.

20 Westrip Place
Stroud
Gloucestershire
GL5 4QS

Comments: 31st October 2016

I'm a regular visitor to the area. I live in the Cotswolds and I'm concerned about the preservation of our natural environment and wildlife. This building should not happen on AONB land. The design of the architecture does not suit this area. Our green areas, especially the AONB, need to be protected. Local flooding issues would be increased if this build goes ahead.

122 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LY

Comments: 7th November 2016

This appears to be yet another attempt to build on this AONB. The council need to make it clear that as AONB no applications will ever be allowed and bring these repeated applications to an end.

My reasons for objecting which are the same as previous applications are as follows:

This has been designated an area of outstanding natural beauty - As I understand it this means the area should be protected from development this is why it was listed as an AONB. It is the council role to ensure that AONB have the highest protection possible and on this basis alone this application should be declined.

The previous application for this development was declined due to the AONB status of the land this has not changed and I think we have a land owner here who is opportunist and I find it disappointing that he is allowed to apply for planning again when a high court judge has ruled it inappropriate. Does the judge's decision mean nothing?

If development is allowed on this land, then the surrounding area is then going to 'up for grabs' and we are going to see numerous applications for the area surrounding the site citing this development as a precedent for the land to be developed in. This will mean the council has put all the AONB surrounding Cheltenham at risk.

On two previous occasions the council have declined planning due to harm to the local landscape and the decision stated that the site cannot be considered suitable for housing. I do not see how anything could have changed since then and this site remains not suitable for housing.

In terms of the actual development it is fewer houses than previously applied for and declined. However, it is clear from the drawings that the proposed units are inappropriate.

The local schools both primary and secondary are already oversubscribed. This development will just add to this problem.

This site has not been identified as suitable for housing in any of the local plans for obvious reasons it is not appropriate.

Any mention of being within walking distance of local facilities is a red herring. These large houses are going to be purchased by residents with two if not three cars. They are not going to walk to work and it will add to the existing traffic issues in the local area.

if these are approved we will know that further applications will be made for the rest of the land in due course.

I can not see any reason for the council to approve the proposed planning

8 Walden Road
Little Chesterford
Saffron Walden
CB10 1UD

Comments: 7th November 2016

There is surely no excuse for building over an AONB! What is the rationale for destroying a precious, beautiful area in order to produce a handful of houses for the short-term profit of a developer? Are you seriously saying there is not one single brown site in Charlton Kings that could accommodate these 4 houses? Isn't it just that it is less hassle and more profit for the developers to build here rather than somewhere that they might have to spend some money in pre-clearing? Surely there needs to be a really outstanding reason to destroy any AONB? Please think again a bit more creatively and find another site for this, somewhere already NOT an AONB!

Comments: 16th June 2017

As previously stated, there is absolutely no justification for building on an AONB which once built-over will never be recoverable, along with all the wildlife they support.

What exactly is the point of identifying AONBs when you then just allow developers to build on them? Please find somewhere more suitable for these houses.

95 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LS

Comments: 7th November 2016

I cannot believe that yet again the public have to fight to stop a beautiful piece of countryside being lost forever to the greed of developers who wish to make the maximum profit by building on AONB land within the catchment of Balcarras School.

Not only are the houses an ugly design with no consideration to surrounding houses but once these monstrosities are built there would be many to follow - it has been noted that the plans show houses only built on the one side of the field - it is so obvious that the other half is next, they must think we were born yesterday.

As you drive up Ryeworth Road towards Glenfall School this field is a stunning window into the surrounding AONB and its wildlife. Children can see deer grazing, owls, badgers, bats, swifts and swallows in the summer not to mention the beautiful wild flowers in the meadow and the wonderful changes that occur between the seasons.

If this land were to be built on this would be a slippery slope to more houses being built on rural sites that command higher sales for greedy developers.

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Many pupils of Glenfall school arrive to and from school by car because they do not live locally. These houses being built would only add to the dangerous traffic conditions at the junction of Ryeworth Road.

Ryeworth Road already has increased traffic due to houses being built on various back gardens and the local pub being demolished to make way for housing but this field is not somebody's back garden...it is everyone's garden to enjoy and admire for generations to come.

We cannot let this happen.

Fairway
Newcourt Road
Cheltenham
Gloucestershire
GL53 9AZ

Comments: 7th November 2016

I wish to object once again to this application for building on the field on Glenfall Way. This is an Area of Outstanding Natural Beauty and as such should not even be considered for development. There is no good reason why this land should be considered for private dwellings instead of being preserved for the enjoyment of all. We live in a world where we gradually erode all the natural beauty and destroy habitats and wildlife linkways all for the sake of profit. When everything is concreted over, it will be too late to undo the damage. If this application is allowed, the rest of the AONB will be under threat. And once the field has a few houses on it, applications will follow for more.

This area should be left for future generations to enjoy and to continue to encourage tourism and provide recreation space for walkers, bike and horse-riders. This is also part of an important green lung for Cheltenham in terms of air quality for all to counteract growing air pollution levels for the town and beyond.

Please prevent this AONB and All AONB's from being seen as legitimate targets for development. We have enough brownfield and other non- contentious sites for development.

36 Cudnall Street
Charlton Kings
Cheltenham
Gloucestershire
GL53 8HG

Comments: 31st October 2016

As a resident of Charlton Kings for nearly 30 years I strongly object to this application as it is a serious encroachment on the Area of Outstanding Beauty and would only be the thin end of the wedge for applications on the surrounding fields which would destroy the character of the area.

Comments: 21st January 2017

These revised plans in no way change the situation as the application is for development in an area of Outstanding Natural Beauty. If planning consent were to be granted for this development it would be the thin end of the wedge which would set a precedent for all future applications . I would therefore urge the planning committee to refuse the application

14 Lawrence Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NN

Comments: 23rd November 2016
Letter attached.

Keynsham Bank Villa
58 London Road
Cheltenham
GL52 6EQ

Comments: 23rd November 2016
Designated AONB are designated as such for a purpose. They should not be built upon. There are very few examples of rural areas (such as this) within Cheltenham and they should remain protected. They provide much needed habitat for wildlife.

322 London Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YJ

Comments: 4th November 2016
I object this application on the grounds that is an unnecessary change of use of valuable agricultural land. This land has been farmed as a fruit farm and used for pasture and remaining in this use could provide jobs and preserve productive land lost in other local areas without replacement. It also has potential for community use not catered for in this area or a woodland burial site also much needed.

The housing planned would negatively affect the view looking down from the AONB and Cotswold Way .

The flood report is sketchy and does not take in to account the rush of water which fed in to the River Chelt from the stream on the east side of the site which would be affected by any loss of pasture/farmed land. The flood management would be in the hands of the house owners with no guarantees of this being viable. An orchard on this site would assist greatly with flood prevention.

Additional traffic generated by a potentially eight or more cars would add to the acknowledged traffic problems on Glenfall Way and at the London Road junction.

I hope better this land can continue in its historic use.

7 Briarbank Rise
Charlton Kings
Cheltenham
Gloucestershire
GL52 6XR

Comments: 6th November 2016

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This land is AONB so should never be developed. If the planning is granted what precedence does it set for all other AONB in Cheltenham. Will our wonderful countryside be lost forever.

Comments: 29th January 2017

I strongly object to these houses being built. The land is AONB which should not be built on. The previous application has been turned down and so should this one. If this application goes ahead what will happen to all the other AONB sites - will they be built on and lost forever. We need to preserve our countryside and wildlife for future generations. If this planning is passed what will stop the developer from putting in another planning application for more houses to built on the rest of the land - where will it end!

5 Acomb Crescent
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YH

Comments: 7th November 2016

Once again the residents of Charlton Kings, and Glenfall in particular, have been assailed by further plans put forward for properties to be built on our AONB. It does not matter what the buildings actually look like - and it has to be stated that these are dire, transit camp comes to mind - this land must not now, or ever be built upon. It is an Area of Outstanding Natural Beauty and as such MUST be protected and kept that way for future generations. Once this area is built upon, the way will be open for other developments to be considered on all AONBs. Their status is non-negotiable.

Comments: 30th January 2017

Second Comment on Planning Application 16/01789/FUL

NO! NO! NO!

This resubmitted application is still not taking account of the fact that the proposed development will take place on AONB land. Cheltenham is an attractive Town with its Regency building heritage, and where the AONB adds to the character of the area with the Cotswold Escarpment as a backdrop. The extended gardens reduce the promised 1.2 Hectares the previous design pledged to be kept open. The new building plans with flat roofs, zinc siding, pre-rusted steel features and poor window design are totally unsuitable for this area.

The Hambrook Park Estate and Ham together form a large community and the infrastructure does not allow for any further development, particularly NOT on the AONB.

Cheltenham Plan Part 1 (preferred options 2011-2031), out soon for consultation, declares the Glenfall Way field as NOT designated for development.

This Application must not be approved and the Area of Outstanding Natural Beauty must be protected from further unnecessary urban expansion.

19 Briarbank Rise
Charlton Kings
Cheltenham
Gloucestershire
GL52 6XR

Comments: 7th November 2016

Once again we find ourselves objecting to developing on this land that is AONB. We believe that nothing has changed since the last proposals that would allow development on this land and all the comments already made are valid - how many more times do they have to be repeated? This land is still in the Cotswolds Area of Outstanding Natural Beauty and should be protected. This development would have a detrimental effect on the wildlife population in the area. There is already more than enough traffic in this area as it is used as a rat run from the Oakley developments, there will be a serious if not fatal accident one day. Parking around the school will only get much worse, there are already cars parking anywhere making it difficult to get through by car in some roads and parking on the pavements in areas making it difficult if not impossible for pushchair and wheelchair users.

This development looks like an industrial site not a residential site, an eyesore where there should be beauty.

Comments: 12th June 2017

Once again we wish to object to this proposal. No matter how many tweaks and alterations are submitted the fact remains that this land is AONB and should not be built on. All the objections that have been raised by us and everyone are valid for any proposal. Please settle this matter once and for all and refuse ANY development on this site.

1 Lawrence Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NN

Comments: 7th November 2016

Strongly against any development within the AONB.

The application is contrary to Cheltenham's Saved Policy CO2: "Development which would harm the natural beauty of the landscape within the AONB will not be permitted." - Four very large zinc-clad houses, like warehouses, that will be seen from paths on the AONB and by local residents can in no way be said to enhance natural beauty.

Planning should be refused.

Hamfield House
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NG

Comments: 7th November 2016

I object to this application which is yet another proposal for residential development of what is currently a Greenfield site within the Cotswolds AONB. The site is outside the existing urban area of the town and to build on it would represent a significant extension of the town into the open countryside.

The land in question forms an integral part of a most attractive and sensitive area on the rural fringe of the town. It has been given AONB status just so as to protect it from the kind of development now proposed. Government policy is that significant developments such as this should not take place in an AONB except in exceptional circumstances and this policy is reflected in Cheltenham's local plans, including the Joint Core Strategy. No such exceptional circumstances exist in this case. I do not agree with the applicant that the site could be designed so as not to impact on the rest of the AONB.

Over many years, planning applications for new building in this part of the AONB have been consistently refused by the Borough Council and any resultant appeals have been dismissed. Indeed, the current site was the subject of an application for 33 (originally 44) houses in 2007 which was dismissed at appeal. The Planning Inspector then made clear that development of the current site would cause significant harm to the AONB and that the site cannot be considered suitable for housing.

The various arguments advanced by the applicant that the development would be unobtrusive and be environmentally friendly are palliatives peripheral to the main issue, the proposed change of use of the land in question. They should not carry any weight in consideration of this Outline application. Moreover the designs of the houses and the materials that are proposed are ghastly, making the houses look more like giant mobile homes than ones suitable for any highly sensitive landscape.

The Borough Council should have no hesitation in refusing this application.

Comments: 19th June 2017
Letter attached.

21 Briarbank Rise
Charlton Kings
Cheltenham
Gloucestershire
GL52 6XR

Comments: 7th November 2016

It is our duty to protect the AONB for future generations; our legacy should be to leave these designated areas free of development, for flora and fauna to flourish and all to enjoy.

The application has already been refused multiple times.

So what has changed? The Ryder Report, commissioned by the planning department, costing just under ten thousand pounds of local taxpayers' money, is a flawed report which suggests that the poor fences warrant development. Laughably ridiculous, who could possibly take such a report seriously?

Fundamentally, the field is not suitable for development and should remain as part of the AONB.

146 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LY

Comments: 7th November 2016

I object to the proposed development ref 16/01789/FUL Proposed erection of four dwellings:

1. The site is in the AONB. Development in the AONB should only be carried out in exceptional circumstances and only if in the public interest. Neither test is even close to being met in the respect of the application. A development of 4 dwellings could be readily accommodated on an alternative site within the borough but outside the AONB.
2. If permission is granted pursuant to the application the integrity of the whole Cotswold AONB in this area will be challenged by incremental and cumulative development where one poor development justifies the next.
3. Access into the site crosses a strip of unregistered land and the applicants should demonstrate ownership of this strip or join in the true owners of the same to their application.

82A Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LT

Comments: 7th November 2016

We chose to move to Ryeworth Road as we wanted to be closer to the countryside. I am a regular dog walker and often see and enjoy watching the wildlife (deer and foxes) in the field, particularly in the early evening. I strongly urge that this field is left to nature as we are losing so much of our green space to development and in this case it is no more than an upscaled version of garden grabbing. Please make the only reasonable decision and say NO again!

Hillview House
Hambrook Street
Charlton Kings Cheltenham
Gloucestershire
GL52 6LW

Comments: 4th November 2016

We object to the proposed buildings on this site as it is an AONB. We also object to the poor design of the houses, the visual impact of the development would be negative as it will be an eye sore.

32 Hartlebury Way
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YB

Comments: 23rd October 2016

I object to this planning proposal on the basis that the proposed site is part of an AONB. I believe that approving this application would set a worrying precedent for developing AONB land, thereby undermining the whole purpose of designating land with AONB status. AONB areas should be protected from development to enable us, our children and future generations to benefit from the unique beauty and natural habitats that thrive on the edge of Cheltenham.

4 Riverside Close
Cheltenham
Gloucestershire
GL52 6NW

Comments: 5th November 2016

I object most strongly to this proposed development. Like others, I am disappointed that in spite of repeated rejections, planners continue to try to destroy part of the AONB. I am objecting in the first place to the principal of any development on this important piece of land on the edge of the Cotswold AONB for which there can be no justification. To allow any development here would open the door for further encroachments onto the AONB which it should be everyone's duty to protect.

I can find no merit at all in this particular proposal. I cannot believe that any one can claim that there is a demonstrable housing need for yet more large detached properties in Charlton Kings. The proposed design is ugly and out of keeping with the rural setting in which they would stand.

I would ask that the Council rejects this proposal.

Comments: 13th June 2017

Once again I strongly oppose this proposal. Whatever the changes to the plans, if the development goes ahead irreparable damage will be done to the AONB and a very dangerous precedent will be set encouraging further encroachments on the edges of the AONB.

8 Lawrence Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NN

Comments: 25th October 2016

I believe that the integrity of the AONB must be strictly maintained and should take priority over the spurious building of the proposed four additional houses. Ryeworth Road is totally unsuitable to carry any further traffic in its present state, so the additional properties will inevitably add to the difficulties experienced by the existing residents who use Glenfall Way to access the A40, bearing in mind current proposals to narrow the access at this point. It is noted that each house is proposed to have a double garage meaning that at least the potential exists for eight more cars needing to exit via the A40/Glenfall Way exit. My final objection to the proposal is the totally inappropriate design of the properties for the area. They will stand out as an eyesore in my opinion.

24 Theresa Avenue
Bishopston
Bristol
BS7 9EP

Comments: 7th November 2016

I oppose the proposed application on the AONB. As a former resident, I have very fond memories of this beautiful spot. It should be cherished.

19 Lawrence Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NN

Comments: 7th November 2016

I strongly OBJECT to planning application 16/01789/FUL.

The main reason is that the field is a very valuable part of the Area of Outstanding Natural Beauty (AONB) which has been designated as such at national level, and should receive the fullest support from public officials to conserve and enhance its natural beauty.

The field has not been built on in the past, which means it is not brownfield, and is part of the established character of the locality. Neither is it allocated for housing or mixed use in the adopted Local Plan 2006. There has been no sequential test to determine if there are more suitable sites within Cheltenham, especially with lesser environmental value.

The proposals do not conserve or enhance the natural beauty of the area, in fact they will cause considerable harm. The size and form of the buildings are incompatible with the area, and even the designers feel the need to shield them with trees. From public areas they will be obtrusive against the skyline and countryside backdrop. The materials and their colours are inconsistent with those of the locality, a juxtaposition which will serve to highlight their incongruous nature.

The redline covers the whole field of 1.68 ha, whereas the 4 houses only cover 0.43 ha. The applicant is clearly seeking perpetual residential land use permission for the whole site, to allow for future expansion. There is no need for the swale, ditch and meadow to be in the redline area, and their future for public benefit would only be secured if the owner handed the rest of the site to the Cotswold AONB Conservancy Board.

The FRA fails to assess risks to downstream properties and culvert capacities, and has scant sustainable drainage features. The areas of impermeable and partially permeable surfaces are significantly underestimated in the run-off calculations. The interception pond is likely to become a haven for fly-tippers.

The proposals fail to promote social inclusion, in fact they promote the complete opposite. The houses will form part of an elite ghetto, complete with 'moat and drawbridges' (swale and footbridges). There is little demand for 5/6 bed houses which most Cheltonians could never afford.

Four large houses, each with four cars, is not very sustainable. The site is within easy walking and cycling distance of shops and services, and the P/Q bus services go right by. In any other part of Cheltenham this would be a strong argument for having no, or highly restricted, parking.

Planning policies require great weight in conserving landscape and scenic beauty to be applied in the decision-making process. These should over-ride capricious housing need claims and dubious capability assessments. There is nothing in the proposals to warrant exceptional design exemption in this area.

Comments: 31st January 2017

I OBJECT strongly to yet another application for housing on 1.68 ha of precious open space at the edge of our town.

This application is almost frivolous, in that the site has, in just a few years, been put forward for ever decreasing numbers of houses. When it gets to ZERO I'll stop objecting.

The applicant has clearly been advised by planning officers that a contemporary, high quality architectural approach would be an acceptable compromise to forever ruin the landscape and scenic beauty of the area. Unfortunately for the applicant, the proposals are of little architectural note, and their location will severely and negatively impact the views from the public highway and public footpath. They also exhibit scant regard to sustainability in many of its forms.

The scale of development is not suitable for this location as, although only four houses are proposed, they occupy an area similar to 8 or more affordable houses. They are large, flat roofed boxes more akin to small industrial units, and adversely juxtapose the neighbouring red brick homes with pitched roofs. The necessity for 4 large houses in this location is questionable, and does little to contribute to the Borough's housing trajectory.

The application is for C3 housing on 1.68 ha, or the whole field. This is unnecessary, as the curtilage of the proposed 4 houses is significantly less. If anything, the application red-line should be for less than 0.5 ha - see notes later.

On a few technical points, there are numerous errors and omissions in the submitted documents which means any decision to permit, as based on the evidence presented, will be flawed.

Starting with the flood risk assessment addendum (FRAad).

F1. the areas contributing to run-off in FRA calculations are WRONG, yet again, about 2/3 of what the drawings show;

F2. the basin is, therefore, vastly undersized - as there is "adequate land" available a bigger basin could easily take ALL run-off, preventing any going to Colgate Brook;

F3. there is no attempt to use sustainable drainage (SuDS) at source, contrary to policy UI3, and the nationally accepted sequential approach is avoided;

F4. the new ditch and connection to Colgate Brook have no design details, which could lead to soil and slope erosion, and damage to the banks of Colgate Brook;

F5. no maintenance plan for ditches and access strips;

F6. no ditch should be culverted (drawing DLA1683L00303);

F6. bin stores on plots 2 + 3 could lead to contamination of run-off;

F7. there is no interception tank to prevent pollutants and spills from private road and drives entering the watercourse;

F8. relevant full BRE365 infiltration tests have still NOT be carried out - despite claims by applicant - as required by LLFA;

F9. groundwater levels over winter have not been determined, as required by LLFA;

F10. the Operation & Management Plan is still seriously lacking detail. The applicant should be required to submit a bond now to cover full costs for maintaining ALL SuDS assets for 30 years (normal Govt advice); and

F11. the so-called drainage strategy is just a list of computations - no strategy at all.

As for the Design and Access Statement (DAS).

D1. there is nothing to show that the choice of site has been chosen sequentially, starting at brownfield, through playing fields and gardens, to other open sites in Cheltenham, like 'green belt'

or other designated sites. The applicants have gone for 'we own it therefore it's suitable' - a clear affront to strategic planning;

D2. 16 cars is not sustainable for the environment, especially when s3.4 states the site is in "close proximity to everyday facilities", and the bus service is so close (ss 3.5 - 3.6). Even the Transport Statement shows how few car trips need to be undertaken (s3.20);

D3. s4.1 states that the proposed development "retains the edge of the settlement character and allows views from Glenfall Way across the site towards the distant escarpment...". Utter nonsense, they will REDUCE the view from Glenfall Way by 2/3, a massive loss of amenity to the neighbourhood. s4.4 states there will be a "wide open view corridor". How can 1/3 of what is there already be called "wide"?

D4. there is no mention of the height to which the rear garden hedges and trees will grow. There is potential for such new planting to obscure the views to the AONB further;

D5. there is little to confirm that the remainder open space ("wild meadow") will be donated to the public in perpetuity. There is no mention of who will pay for its maintenance - CBC / us?

D6. The revised plans mean access for people with limited mobility is reduced, especially to the gardens;

D7. the developable area is stated (s4.14) to be 0.431 ha - why isn't this the same as the red-line for C3 land use? The current proposal is for C3 land use on 1.68 ha, with only 4 houses built now. If there is potential future additional development on the "wild meadow", this should be stated now at full plans stage.

D8. s4.23 states the exact opposite of what will happen if permission is granted, as the AONB starts here, not elsewhere;

D9. s4.42 suggests that planning officers consider the scheme to build on open AONB land at the edge of the urban area to be "moving in the right direction". As the proposals are barely sustainable, and do little to alleviate Cheltenham's perceived housing shortage, the application should be REFUSED.

D10. There is no assessment of the impacts of light from windows and security spotlights into the AONB, and its effects on local habitats.

The drawings submitted are mostly conveniently vague, something not suited to a full plans application. Some also lack items expected for sustainable development. In particular:

P1. ALL house and garage floor plans, elevations, and sections have no dimensions and no levels to OS datum - a normal planning requirement. The application drawings are a 'Crayola effort' - how could they be deemed to be of sufficient quality to be validated?

P2. there are no aerials, satellite dishes, security alarms, spotlights, or overhead wires (electric & telecom) shown - will everything be underground or hidden? If so, details are required.

P3. landscape master plan DLA1683L00301RevC has swales outside the new plots, but these are omitted on FCA3c in the FRAad - which one is correct?

P4. there are no rainwater harvesting or 'grey' water systems installed;

P5. there are no electric vehicle recharging points on any plot;

P6. flat roofs are the least capable of supporting efficient solar panel & PV systems - so. least sustainable design element;

P7. why is there no street lighting? Surely this is required for safe operation of service vehicles during winter months; and

P8. the garages show little room to manoeuvre a bicycle past 2 small parked cars, let alone 2 average sized ones, or where visiting cyclists can put their bikes.

Comments: 20th June 2017

I OBJECT, yet again, to proposals for this development in the AONB.

This is land assessed as NOT deliverable for housing (SALA 2016 Site S029), and has been so classed since 2011 (OUA08). The AONB fringe in its current designated extent defines the urban edge, and should be retained. This is what gives south and eastern Cheltenham its unique character.

The footpath on Glenfall Way currently provides vantage points which allow the scenic beauty of the AONB to be appreciated by the public. These valuable views - across an open site towards the Cotswolds escarpment - would be largely, if not entirely, obscured by the proposals, giving rise to a major adverse effect.

In landscape and amenity terms, the proposal would result in the loss of a substantial and prominent area of pasture to built development, to the detriment of the character and appearance of the local landscape and that of the AONB. The argument that this is a modest addition of 4 dwellings to the supply of housing does not outweigh the harm it will cause for over 100 years to a nationally designated site.

This scheme, therefore, still conflicts with the aims of Policies CP3 and CO2. Insofar as these policies require account to be taken of the character of the countryside and promote conservation of the scenic beauty of the AONB they are consistent with the aims of the National Framework (NPPF). This weighs heavily against the proposal.

The redline is still over the whole 1.68ha, an indication that residential development of the WHOLE site is wanted and, if permission is granted, that's what will happen; even as the applicant states - it is a "drip feed" development (DAS 4.15).

I consider that the proposals are still of poor design for several reasons:

1. They fail to respond positively to the character and merits of this particular site, and create an unsatisfactory environment for future residents, as:
 - a. the arrangement of buildings was intended to create "an awareness of a single property set back from the main road", and allow "a wide open view corridor through the site" (DAS 4.4) - these latest designs do no such thing;
 - b. most existing local properties have open drives and gardens. Here, they are all hidden as much as possible behind 6ft high gates, walls and tall hedges, creating a segregated ghetto to inhibit social inclusion;
 - c. houses 1 to 3 cannot see into the AONB at all - even the designers don't want the occupiers to benefit from the beautiful landscape.
2. They have not responded to the existing character, movement patterns, appearance, or other attributes of the area, as:
 - a. massing and bulk conflict with the open aspect of the current field;

- b. large number of car parking spaces for each plot imply that public transport will not be used, leading to further erosion of sustainable transport and increased pressure on the local road network;
 - c. recycling bins are distant from the kitchen and living areas - they should be close-by and accessible;
 - d. external materials and landscaping are no more than convenience fashion - not "exciting and vibrant" (DAS 4.45);
 - e. non-inclusive design and poor orientation of proposed buildings and their relationship to public spaces fails to provide adequate natural surveillance to help make a safe, secure environment.
3. CBC SPGs on development and building sustainability are effectively ignored - contrary to policies CP1 and CP3, as:
- a. no local or recycled materials are used, and inefficient use is made of the land;
 - b. solar gain is ignored in layout and orientation of buildings;
 - c. walking and cycling are not intended to be major modes of transport, as front doors lead straight to 4+ awaiting cars. Cycle storage is only 2 bikes for each house of 5+ people, and is as far from each front door as possible;
 - d. no provision of electric vehicle charging points;
 - e. no rainwater harvesting at all, as rainwater is disposed of as quickly as possible by drains from each plot to a pond on a 1:7 slope at the other end of the field - even the perimeter ditch now appears to have gone;
 - f. plot and building sizes have changed, now being over 25% larger than the original proposals. The FRA has not been updated, despite run-off areas having significantly increased;
 - g. ground levels for plots 2 to 4 require about 0.5 to 1 m of excavation. Where is over 90 truck loads of soil going? Lilleybrook golf course?

These proposals need to be rejected so that our children and grandchildren can appreciate a natural asset on our doorstep - our AONB. Just because someone owns land is NOT sufficient reason for it to be developed, especially when there are so many more alternative sites within the Borough - exceptionally poor spatial planning advice.

54 Hartlebury Way
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YB

Comments: 8th November 2016

We write to object to the proposal to build 4 houses on the land to The south side of Glenfall Way. In 2008, the inspector stated that he did not consider that the site can be suitable for housing. The land is in the Cotswold Area of Outstanding Natural Beauty & consequently should be permanently protected against any form of development. The proposal would undoubtedly have a detrimental effect on the natural landscape & should be refused strongly. It is unfortunate,

to the extreme, that the aforementioned land is periodically subject to bids which are of purely commercial interest & ultimately endanger not only the status of the land in question but also the surrounding environs. It is both deeply frustrating & disappointing that residents have to be constantly on the alert to proposals to develop an area which should fundamentally remain protected & untouched for the enjoyment so of generations to come. With regard to the latter the owners of the land should act responsibly by maintaining the land in a tidy & appropriate condition.

We have taken time to inform ourselves with regard to the content & design of the above application. We do, however, consider that such actions are unwarranted as they give credibility to proposals which are entirely alien to the wishes of the residents & lovers of the Cotswolds. We feel that it is essential that the role of the Council should be to uphold its policy of not permitting development within the AONB. We trust that the application will be vigorously opposed & rejected on the same grounds as the previous submissions.

65 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LS

Comments: 8th November 2016

I am writing to express my strenuous objections to the above. Frankly I am at a loss to understand why the council is yet again spending time and money even considering yet another application to build on this greenfield site in an Area of Outstanding Natural Beauty when their parishioners have demonstrated time and time again they do not want this development and the arguments against it are so compelling.

42 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LH

Comments: 8th November 2016

I wish to express my OBJECTION to this planning application for 4 houses on the field close to Glenfall Primary School. The reasons for my objection are:

1. the field lies within the Cotswolds AONB, and as such, has a high level of protection from any development which harms the natural beauty (this is I believe all that is necessary and sufficient to reject the application);
2. the land has not been allocated for housing in the Cheltenham Plan - in fact, it contravenes Policy CO2 which states that 'development which would harm the natural beauty of the landscape within the AONB will NOT be permitted';
3. the proposed design of the houses and the materials from which they would be constructed are contrary to the Cotswolds Conservation Board's Policy DTP1, which requires that development should be in keeping with the locality and respect local building styles and material.

This is the third application to build on this site; each of the previous two have been rejected on the grounds that the AONB is sacrosanct. Please convey my wishes, which I express in the strongest possible terms, to the planning committee that this application is dealt with similarly and that it is made clear to the speculative developer (based in Exeter) that any future attempts will be rejected out of hand as well.

It is essential that the principle of protected status of the AONB is not compromised.

19 Ham Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NP

Comments: 8th November 2016

We wish to register our brief objections to the Glenfall Planning Application

1. It is in the Cotswold Area of Outstanding Natural Beauty, nationally designated with the highest level of protection from harm to natural beauty. Whilst the field lies on the fringe of the AONB it is regarded as one of the areas most vulnerable to change and used as a precedent in the whole area.
2. The field in question has been the subject of many building applications over many years and the subsequent high level enquiries have determined that various plans be rejected in line with Cheltenham Borough Councils planning refusals.

We like the majority of local residents are very concerned about this proposal considering it to be 'the thin end of the wedge' within the AONB affecting the Cotswold's and many other similar AONB areas

Court Barn
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6ND

Comments: 8th November 2016

Here we go again. I have a strong sense of deja-vu about this planning application. Yet the facts have not changed. The site is an Area of Outstanding Natural Beauty. What is it about this that the developers do not understand - or the Council for that matter for continuously repeating this process. The AONB has the highest level of protection against the type of very ugly houses that the developers want to impose. The design of the houses is more like an industrial development than decent quality housing. They would greatly detract from the area - particularly a AONB.

Once planning permission is given the floodgates are open. We have no idea where it will stop so we have to prevent it now.

Brownfield sites should be developed as priority. This is not a Brownfield site and there are no special circumstances suggesting that building on grassland is acceptable. It is certainly not acceptable and can we please put a stop to all this nonsense now. The land has not been allocated for housing in Cheltenham's housing plan and a report that singled the land at Glenfall Way as having capacity for development has not been validated at Inquiry.

So please focus on Brownfield sites suitable for development and leave the AONB alone.

Ham Field House
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL54 4ER

Comments: 8th November 2016

I am writing to object most strongly to the above planning application for the reasons set out below.

1. The site lies in the Cotswold Area of Outstanding Natural Beauty. This nationally designated area is protected from development as set out in a range of statutory planning documents, including the National Planning Policy Framework (see especially paragraph 115), the latest draft of the Joint Core Strategy Policy SD8 (recently approved by Cheltenham Borough Council) and Saved Policy CO2 of the Cheltenham Local Plan 2006. The NPPF gives great weight to conserving landscape and scenic beauty of the AONB while both the JCS and Cheltenham Local Plan seek to protect the AONB from harmful development.
2. If permitted, the proposed development would materially damage the AONB. Others have drawn attention to photographic and other evidence that demonstrates the adverse effect of the proposals. Thus, in terms of the NPPF, the proposals would NOT constitute sustainable development.
3. There has been no material change to the status of the AONB since Application 07/01580/OUT for 44 dwellings, later reduced to 33 dwellings, was refused at appeal in 2008, a decision upheld by the High Court. In determining this appeal the Inspector stated (in paragraph 28):

"I have no doubt that the current proposal would result in significant harm to the AONB through the change in character and appearance that would be the inevitable consequence of residential development of the site, however carefully designed and landscaped."

In the context of the policy documents applying at the time he continues:

"... I do not consider that the site can be considered suitable for housing. I conclude that the shortfall in housing land supply and the community benefits that would be provided in association with the scheme are of insufficient weight to overcome the significant harm to the character and appearance of the AONB which would flow from the development."

Although new policies have since been developed, notably the NPPF and the JCS, these have maintained the same level of protection to be afforded to the AONB. Although the number of houses now proposed is significantly less than before, they would still occupy a large and highly visible part of the site. Such a small contribution towards meeting the shortfall in housing land supply would not justify the resultant damage to the AONB.

4. A highly damaging precedent would be created should this application be permitted.
 - a. In the first place, the application site covers the whole field, a much larger area that that required for the actual housing. Hence, approval would pave the way for future development of the remainder of the field, a matter that would be very difficult to resist.
 - b. Secondly, it would open up the whole AONB adjacent to the Cheltenham Urban Area to speculative development. Hitherto, Cheltenham Borough Council has successfully resisted all such applications for new development in the AONB, decisions which have been confirmed at appeal.

- 5 I am aware that as part of the preparation for the forthcoming Local Plan Cheltenham Borough Council commissioned Ryder Landscape Consultants to carry out an assessment of the AONB within the Borough. This report suggests that part of the application site is less sensitive and might be suitable for small-scale development. However, this view is in direct conflict with the findings of the 2008 planning inspector (see 3 above) who made a much more detailed and impartial assessment of the locality. The validity of the Ryder report has yet to be tested - that will take place during public examination of the forthcoming Cheltenham Local Plan. Meanwhile, it cannot be allowed to influence the outcome of this application.
6. The design and construction of the four dwellings proposed are totally unsuitable for this sensitive rural location. The features they contain are totally alien to the locality, having nothing in common with neighbouring houses and in no way fitting into the adjacent landscape. From the pictures in the application they have all the appearances of converted aircraft hangers, more suitable in an industrial estate.

The above points amply demonstrate that there is no supportable case for this development proposal which would represent a highly damaging and intrusive extension of the urban area into sensitive and nationally protected countryside and be contrary to established planning policies. It would therefore be unsustainable.

I urge the Planning Authority to refuse the application.

Please advise me of the Council's decision.

Comments: 30th January 2017

This letter is an addendum to my letter of objection dated 7 November 2016, the contents of which remain valid. It takes account of the revised proposals submitted by the applicant and placed on the Council website on or after 17 January 2017.

The changes proposed in no way overcome the objections made in my earlier letter. Although the detailed designs of the four dwellings have been altered, both overall and in detail they remain totally alien to this highly sensitive AONB location and to existing buildings in the vicinity. Moreover, the gardens of the dwellings have been enlarged so that the impact on the rural environment would be increased.

There remains no supportable case for this development proposal which would represent a highly damaging and intrusive extension of the urban area into sensitive and nationally protected countryside and be contrary to established planning policies. It would therefore be unsustainable.

I again urge the Planning Authority to refuse the application.

Please advise me of the Council's decision.

3 Riverside Close
Cheltenham
Gloucestershire
GL52 6NW

Comments: 8th November 2016

I am unable to comprehend that a fourth application is being submitted.

I was Chair of C/K Parish Council planning committee when the first application was submitted I had inspected the proposed plans prior to this at Glenfall School I did speak to the member of the team that had drawn up the plans and pointed out to him as much as I did not like the large

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amount of houses proposed on the site one thing he had over looked THAT the land was AONB This fact was known when the land came up for sale This is why I considered the top price for agriculture land we as a Parish Council had offered was the correct price. We wanted the site for a play area -cemetery extension -bowls green.

Surely when some one applies to build houses they know that to build on Greenland site is difficult enough and AONB Should be impossible.

This is now the Fourth application The same conditions apply for the site no matter how many dwellings they are trying to build.

I really feel sorry for the other areas of Cheltenham /Tewkesbury if you allow this application to be granted. They will have no chance to stop development on Green Field Sites.

Comments: 15th June 2017

As a ex parish councillor and chair of c/k planning at the time that this saga started I am amazed that the application to build on this site still drags on.

As I pointed out to the developers when they tried with 44 houses This land is AONB If the planning allows even 4 houses it will open the flood gates to All sites in Cheltenham and surrounding areas where protesters are trying to stop development of Green Belt land.

What a pity that the sum of money put forward by CKPC was not sufficient We offered £50000 the site sold for 10 times this amount Four houses are not enough to fund this site But is sufficient to put FOOT into door Keep our ANOB

22 Copt Elm Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AB

Comments: 8th November 2016

I live in Cheltenham and would like to object to the proposed building of these houses in the Cotswolds Area of Outstanding Natural Beauty. They will be on greenfield land when it has been agreed that brownfield land should be developed first.

63 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LS

Comments: 8th November 2016

Letter attached.

Wadleys Farm
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NJ

Comments: 8th November 2016

Letter attached.

Comments: 27th January 2017

Letter attached.

Comments: 9th February 2017

Letter attached.

Comments: 21st June 2017

Letter attached.

9 Glenfall Way
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YQ

Comments: 8th November 2016

Letter attached.

Comments: 21st June 2017

Letter attached.

Wadleys Farm
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NJ

Comments: 8th November 2016

Letter attached.

Comments: 31st January 2017

Letter attached.

Comments: 9th February 2017

Letter attached.

Comments: 21st June 2017

Letter attached.

Ham Road
Charlton Kings
Cheltenham

Comments: 8th November 2016

Letter attached.

12 Pembridge Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6XY

Comments: 2nd November 2016

If this area is designated an Area of Outstanding Natural Beauty why is it even being considered for development? It makes a mockery of the whole AONB system.

If this application goes ahead it will be the start of a 'domino effect', once this field has been developed why not the next one, then the next one?? It is totally unacceptable.

The poor design of the houses causes great concern to me, they look more like warehouse/ storage units than domestic dwellings. The development will look like an industrial estate and be a complete eyesore in a very attractive, green, residential area. It will be a very ugly addition to Charlton Kings, they are already plenty of expensive/ large properties on the market in the area. We do not need any more.

I sincerely hope the Council will reject this application on the grounds of being completely inappropriate.

19 Carisbrooke Drive
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YA

Comments: 2nd November 2016

Strongly object. This land is protected for a good reason, there is no case to undermine the regulations surrounding protection of an AONB or for diluting that protection in this way. It's clear that if this precedent is set more housing will follow. Please act to prevent this, it simply cannot be justified. My concern is for the ecological impact but I know that there are other infrastructure-related issues of equal concern.

Comments: 28th January 2017

Revising the plans makes no difference - the point is it is an AONB and should not be built on! They could make the design a tasteful mud hut for all I care - I would still appeal to CBC to resist any development of the AONB and preserve the green spaces of Cheltenham for future generations. Seriously, please, don't cave in and let them build on it. I am sure I don't need to explain again why I object - it is an AONB and that should be sufficient!

Comments: 12th February 2017

It really doesn't matter how many revisions the developers make, it is still AONB land and we will continue to protect it. No development is acceptable. No revisions will make it palatable. And we won't get tired of objecting.

Comments: 16th June 2017

I strongly object to these plans. My previous objections still stand. What does it take to get through to these people that an AONB is protected by law for very good reasons??? There is NO justification for this repeated submission - please ask them to desist.

I don't know how many times I can keep saying the same thing. But I will keep objecting until the right decision for safeguarding our countryside and our precious wildlife is made.

2 Castlefields Drive
Cheltenham
Gloucestershire
GL52 6YP

Comments: 22nd October 2016

This is AONB land. Therefore it is protected; under no circumstances should it be built upon. It is a haven for wildlife - including deer, various endangered birds, foxes and so on. It has outstanding views throughout the seasons.

It is near a primary school, thus emphasizing the need to preserve such beauty and heritage for future generations.

In this context it is irreplaceable and the beauty and tranquility of this place should be left undisturbed.

Comments: 29th January 2017

I strongly object to any building on AONB land which should be given the utmost protection. It is irreplaceable.

Having seen the survey carried out by the Glos. Trust for Nature Conservation, it was amazing to see the variety of endangered birds, insects and amphibians seen & recorded here. Building upon this field will, in addition, have a disastrous impact upon the wildlife of the surrounding areas.

If this were given the "go ahead" there could be further encroachments on AONB land.

327 London Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YY

Comments: 7th November 2016

It's so beautiful and peaceful please don't take away a home from wild life and make it unnatural up there too. It's what makes Charlton Kings what it is, its part of it's soul. If you build on it's beating heart our living space will become a robot and us it's residents will become dead eyed because there won't be anything left to refresh us.

57 Ravensgate Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8NS

Comments: 29th October 2016

The land is in the Cotswolds Area of Outstanding Natural Beauty, nationally designated with the highest level of protection from harm to natural beauty. Need I say more? It should be rejected on this basis!

Furthermore the development is unplanned, brownfield land should be developed first. The land has not been allocated for housing in Cheltenham's plans. It does not therefore align with Cheltenham's strategy for housing.

Additionally the application is contrary to Cheltenham's Saved Policy CO2: "Development which would harm the natural beauty of the landscape within the AONB will not be permitted." Addition of housing to a field would harm the AONB.

Comments: 29th January 2017

Adjustments to design or scheme do not change the fact that the site is within the aonb & therefore should not be built on unless in exceptional circumstances.

Furthermore there are other sites more suitable, brown fields sites.

The designs are contrary to Cheltenham Saved Policy CP7 (a) and (c)

Garlands
34 Cudnall Street
Charlton Kings Cheltenham
Gloucestershire
GL53 8HG

Comments: 31st October 2016

I object strongly to this proposal on several grounds.

1. The proposed development is within the Cotswolds AONB, a national designation recognising the high natural beauty of the land in question. This in itself is adequate grounds to refuse the application. We should not be building unnecessarily on our AONB. It makes a nonsense of the designation.
2. If the development goes ahead it will open the floodgates not only to further development of this site, but to more applications on the AONB elsewhere. Developers will be quick to realise that if they persist for long enough, the council will cave in, despite very strong opposition from local people.
3. Although the above reasons provide all that is needed to refuse the application, it is also worth pointing out that the proposed development - four huge houses built for very wealthy people - cannot be justified on the grounds of solving Cheltenham's housing shortfall.
4. It is also worth pointing out that the design of the houses is completely unsympathetic to the character of the surroundings and contravenes the Cotswolds Conservation Board's Policy DTP1.

Comments: 6th February 2017

It is hard to believe that we are yet again having to comment on this scheme, especially when the revisions do not address the main concern against development on this land, which is that it is a designated AONB.

Objections on these grounds have been stated many times by many people and still stand. A few minor changes to the scheme will not magically make it OK to build on the AONB. There are no special circumstances and no excuse at all for going against the main point of the designation, which is to preserve the landscape.

This in itself should be enough grounds for a refusal of consent, but the issue of large areas of hard landscape adversely affecting drainage is also a concern. And no amount of 'native' hedgerow and tree planting (which in any case would very soon be removed by residents) would disguise the visual intrusion of four large houses in the landscape.

Comments: 27th January 2017

There can be no justification for consenting to house building on designated AONB land. The designation has been put in place expressly to protect the land from development. The number of

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houses doesn't matter - it is the principle of building at all which is wrong. There are no exceptional circumstances in this case - just developers wanting to make money. If they are allowed to make a nonsense of a national designation this will form a dangerous precedent.

Comments: 21st June 2017

I'm surprised to have to comment on this scheme again. The amendments do not alter the overriding objection which is that building on AONB land, unless there are exceptional circumstances (which there are not in this case) is not permitted.

2 Ledmore Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8RA

Comments: 1st November 2016

Absolutely object to these plans to build on green fields in AONB. These four houses won't help housing shortage and the plans are not sympathetic to the local area. As residents in Charlton Kings we completely object!

1 The Orchards
Glenfall Way
Charlton Kings Cheltenham
Gloucestershire
GL52 6BJ

Comments: 6th November 2016

I strongly OBJECT to this development.

- It is AONB - as previously mentioned, why have the AONB if we don't protect it against development, especially around it's fringes. It has the HIGHEST LEVEL of protection, to the same degree as NATIONAL PARKS.
- The proposal is for four very large, executive houses that do not in anyway fit in with the surroundings, let alone enhance the beauty of the AONB.
- 4 very expensive houses DOES NOTHING to address the housing shortage for those most in need.
- The application is for the WHOLE FIELD, not just the four houses in the design statement.
- If the development were to go ahead, the greenlight would be given to other property development companies to justify their applications, such as on the adjacent field, causing irreversible damage to the greenspace that in theory has our HIGHEST LEVEL OF PROTECTION.
- This is now the 4th application to develop the site. With High Court rulings against any form of development being suitable on this site, how many more times will this process go on and how much more of our public money and of the Council's time will be wasted?

Please support us in rejecting this application once again and protecting the AONB for FUTURE GENERATIONS to enjoy.

Comments: 22nd June 2017

My many previous objections still stand. This is an AONB and should therefore be given the highest level of protection from development.

91 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LS

Comments: 25th October 2016

We should not allow this development on an AONB!! It will totally undermine this designation which it is so important to maintain.

"AONBs are designated in recognition of their national importance and to ensure that their character and qualities are protected for all to enjoy." (REF <http://www.landscapesforlife.org.uk/>)

If we allow this to go ahead, only those residents of the 4 houses will be able to enjoy this beautiful area. Please don't let us be the ones to ruin this enjoyment for generations to come.

Comments: 20th June 2017

Amended Plans - my original comments still stand - NO means NO!

Protect our AONB for generations to come!!!

9 Glenfall Way
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YQ

Comments: 8th November 2016

I am writing to oppose the building of the houses on the fields off Glenfall Way Planning ref (16/01789/FUL)

This land has been given the highest protection as being an area of outstanding natural beauty and therefore should never be used for building land. The developers should never have been given the idea that this land could be used for building, and I hope the Planning Department will back the protection of this land, not only for our generation but, for generations to come. Glenfall Way has become an exceptional throughfare with many cars coming through at all times of day. I would like the Planning department to come to Glenfall School during the morning drop off and afternoon pick up, this should be another reason for not allowing the building to take place, and as we all know they will try and build further housing on the land, once they have their foot in the door with the application for four houses!!

Charlton Kings has had its fair share of development during the seventies and eighties, and with further development to Ryeworth Road, I want the planning application turned down, and the land left with a protection so further planning will not be considered.

11 Glenfall Way
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YQ

Comments: 8th November 2016
Letter attached.

Comments: 27th January 2017
Letter attached.

Comments: 21st June 2017
Letter attached.

148 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LY

Comments: 6th November 2016

I would like to take this opportunity to formally express my views and OBJECT to the proposed housing development on the Area Of Outstanding Natural Beauty off Glenfield Way, Charlton Kings.

I would strongly urge you to reject the proposed development given the detrimental impact it will have in the short and long term firstly to the ecology and secondly to the economy.

1 - Detrimental Impact to the Ecology

Development of the field and AONB and would have a significant detrimental impact to the flora and fauna and in clearing the land for development would destroy the natural habitat and ecology.

2 - Detrimental Impact to the Economy

If this beautiful AONB was to be developed on it would also simply set the precedence for further future development of land that is currently registered as AONB throughout the Cotswolds. As a result I believe this would have a long term detrimental impact to the economy of the Cotswolds.

By developing on this field we would simply be destroying the Cotswolds' unique selling point. The beautiful flora and fauna, rich Cotswold stone and dramatic views that Areas of Outstanding Natural Beauty offer, are all fundamental reason why people are attracted to and why they visit the Cotswolds year on year. Furthermore attracting tourism is crucial in order to create a sustainable economy, particularly for some of the smaller villages throughout the Cotswolds.

The Cotswolds are like any other organisation with a profit and loss account and a balance sheet. Areas of Outstanding Natural Beauty like the land off Glenfield Way are assets that differentiate the Cotswolds. I would urge anyone to protect and preserve this beautiful asset and not sell it off to simply make a short term financial gain of a few houses.

3 - AONB needs protecting

Selecting the site as having a capacity for residential development is the green light to giving the developers outline permission without consideration of its AONB status and the protection they should be given from inappropriate development.

4 - Children safely with increased traffic in area

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The stunning AONB in question is next to the local primary school where young children walk everyday. To build on this land would increase the cars and traffic in the area around the school which would be dangerous and cause congestion.

On a final note, very poignantly, if the Area of Outstanding Natural Beauty was to be developed on, the consequences to the flora and fauna are IRREVERSIBLE! Please see attached picture of the land we are needing to protect!!

As a result I would urge you to REJECT the proposed housing development on the AONB on the land off Glenfield Way.

My husband and I moved into 148 Ryeworth Road, directly opposite the field in question, during the summer of 2014. Besides the beauty of the property itself we were attracted to the area given its proximity to the field and the beautiful uninterrupted views of the Cotswold escarpment and AONB. The Glenfall way field / AONB personifies what is truly unique about the Cotswolds. It is such a picturesque and tranquil place to live I urge you please don't kill the beauty of our natural countryside and wildlife which locals love and enjoy everyday.

Comments: 1st February 2017

To whom it may concern, I would like to take this opportunity to formally express my views and oppose the proposed housing development on the Area Of Outstanding Natural Beauty off Glenfield Way, Charlton Kings.

My wife and I moved into 148 Ryeworth Road, directly opposite the field in question, during the summer of 2014. Besides the beauty of the property itself we were attracted to the area given its proximity to the field and the beautiful uninterrupted views of the Cotswold escarpment and AONB. I have attached a photo of those beautiful views across the field and AONB from our bedroom window. As I'm sure you will agree from the photo attached, the field / AONB personifies what is truly unique about the Cotswolds.

I would strongly urge you to reject the proposed development given the detrimental impact it will have in the short and long term firstly to the ecology and secondly to the economy;

1 - Detrimental Impact to the Ecology Development of the field and AONB and would have a significant detrimental impact to the flora and fauna and in clearing the land for development would destroy the natural habitat and ecology.

2 - Detrimental Impact to the Economy If this beautiful AONB was to be developed on it would also simply set the precedence for further future development of land that is currently registered as AONB throughout the Cotswolds. As a result I believe this would have a long term detrimental impact to the economy of the Cotswolds.

By developing on this field we would simply be destroying the Cotswolds' unique selling point. The beautiful flora and fauna, rich Cotswold stone and dramatic views that Areas of Outstanding Natural Beauty offer, are all fundamental reasons why people are attracted to and why they visit the Cotswolds year on year. Furthermore attracting tourism is crucial in order to create a sustainable economy, particularly for some of the smaller villages throughout the Cotswolds.

The Cotswolds are like any other organisation with a profit and loss account and a balance sheet. Areas of Outstanding Natural Beauty like the land off Glenfield Way are assets that differentiate the Cotswolds. I would urge anyone to protect and preserve this beautiful asset and not sell it off to simply make a short term financial gain, 15 houses. On a final note, very poignantly, if the Area of Outstanding Natural Beauty was to be developed on, the consequences to the flora and fauna are IRREVERSIBLE! As a result I would urge you to REJECT the proposed housing development on the AONB on the land off Glenfield Way.

The Cedars
1 Ham Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NP

Comments: 28th October 2016

Letter attached.

Comments: 31st January 2017

Further to my earlier objection. Tweaking the design of the 4 houses in question has not improved matters at all as they are completely out of character for the area. Therefore my previous objection still remains that to build in the AONB unless it is absolutely essential would be a mistake.

Comments: 21st June 2017

I write to object to the above planning application being granted for the "Erection of 4 dwellings" for the following reasons.

In their wisdom the powers that be, decided that the Cotswolds should be given special status. At a lot of time and energy, not to mention cost, the Cotswold Area of Outstanding Natural Beauty was created. The above application is in the Cotswold AONB and also represents a Departure from the Cheltenham local plan policy CO2 which states that "Development which would harm the natural beauty of the landscape within the Cotswold AONB will not be permitted. They stipulate cladded buildings, giving the appearance of an Industrial landscape, when the Orchards, Ryeworth Rd and Ham Close are all brick built. It is Greenfield agricultural land outside the designated urban area. The Cotswolds in general attract many visitors, The Ham area is no exception with many walkers using it for access to and from the Cotswold Way.

Some people think that rules and regulations are there to be broken. I hope those who make the decision on this application will see it for what it is, and see their way clear to refusing the application and thereby maintain the heritage of the Ham area on the lower slopes of the Cotswold escarpment and bolster the work done by the Cotswold AONB and the other organisations. Applications have been made before to build on this site and have been refused, nothing material has changed to alter the situation. The outcome could undoubtedly have far reaching effects for the area.

60 Hartlebury Way
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YB

Comments: 6th November 2016

This application has no merit, and rejection is based on:

1. The proposed site is in an Area of Outstanding Natural Beauty (AONB) and is designated the highest level of protection from development. This means the site is not suitable for any housing or other building construction and has been previously demonstrated as such. Development on such a site is contrary to the Cotswolds AONB Management Plan 2013-2018.

Granting permission for development will set in motion a chain of events that will seriously undermine the natural beauty of the area by way of encouraging further speculative development

applications to engulf and decimate further nearby AONB sites extending into the Ham area and towards the A40.

2. The application itself, irrespective of the AONB situation, is a sham. The development of 4 high value houses does not materially contribute to local housing requirements and the description of a 'public open space' is misleading as the area will belong to the current owner who will naturally make further applications to construct on the remainder of the AONB site.

a. The design of 4 poorly designed 'warehouse-like' buildings in no way demonstrates consideration to the local area and the view across the Cotswolds escarpment will be severely reduced with a loss of amenity for current and future residents.

b. The Council will undermine its own work and endanger its credibility with approval at any level of this application when it has already made immense effort and spent tax revenue to identify more appropriate sites for development (<http://www.gct-jcs.org/Documents/Publications/Submission/JCS-Submission-Version-November-2014a.pdf>).

c. Planning permission for this site has been refused several times before and the arguments against any form of development that were upheld at High Court are still relevant today (<http://plandocs.leeds.gov.uk/WAM/doc/Appeal%20Form-250537.pdf?extension=.pdf&id=250537&location=VOLUME2&contentType=application/octet-stream&pageCount=1>).

d. The report on which Strategic Land Partnerships has placed emphasis to support its application is unsafe, highly flawed and was commissioned by the Strategic Planners without public consultation.

The reasons for refusal of this inappropriate application on an unsuitable site are multiple and any perceived benefit from building on this AONB site are infinitesimally miniscule. This is a far cry from a single/discrete 'one-off' development or extension of an existing building in an AONB. The AONB status alone is enough to render this site unsuitable for development and reject the application outright. There are no advantages for the local community and natural environment, and any discrete/institutional secondary gains jointly or severally pursuant to the granting of permission for development will have negative consequences.

Comments: 30th January 2017

We continue to object to this application.

This field is in the Cotswolds area of outstanding natural beauty (AONB). No construction should take place on AONB land. Also the added traffic will pose a hazard to the nearby school.

58 Hartlebury Way
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YB

Comments: 6th November 2016

The Constraints acknowledged on the submission and the related cases (Previous refusals, dismissals and the last withdrawn application) already spell out, as they have on previous occasions, why this development should again not be allowed on this part of our Cotswold AONB. This is perfectly summarised already by the 'The Cotswold Conservation Board's comment and the multitude of reasons surrounding policy identified on this site by other objectors. The fundamental reasons behind the previous refusals and dismissals have not changed. Therefore I register my objection - There can be no alternative but to refuse this development.

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As a neighbour to the adjacent AONB, our house backs onto the AONB. I strongly oppose to this development.

1) I would also wish to point out that all of the planning documents show incorrect property boundaries. In 1991 and 2005, No 58 Hartlebury way purchased land off of 2 and 3 The Orchards, Ref: HM Land Registry: GR103201 - O/S Map 509270 & GR285295 O/S Map SO9720NW. This was pointed out in Application 15/00025/OUT and still has not been updated in this current planning documentation. Your Map associated with 016/01789/FUL is still incorrect. Hartlebury Way properties 56 and 58 (no number on your map but between 56 and 60) directly adding the AONB, No 2 and 3s garden does not extend to / run across the back of Numbers 56 and 58.

2) If this plan is accepted there will be nothing stopping the builders from adding more houses onto the site in years to come. It's been known that once the site has been accepted for building on, the plans get changed and more houses added, for the profit of the builders. It is noted that whilst the current application has been reduced to 4 dwellings, the outline for planning applies to the entire field. In addition the view into the AONB and across the escarpment will be significantly impacted.

3) What good is it having AONB to protect land, if it is then taken away, where does this nonsense end? This is a complete mockery of the system and process. If AONB is lifted, this opens up even more problems for Cheltenham and the surrounding areas, which is famously known for its beautiful Cotswold countryside.

4) There may be a shortage of housing, but 4 out of character over-sized executive houses built for a profiteering land developer from Devon, with no interest in the Cotswolds does not address the quota. I would imagine the council should be focusing their efforts on the brown field sites and flatly refusing AONB planning.

5) The development would also have an impact on privacy. As it stands our garden (not shown on map) back directly and openly onto the AONB. The proposal of paths would dramatically reduce our privacy and open us up to public entry.

Every morning, we open the curtains to the most beautiful sight, where foxes, deer, pheasants, badgers, squirrels, Muntjac deer, woodpeckers, and various other species are at peace in their habitat. I feel so sad that if the council agree to this, not only have we lost the outlook from our beautiful home, but the nature and wildlife surrounding this beautiful area within Charlton Kings is also lost to the people who live here. Every visitor that comes to this part of Charlton Kings makes comment to us of how beautiful this part of the Cotswolds are, including the adjacent AONB field - this should be AONB for future generations to come, surely Cheltenham Council, it is your duty to protect this.

Comments: 23rd January 2017

The "Tweaks" made by the planners do nothing to alter the underlying facts as presented already, a reminder of here:

The Constraints acknowledged on the submission and the related cases (Previous refusals, dismissals and the last withdrawn application) already spell out, as they have on previous occasions, why this development should again not be allowed on this part of our Cotswold AONB. This is perfectly summarised already by the 'The Cotswold Conservation Board's comment and the multitude of reasons surrounding policy identified on this site by other objectors. The fundamental reasons behind the previous refusals and dismissals have not changed. Therefore I register my objection - There can be no alternative but to refuse this development.

As a neighbour to the adjacent AONB, our house backs directly onto the AONB. I strongly oppose to this development.

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1) I would also wish to point out that all of the planning documents show incorrect property boundaries for now 58 and 56 Hartlebury Way. In 1991 and 2005, No 58 Hartlebury way purchased land off of 2 and 3 The Orchards, Ref: HM Land Registry: GR103201 - O/S Map 509270 & GR285295 O/S Map SO9720NW. This was pointed out in Application 15/00025/OUT and still has not been updated in this current planning documentation. The plans/drawings you have been presented are factually incorrect and are misrepresentative. I call for the planners to show due diligence and correct and represent the correct plans showing correct boundaries to the field. Your Map associated with 016/01789/FUL is still incorrect. Hartlebury Way properties 56 and 58 (no number on your map but between 56 and 60) directly adding the AONB, No 2 and 3s garden does not extend to / run across the back of Numbers 56 and 58. I feel that this inaccurate planning must be addressed as surely the boundaries of the planned site need correct reflection for the council to have true and accurate detail to assess and comment upon.

2) If this plan is accepted there will be nothing stopping the builders from adding more houses onto the site in years to come. It's been known that once the site has been accepted for building on, the plans get changed and more houses added, for the profit of the builders. It is noted that whilst the current application has been reduced to 4 dwellings, the outline for planning applies to the entire field - this cannot be allowed to go-ahead. In addition the view into the AONB and across the escarpment will be significantly impacted.

3) What good is it having AONB to protect land, if it is then taken away, where does this nonsense end? This is a complete mockery of the system and process. If AONB is lifted, this opens up even more problems for Cheltenham and the surrounding areas, which is famously known for its beautiful Cotswold countryside.

4) There may be a shortage of housing, but 4 out of character over-sized executive houses built for a profiteering land developer from Devon, with no interest in the Cotswolds does not address the quota. I would imagine the council should be focusing their efforts on the brown field sites and flatly refusing AONB planning.

5) The development would also have an impact on privacy. As it stands our garden (not shown on map correctly as stated above the plans are factually inaccurate and incorrect - misleading to say the least) back directly and openly onto the AONB. The proposal of paths would dramatically reduce our privacy and open us up to public entry.

Every morning, we open the curtains to the most beautiful sight, where foxes, deer, pheasants, badgers, squirrels, Muntjac deer, woodpeckers, and various other species are at peace in their habitat. Whilst I appreciate that these species are not protected it is recognised that the development would bring a likely end to these animals being seen in Charlton Kings and this particular part of the AONB will have been irrecoverably destroyed. I feel so sad that if the council agree to this, not only have we lost the outlook from our beautiful home, but the nature and wildlife surrounding this beautiful area within Charlton Kings is also lost to the people who live here. Every visitor that comes to this part of Charlton Kings makes comment to us of how beautiful this part of the Cotswolds are, including the adjacent AONB field - this should be AONB for not just out but future generations to come, surely Cheltenham Council, it is your duty to protect this.

Comments: 25th June 2017

Regardless of how many submissions are made - simply put this is AONB and any development should be rejected.

In addition: Despite many complaints that the plans do not reflect the true land registry boundaries the Planners submission still ignores the correct borders. The gardens of 58 and 56 Hartlebury way back directly onto the field - this is not shown on the plans. The plans should at least be correct to be valid! Can the council please request this to be corrected.

56 Hartlebury Way
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YB

Comments: 30th January 2017

Our home is next to the field that this proposed development will be in, we strongly object to any building on this site for a number of reasons.

Firstly we have a watercourse running through our land which we believe any reduction to surface water drainage would adversely affect, greatly increasing the risk of flooding to our property.

Secondly this land has been afforded the protection of AONB status, supposedly offering it the highest protection, we believe that to build on protected land will set a precedent allowing all places of natural beauty to be sacrificed, making a mockery of this protection and causing this local area to become nothing more than an urban sprawl. Changing the surrounding environment beyond recognition and causing detriment to infrastructure such as roads, traffic, schools, and primary health provision.

We also feel that any further development would adversely affect the myriad of wildlife that depend upon this open space, we are aware of deer (2 species) bats, badger, foxes, kites, hawks, lizards, voles, owls, and woodpeckers.

4 The Orchards
Glenfall Way
Charlton Kings
Cheltenham
Gloucestershire
GL52 6BJ

Comments: 23rd October 2016

This is AONB land. The developer owns the whole field, and once agreement is given to build on some AONB land, he will doubtless use that as a precedent to build on the rest of it. This could put all Cheltenham AONB sites at risk from development. Even if some constraint were imposed to safeguard the rest of the site, the 4 large houses with very small gardens seem to have been designed to resemble warehouses with large areas of cladding, which looks inappropriate in that setting.

3 The Orchards
Glenfall Way
Charlton Kings
Cheltenham
Gloucestershire
GL52 6BJ

Comments: 26th October 2016

Letter attached.

Comments: 20th January 2017

These revised plans do not change the fact that the developers are attempting to build on AONB land that is protected.

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I live at 3 The Orchards and these houses will overlook our driveway and house. I take particular offence at house 4 which has several large windows on the first floor which face towards our property. More windows have been added to this aspect since the earlier application. Surely our privacy should be protected.

There is a septic tank in this field which serves The Orchards. The residents of The Orchards have right of way to this tank. Our right of way is from the gate at Glenfall Way. How is the tanker meant to empty the tank when the access route has been blocked off? There is no mention on the plans of an access route for the maintenance and emptying of said tank.

There is quite a substantial badger sett in the garden of house number 4 and I would like to know what the developers plan to do about them. The badgers have been there for years and their presence adds to the overall character of this land. It would be a crying shame to lose them.

Comments: 6th February 2017

Why the council keeps letting the developer make alteration after alteration this close to decision time is beyond me. This is not normal practice and one must wonder why this is being allowed. Will we back here in 2 weeks having to comment once again on further revised plans?

This land currently absorbs a huge amount of water. The amount of hard landscaping is crazy. For example, three quarters of Plot 4's land is taken up with the house, the road, tarmac and paving. This will cause increased run off in an already water logged area.

The soft landscaping, rather than enhance the sight, seems to have been planned with the sole purpose of blocking off (what remaining view there is), the view into the Cotswolds. Numerous hedges and numerous large trees will obscure this public sight.

Comments: 16th June 2017

All of my previous objections still stand.

The houses are very poorly designed and totally inappropriate for this location. They are not in the local vernacular, nor are they of significant architectural merit.

I have raised this time and time again but the red line which shows the area for planning permission is still around the entire field! This means it is highly likely that if planning were to be granted the current developer would sell the field with planning permission (for a small fortune) and the new developer would put in new designs for more houses covering the whole site rather than just this one side!

2 The Orchards
Glenfall Way
Charlton Kings
Cheltenham
Gloucestershire
GL52 6BJ

Comments: 4th November 2016

Letter attached.

Comments: 30th January 2017

Why we are even entertaining a revised design on this piece of land is ridiculous, this land is AONB and no matter how many tweaks and changes the land owners make it will not lessen the fact that this field is within our AONB and therefore unless there is exceptional circumstances (which there certainly isn't) should not be built on. This is the 4th time we have had to fight for this

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field and I can't believe that we are having to come back to it time and time again. A no from the high court should remain a no.

The designs are no better in terms of impact to the AONB, there are still 4 houses and now with bigger gardens making the views of the AONB even more compromised than the previous design. The houses will be very close to our lane, The Orchards, with house 4 being overbearing onto no 3 the Orchards and our shared garage area down The Orchards. There are also more windows (house 4) overlooking this area in the new design.

We also have our septic tank located around 10-15 metres from the fourth property. We have right of way access through the field for maintenance and emptying, this is not mentioned nor is the septic tank. There is also a badger set located in the field around where the houses are planned, this is also not mentioned.

This field is the edge of the countryside and has been more many, many years. The field marks the start of Cheltenham's beautiful countryside and the hamlet of Ham. We can see that many other land owners are watching the progress of this application with great interest to see whether it goes through, all hoping that they too can apply for planning on their AONB pieces of land. This is perfectly demonstrated by the land opposite Ham Close which has come up for planning in the last month too. Are you prepared to let this through, to then break the seal on building in the AONB.....Cheltenham would then change forever. Is this really worth the risk seeing as Cheltenham already has a proposed five year housing supply which doesn't include this field.

In summary this field is AONB for a reason, we know the land owners don't look after it (in the hope that people will be fooled into thinking housing would be better than an untended field), but it should remain as it is (but actually be maintained by the land owner) as the developer is purely looking to reap his rewards and doesn't care about the local area, community or wildlife.

1 The Orchards
Glenfall Way
Charlton Kings
Cheltenham
Gloucestershire
GL52 6BJ

Comments: 6th November 2016

We strongly object to the proposal. It is universally agreed that there is a need for more housing in the district, and in particular, affordable housing. We fully support the Council's plans to address this but the proposed site is completely inappropriate for several reasons.

1. Most importantly, it is an Area of Outstanding Natural Beauty.

As such is afforded the highest national landscape designation along with National Parks (<http://www.cotswoldsaonb.org.uk/?page=whatistheaonb>) and therefore should be protected at all costs. This conservation of the AONB is supported by numerous planning policies including the National Planning Policy Framework, Cheltenham Borough Council's saved policy CO 2 and the Cotswolds AONB Management Plan 2013-18. This development would there for breach all these policies.

It is relevant that this is not a development not just within the AONB but right at its border which sets a dangerous precedent for further encroachment into and erosion of the AONB.

2. We would contest Hunter Page's statement that this design constitutes material consideration to permit otherwise restricted development in an AONB and certainly does not conserve, nor enhance the beauty of the site.

Anyone who has walked past the field will know that the location of the houses will certainly not maintain the openness of views across to the escarpment and will significantly diminish the views that make this field so special - as their own graphical representation in the Design Statement demonstrates.

3. Time-lapsed development plan policies and emerging policies not yet adopted shouldn't grant the opportunity to bypass the emerging policy recommendations and the large areas of less sensitive sites that have been identified as more suitable.

The new proposal has substantially reduced the number of houses planned to just 4 luxury executive houses. The main thrust of their argument is that development is justified through the Council's lack of consideration and planning for future housing provision. Previous planning applications have cited similar reasons. Reducing the number and cutting out any affordable housing component only strengthens the previous arguments that a development here, even in the face of a housing shortage, isn't appropriate.

The Council have also spent huge efforts, time and money to identify suitable areas for development which are closest to where the need is generated as this has been found to be the most sustainable and supported through consultation (<http://www.gct-jcs.org/Documents/Publications/Submission/JCS-Submission-Version-November-2014a.pdf>). For this application to be approved would completely undermine all this work.

4. The beauty of the AONB has been recognised in previous refusals for planning applications and the same arguments against development remain.

Planning permission for this site has been refused several times before and the arguments against any form of development that were upheld at High Court are still relevant today (<http://plandocs.leeds.gov.uk/WAM/doc/Appeal%20Form-250537.pdf?extension=.pdf&id=250537&location=VOLUME2&contentType=application/octet-stream&pageCount=1>).

5. The Ryder Report, on which the revised (from their 2015 withdrawn application) plans are based is rushed, inaccurate and flawed.

This report contains multiple inaccuracies, incorrect citations, nomenclature and terminology. To give this application weight based on this flawed report would be wrong.

Comments: 23rd January 2017

All my previous comments still stand as objections to the development of this Area of Outstanding Natural Beauty. It is to be protected by law at the highest level and only in exceptional circumstances.

The developers obviously appreciated that their original plans were inappropriate developments on two occasions and the changing of the design with minor adjustments does little to make the development of an ANOB more acceptable or exceptional. This is aside from all the previous separate refused planning applications and their reasoning.

Despite the objections to the development as a whole, the new plans fall just as short on the design front, they are not in keeping, they extend further into the field than before and are contrary to the Cheltenham Saved Policy CP7 (a) and (c): Design.

The Cheltenham Plan Part 1 (preferred options 2011-2031) identifies and proposes a 5 year plan that does not affect our AONB and does not identify this field as a development opportunity.

The Cotswold Conservation Board have also objected to the plans. It would make a mockery of the AONB designation to allow such a development to go ahead.

Comments: 22nd June 2017

I maintain all previous objections still as the multiple revisions have done nothing to address any of the concerns of the local residents. The design is completely out of keeping with the surroundings and will do nothing to enhance the beauty of the AONB and indeed will significantly detract from it as a large proportion of the Cotswold escarpment will be obscured.

I still object for the application to be for residential permission for the whole field too. If permission were to be granted, I strongly suspect that there will be further revisions which would encompass much more of the site than currently proposed.

The Old Barn
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6ND

Comments: 27th October 2016

An Area of Outstanding Natural Beauty (AONB) is an area of the countryside with high scenic value of national importance that has statutory protection to conserve and enhance the natural beauty of its landscape.

Building on this site does not conserve or enhance the landscape.

Comments: 19th January 2017

The revised plans make no change to my objection.

The development will not conserve and enhance the AONB, as Cheltenham Borough Council is required to do by Section 85 of the CROW Act 2000.

Comments: 6th February 2017

Why are revisions made after the final date for public comments? The developers are treating residents and the council with no respect, showing a devious and unprofessional approach, which should not be rewarded.

The revisions make no change to the fact they are wanting to build in the AONB.

The Cheltenham plan that went out for consultation today (6th Feb 2017) states for this site:

'SALA found site to not be deliverable or developable'.

These are the words of CBC - so why are we here constantly reviewing developments that ruin the area?

Comments: 10th June 2017

Looking at the revised application (4th? - lost count), it still does not address the fact that these buildings are being planned for the protected AONB.

The adjoining field recently had an application refused, so a precedent has been set. See planning reference 16/02104/OUT. All the reasons for refusal highlighted in this decision apply to this application.

Little Paddock
Ham Road
Charlton Kings Cheltenham
Gloucestershire
GL52 6NQ

Comments: 23rd October 2016

The land is ANOB and is therefore unsuitable for development.
If development is granted at this site it will be viewed as the 'thin end of the wedge' opening up other areas for development in the ANOB area.

8 Pembridge Close
Cheltenham
Gloucestershire
GL52 6XY

Comments: 6th November 2016

Objecting to this plan is not just because our AONB needs protecting to ensure green spaces for the next generation but more so because our local community is bursting at the seams. Our schools are at capacity and our roads cannot cope.

5 Stockton Close
Cheltenham
Gloucestershire
GL53 9JA

Comments: 7th November 2016

Building 4 houses that will absolutely not fall under the category of 'affordable housing' is not what Charlton Kings needs or wants and building on an AONB is disgraceful. Green belts and AONBs were put in place to preserve the green spaces and are part of what makes Charlton Kings and the Cotswolds so desirable. If we start accepting building developments like this, where is the line drawn?

9 Hartlebury Way
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YB

Comments: 31st October 2016

Letter attached.

41 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LG

Comments: 31st October 2016

Letter attached.

3 Hartlebury Way
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YB

Comments: 31st October 2016
Letter attached.

Comments: 23rd January 2017
Please regard this as two objections

We wish to object to the above planning application, as currently revised, on the following grounds:- Please note that this objection should be read in conjunction with all our earlier objections particularly with emphasis on encroachment into the AONB.

1

Further, the current plans take no account of the latest flood risk assessment. Once again, we make the point that even if planning is modified, there is no guarantee that these will not be amended to the detriment of potential the run-of into the river Chelt catchment. Even if the flood assessors recommendation is implemented in full, maintenance of the run-off basin is required, in perpetuity, if that is not provided for, or neglected, then we are back to a high flood risk along Hartlebury Way and the lower parts of Glenfall Way adjacent to the river Chelt.

2

This Application (16/01789/FUL) to build in the AONB can no longer be viewed as 'stand alone'. Another application 16/02104/OUT to build in the AONB has now been lodged. We appreciate that each application will stand alone during consideration, but the committee needs to have full knowledge that both are an encroachment into the AONB, giving full power to the argument that if this one application is given consent it will open the floodgates, with little to stop other applications proceeding unhindered by them being for developments in the AONB.

3

Surely the time has come for the CBC to REJECT OUTRIGHT WITH NO APPEAL any form of development in this part of the AONB. All the time and money spent by the Council, on these highly speculative and spurious applications, could be put to better use for the benefit of the citizen of Charlton Kings and Cheltenham.

Acorn Cottage
55 Chase Avenue
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YU

Comments: 3rd November 2016

With reference to the proposed development in the above planning application, I strongly OBJECT to the proposal to build homes on this site.

As an a area of outstanding natural beauty I feel that the development would be detrimental to the area. The application is not only contrary to Cheltenham Saved Policy CO 2 it is also on green belt land, which should not be priority for development.

11 Lyefield Road West
Charlton Kings
Cheltenham
Gloucestershire
GL53 8EZ

Comments: 3rd November 2016

Having lived in Charlton Kings for 30 years I am very disturbed to see the application for The Glenfall Way site.

Our children attended Glenfall school so this is an area that I know very well.

As well the obvious reasons why I oppose the development including,

- A. The Land is AONB
- B. The wording on the application being vague (particularly for long term intended use).
- C. The application is contrary to Cheltenham's Saved Policy CO2.

I also think this AONB benefits all Cheltenham residents and visitors to the town. As Cheltenham becomes more and more sprawling with housing developments this is one of the few remaining areas that people can easily access the countryside by foot from the town. An important countryside area for future generations to appreciate.

It is also a marvellous area for local schools to access as part of their studies, including projects on wildlife, and the local environment.

Please do not think that Cheltenham residents and visitors to the town take this beautiful area for granted.

7 Ham Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NP

Comments: 3rd November 2016

I am contacting you to voice my complete opposition to this planning application concerning 4 large houses on the south side of the field at the top of Glenfall Way. I have the following points to make: -

- The land is in the Cotswolds Area of Outstanding Natural Beauty. This must therefore preclude any housing development.
- There is no surety that the field itself would not be open to further exploitation if planning was granted.
- As the field is on the edge of the AONB any development, no matter how limited in scale will open the adjacent fields to similar exploitation.
- The application does not address housing shortages as they are few and of high value which leads any local resident to consider this as only of benefit to the Exeter based land owner and not the community at large. This field has not been allocated for any housing in Cheltenham's plans.
- Previous applications have all been judged as not a good enough reason to encroach on AONB land. Nothing has changed concerning this new application.

- The land is 'Greenfield' when 'Brownfield' should be central to policy (DCLG planning guidance)
- The application and houses themselves contravene Cheltenham's Saved Policy CO2: "Development which would harm the natural beauty of the landscape within the AONB will not be permitted".

Comments: 27th January 2017

I am contacting you to voice my complete opposition once again to this proposed development on Glenfall Way. This latest revision makes changes to the style and layout of the proposed properties but does not change the fundamental issues that should prevent this developments proceeding: -

- The land is in the Cotswolds Area of Outstanding Natural Beauty. This must therefore preclude any housing development.

- There is no surety that the field itself would not be open to further exploitation if planning was granted.

- As the field is on the edge of the AONB any development, no matter how limited in scale will open the adjacent fields to similar exploitation.

- The application does not address housing shortages as they are few and of high value which leads any local resident to consider this as only of benefit to the Exeter based land owner and not the community at large. This field has not been allocated for any housing in Cheltenham's plans.

- Previous applications have all been judged as not a good enough reason to encroach on AONB land. Nothing has changed concerning this new application.

- The land is 'Greenfield' when 'Brownfield' should be central to policy (DCLG planning guidance)

- The application and houses themselves contravene Cheltenham's Saved Policy CO2: "Development which would harm the natural beauty of the landscape within the AONB will not be permitted".

14 Pembridge Close
Charlton Kings
Cheltenham
GL52 6XY

Comments: 3rd November 2016

Letter attached.

Comments: 31st January 2017

We, the residents in this household, are opposed to the granting of planning permission for housing development on this site for the following reasons. (Please take into account any previous comments we have made.)

1. The new plans submitted for the building of 4 dwellings with gardens and an access road on land to the south side of Glenfall Way are in no way an improvement on the last application. The building materials include zinc cladding and steel rather than Cotswold stone. The roofs are flat rather than inclined and covered with traditional stone slabs. The houses are not of good design and would not enhance the AONB in anyway; rather they would harm it by not fitting in with the Genius Loci - the unique, cherished spirit of the place. It appears that the proposed gardens are now bigger, thus reducing the view into and out of the AONB.

2. The Cheltenham Plan Part 1, available soon for consultation, does not show the Glenfall Way field as having been selected for development. The five year plan for housing is suggesting appropriate sites which do not include the AONB at all, thus excluding the Glenfall Way field. The Ryder Report has not yet been ratified and therefore should not be used in support of this application.

3. The Cotswold landscape has developed its unique beauty over hundreds of years. It should not be spoiled for future generations by inappropriate development which the above mentioned proposal is and also its setting harms the countryside. Glenfall Way itself is a natural boundary for the AONB opening out and looking into into the AONB on the south side and visible from inside the AONB .Fifty years ago the Cotswolds was designated a protected landscape as it was made Britain's largest AONB. Just because the field in the proposal is the last one in the Cotswolds AONB, next to an urban area does not mean this is a reason for development .We were opposed to housing development on this site in 2007 when a development proposal was made to the Council for this very reason. There has been no change in the policy for the AONB so there is no reason for this proposal to be accepted, a similar proposal having been rejected in 2008, and the decision upheld by the High Court.

4. There is no justification for this development as it is a green field agricultural site in the Cotswold Area of Outstanding Natural Beauty. It may be in the jurisdiction of Cheltenham borough but it is part of a larger area to the east designated as a Cotswold AONB. As part of specially designated area of beautiful English countryside it needs to be actively preserved and protected, as stated in a number of statutory planning documents: the National Planning Policy Framework, the submission draft of the Joint Core Strategy Policy and the Saved Policy of the Cheltenham Local Plan. The site has not been allocated for housing in Cheltenham's plans, nor is there a validated report selecting it for development.

5. In the report by Davies Landscape Architects under the heading 'Aesthetic and Perceptual' page 13 para 3.2.14 it is stated 'The aesthetic and perceptual qualities of the site are notably influenced by adjoining suburban development of Charlton Kings to the north and west.' The applicant assumes that the field under consideration lies within the urban area of Cheltenham whereas it actually is in the protected landscape of the AONB. The photographs of local development further down Glenfall Way towards the London road should therefore not be taken into consideration. Instead the field is part of the ancient village of Ham. The housing in this village is mainly traditional and in the Cotswold style. There are two objections here, one is that the style of housing chosen in the plan is not in keeping with the Cotswold area using non-traditional materials; the second that no housing development should be permitted in this Cotswold green field in the protected area as there is no local reason to do so.

6. Developments in the AONB are to be allowed only for special reasons such as on Brownfield land or to provide buildings needed for work activities. Neither of these are the case; this is just an urban extension. JCS plan (paragraph 3.2.16) states 'land within the AONB is not an appropriate location for urban extensions.'

7. To build on this land would be just an extension of the urban fringe in which case it would no longer be an AONB site. This would be a cause of reducing the size of the AONB and further encroachment would be likely, creeping up into the picturesque ancient village of Ham.

8. The field is not an entity in itself but it is part of a greater whole which provides a country amenity of natural landscape visible to all who use the roads and paths for walking, horse riding, cycling and running. The area would lose part of its open, rural aspect which gives the area its character if this field were to be developed.

9. The fact that there is a need for housing in Cheltenham is not a reason for building on this particular piece of land. Charlton Kings village does not support any large industries requiring housing for its workers. In the present day, when it is desirable to provide housing nearer to

industry, to save fuel, this is not a logical choice. There are few amenities here and it is several miles away from the motorways for people already commuting. This would therefore not represent sustainable development.

10. The planning permission sought is for 4 homes. There is no assurance that only 4 homes would be built. The Council should bear in mind that once permission should be granted the land could be sold on to a builder who would then seek to alter the plans and seek permission for a larger number of houses. If permission for a small development was granted it would be harder to refuse such a request.

11. There are several environmental issues with the development of this field. The first one is that there are many underground streams the courses of which are probably unknown. If this land were to be built on the water would find another route away from the hill on which it stands. Further down the valley many homes and gardens were flooded in July 2007 causing a great deal of expense and inconvenience to many families, several of them just below the field on Hartlebury Way. More recently, in the winter of 2014, a huge sink hole appeared under the road in Pembridge Close, the sandy soil having been washed away by underground streams swollen by heavy rains. We were in danger of having our cars stranded in the Close by the size and depth of the hole. The houses at the end of Hartlebury Way, adjacent to the field, are in particular danger from underground water changing course as they are considerably lower than the field. At present they are protected by a culvert but it could easily be flooded if there was a built environment above it.

12. The road serving the proposed development would be emerging close to Glenfall Primary School on a corner which becomes congested with traffic at school times and would therefore create danger for children and parents using the school and pre-school. There are also implications for Ryeworth Road which is always one lane wide because of lack of parking for local residents and the junction at Sixways which so often has queues of traffic waiting to proceed.

13. Alongside the proposed site is a track leading to a waste disposal business frequented by heavy skip lorries all day. This represents a further traffic hazard and the effect of fumes from the lorries would not be healthy in the back gardens of any houses backing on to it. We do not know what the levels of pollution are from the site itself but the field affects a buffer of open land between this activity, the school and local residencies. These issues must be addressed in any environmental assessment for this site.

14. The proposed development would harm the natural beauty of the AONB as it could be seen from the footpaths in the AONB. All the planning policies require that any development in the AONB conserves and enhances the landscape and natural beauty which this proposal does not.

15. As the inspector said in 2008 ' I have no doubt that the current proposal would result in significant harm to the AONB through the change in character and appearance that would be the inevitable consequence of residential development on this site, however carefully designed and landscaped... I do not consider that the site can be considered suitable for housing.' The same still applies to the present proposal. The development would harm part of the AONB by its presence and would definitely not enhance its natural beauty.

For all these reasons we ask the council planning committee to reject the plan.

26 Lawrence Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NN

Comments: 7th November 2016

Strongly object on the grounds stated in all previous correspondence. this is an area of Outstanding Beauty. Do not destroy it.

White Cottage
Ham Lane
Cheltenham
Gloucestershire
GL52 6NJ

Comments: 7th November 2016

I strongly object to these proposals on land which should be protected as it is part of AONB. Why would it have that classification if it wasn't for a reason? I do not believe that these particular properties would enhance the area in any way or that the area requires this type of housing in preference to protecting our dwindling green spaces. There are areas of brownfield sites that could and should be developed first before more of our precious countryside is eroded. Losing this green space to 'out of town' developers who have no concern for our local area would set dangerous precedents for other 'green' land to be built on, and once that happens we cannot get them back. Green spaces are the lungs of our neighbourhood and country, already our forestry is disappearing at an alarming rate, so we must do more to protect our local so called 'protected' green spaces, no matter our small, and push the developers to put their hands in their pockets to develop brownfield areas, not the 'quick win' beautiful green spaces.

31 Garden Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8LJ

Comments: 6th November 2016

I strongly object to the proposal to build houses on this part of cheltenham. The land is an important Area of Outstanding Natural Beauty, if this is allowed to pass then where will the urban sprawl stop!

17 Briarbank Rise
Charlton Kings
Cheltenham
Gloucestershire
GL52 6XR

Comments: 7th November 2016

I wish to register my objection to the latest application 16/01789/FUL by Strategic Land Partnerships.

A further application was expected by myself and many other residents following the Ryder "evidence based" landscape report, earlier this year, commissioned by the CBC Strategic Planners. In the opinion of myself and other local residents who have seen it, this controversially suggested some slightly reduced landscape value and increased potential for development in a (grey shaded) part of the north west of the Glenfall Way field. The exact reasons are not exactly clear to me or others, but it appears this may have been because it is located adjacent to a school, and is slightly more degraded and visually contained by surrounding vegetation. Although I do not agree with them, in my opinion these should be considered as weak subjective reasons rather than more objective evidence-based ones, as would be expected from such a report. There appears to have been no consideration or mention given to any aspect of the fields

location in the AONB, for example no consideration of the field's scenic beauty, which would be lost forever in case of development.

The developer however seems to have wasted little time in exploiting the controversial findings in this report and hence has no doubt been encouraged to submit this new application for this part of the field, even though the report findings have seemingly not been tested at examination in public.

As discussed in great detail many times before in the many objections for the three earlier applications, which were all thankfully refused, the overriding reason for refusing housing development is that the field is in the AONB. Nothing has changed in this regard. The field remains outside the principal urban area and a previous appeal was dismissed primarily as the development could harm the AONB, and the High Court backed the appeal judgement.

This latest application will do very little to improve the housing stock for Cheltenham and the four proposed dwellings with their metal cladding seem to resemble small warehouse sheds and in my mind could not be more inappropriate for this setting. The design and materials surely must be contrary to the Cotswolds Conservation Board Policy DTP1, which requires that development should be compatible with the distinctive character of the location and designed to respect local building styles and material.

Surely, Cheltenham also has a duty under the Countryside and Rights of Way Act to conserve and enhance the AONB and any development which could harm the natural beauty of the AONB should not be permitted.

It only takes one poor decision by the planners to grant development on one section of this valuable part of Cheltenham's Area of Outstanding Natural Beauty to render further incursions more likely. first by this developer on further parts of this field, and no doubt later by other greedy developers, onto the other parts of this supposedly protected Area of Outstanding Natural Beauty.

I object to this application and trust that the council should have no hesitation in refusing it.

Comments: 29th January 2017

I wish to again object most strongly about this application to develop on the supposedly protected AONB site at Glenfall Way.

The developer is trying any way they can to force this through, changing the plans yet again, no doubt hoping to eventually break the resistance of residents and other objectors by a process of attrition. But all the tweaking in the world does not justify this development on the AONB, and we, the local residents, remain absolutely and resolutely opposed.

The latest plans for these four dwellings are again completely out of character and in no way conserve or enhance the natural beauty of the AONB, and if approved will spoil the scenic beauty and views to and from this field, which then will be lost forever. As the council will be fully aware, development which can harm the natural beauty of the area should not be permitted in the AONB. This should surely be upheld as sacrosanct. So why do the residents (who appear to remain 100% opposed) and interested bodies like CPRE and the Cotswold Conservation Board, have to periodically object new applications or re-applications? Surely it would be more sensible if these unsuitable applications could be vetted and initially refused at source, on the principle that the AONB should not be built upon, full stop, thus saving time and resources, and precious council funds, which ironically are paid for by the main objectors, the residents, who after all are the very people who fund the council tax.

Once the first development is allowed in the beautiful and much valued AONB around Ham a precedent will have been set and other developers will scent blood and further vulnerable fields in the vicinity will no doubt be targeted with other applications for development. This increased

threat to the Ham AONB has in fact already begun with another recent application from another developer for another totally unsuitable speculative development on the adjacent field opposite Ham Close, again with irreplaceable views over the Cotswold escarpment. Both applications appear to be from developers who coincidentally and suspiciously are from, or very near to, the same city, which is located many miles away from Cheltenham and the Cotswolds.

The the developers knew this was protected AONB land when they purchased these fields previously used for agricultural purposes, and they care nothing about the loss of this beautiful land and delightful views, and the detrimental effects on the environment, the residents, and the local roads and infrastructure.

I once again appeal to the Council to please do the right thing and again refuse this application in our precious AONB.

Comments: 20th June 2017

Again, I register my strong objection to this development, following yet another hopeful "tweak" to the plans by the developer.

Everything I have said before in my earlier objections is still relevant and nothing has substantially changed.

The field is outside of the JCS, and within the Cotswold AONB and if allowed this development would harm the natural beauty of this part of the AONB, where any development should only be allowed in exceptional circumstances and only when the natural beauty is enhanced. These ugly large dwellings, and the materials proposed, are still in no way sympathetic with this part of the AONB and the existing dwellings, and would contrast as an ugly intrusion.

No doubt, if this latest application is again refused, as I expect it should be, the developer will be back again with a further hopeful alteration.

Please Cheltenham planners, help put a final end to this by refusing this development and protect the AONB for future generations.

27 Chase Avenue
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YU

Comments: 3rd November 2016

I have lived in Charlton Kings for most of my life and strongly oppose the planning application for the 4 houses which is proposed for the land on Glenfall Way 16/01789/FUL.

The land is in the Cotswolds Area of Outstanding Natural Beauty therefore should not be built on as this will destroy the habitat of wildlife already living there. The application ignores Cheltenham's Saved Policy CO2 which states "Development which would harm the natural beauty of the landscape within the AONB will not be permitted".

I feel that the design and build of the houses are not sympathetic to the area and do not complement the existing properties. It is also a concern that if planning is approved then this will serve as an opening for further development of this beautiful part of our countryside.

Comments: 14th June 2017

I still oppose this application as the field is still AONB and should not be destroyed.

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The land is in the Cotswolds Area of Outstanding Natural Beauty therefore should not be built on as this will destroy the habitat of wildlife already living there. The application ignores Cheltenham's Saved Policy CO2 which states "Development which would harm the natural beauty of the landscape within the AONB will not be permitted".

I feel that the design and build of the houses are not sympathetic to the area and do not complement the existing properties. It is also a concern that if planning is approved then this will serve as an opening for further development of this beautiful part of our countryside.

10 Acomb Crescent
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YH

Comments: 3rd November 2016

This is an AONB and the proposed zinc clad dwellings are not in keeping with the building style with regard to building materials, detailing and overall aesthetics. The buildings would negatively impact on the beauty, wildlife and nature in the area.

It would be more appropriate to build on brownfield sites in the area and leave this area alone.

Comments: 10th June 2017

This proposal for 4 dwellings still fails to address the issue that this is an area of AONB so no development of this site is acceptable.

There is very little alteration to the revised plans and I do not support this at all.

54 King William Drive
Cheltenham
Gloucestershire
GL53 7RP

Comments: 4th November 2016

I wish to object to the above proposal on the grounds below.

SUMMARY

1. The development is in breach of policies protecting the AONB
2. The proposed houses do not conserve or enhance natural beauty
3. The site is not urban in character as stated by the developer
4. Degradation is not a reason for giving permission
5. The proposal is unplanned and speculative, relying on an untested landscape report
6. The boost to housing numbers is too small to warrant encroaching into the AONB
7. A Greenfield site in a designated area should be the last to be developed

1.THE DEVELOPMENT IS IN BREACH OF POLICIES PROTECTING THE AONB

I believe the development should be refused as it will cause harm to the natural beauty of this part of the Cotswolds Area of Outstanding Natural Beauty (AONB) in breach of the cascade of policies designed to protect it:

- o Countryside and Rights of Way Act 2000
- o National Planning Policy Framework (NPPF) Paragraphs 14 (Footnote 9) and 115
- o Emerging Joint Core Strategy (JCS) Policy SD8
- o Cheltenham Saved Policy CO2
- o Cotswolds AONB Management Plan 2013 - 2018 Policy DTP1 Bullets 1 - 3

2. THE PROPOSED HOUSES DO NOT CONSERVE OR ENHANCE NATURAL BEAUTY

The application should be refused on the grounds of the architectural design alone.

Ignoring the Cotswolds AONB Management Plan, also the consultation advice by the Case Officer, and instead apparently encouraged by the Gloucestershire Design Panel, the developers have chosen house designs both entirely inappropriate for this sensitive location and in themselves extremely unattractive in form and materials. (I was a bit concerned when I found out from the Panel's membership list that three of the developer's consultants - on planning, architecture and landscape - are members of the Panel.)

Relying on the developer's own selection of visualisations of the properties in section 4 of the Planning, Design and Access Statement (D&AS), particularly the view from Glenfall Way, the adverse impression is of commercial warehouse style business premises, urban in nature and in no way relating either to Glenfall Way and Ham or to the designated rural landscape.

For instance, the roofing and cladding material of choice is zinc, unattractive in such quantity, a fad at the moment (as that now peeling timber cladding was a few years ago) but not part of the characteristic local palette of materials, despite the developer's D&AS assertions that the development is designed "to integrate into the landscape" and "positively contribute to the key landscape features of the local character".

The total lack of understanding of both natural beauty and the locality is I believe exposed in Paragraph 4.35 of the D&AS:

"The roof is finished in the same zinc cladding as is used on the walls at first floor in order to establish a simple homogenous enclosure . . . The eccentric and angled ridge lines of each house ensure that the roof pitches and eaves/verge edges have an almost random appearance of angles, further emphasised by the differing orientation of each house within its plot. The overall impression is of an undulating but angular roof line which resonates with the backdrop escarpment with its rolling hills and angular field patterns seen at a distance."

Deliberately designing pretentious great grey contorted lumpen dwellings for our beautiful green AONB is unbelievable and unacceptable.

3. THE SITE IS NOT URBAN IN CHARACTER AS STATED BY THE DEVELOPER

Development should not be permitted for this specious reason.

Throughout the application the developers have tried to persuade us that the field is already really part of the urban fabric of Charlton Kings and so development will not be noticeable in that context and so it will be acceptable to develop outside Cheltenham's Principal Urban Area (PUA).

The Landscape and Visual Impact Assessment (L&VIA) for instance states in Paragraph 3.2.14:

"The aesthetic and and perceptual qualities of the site are notably influenced by the adjoining suburban development of Charlton Kings to the north and west."

It repeats this mistake in Paragraph 3.5.22 and it is found elsewhere in both documents.

But, as any resident knows, once you have passed the entrance to The Orchards, to your right it is AONB countryside, added by the Countryside Commission in 1990 for its special qualities, from there on to Ham. If you stop to stare over the field fence, you are truly unaware of suburbs pressing in on you and the only house visible is No 3 The Orchards.

Even L&VIS photographs show this, though presumably not intended for this purpose.

View RVP 01 over the fence to the site shows unspoilt green land unaffected by any visible urban development.

View RVP 07 looking back from Public Footpath 20 on the Cotswolds shows the true situation: The Orchards defines the boundary of suburban Charlton Kings and all land north-eastwards from there, southwest of Glenfall Way and north of the Colgate Brook*, and including the proposed site, is so far unspoilt countryside. (NOT the Ham Brook*.)

4. DEGRADATION IS NOT A REASON FOR ALLOWING PERMISSION

As in the developer's two previous applications, there is an underlying theme that the site is nearly derelict and that only allowing development will ensure that this situation is ameliorated. Not only is this not a proper planning reason for permission but when the 'dereliction' (mainly gappy hedges and poor fencing) is consequent upon the lack of landscape maintenance and management by the developers as owners of the site, this reason for development should definitely be dismissed and a Section 215 Notice awarded instead. (See also 'Ryder Report' below.)

5. THE PROPOSAL IS UNPLANNED AND SPECULATIVE RELYING ON AN UNTESTED LANDSCAPE REPORT

o The proposal should be refused as it is for unplanned speculative open market housing, not only an extension outside the urban boundary but in the edgelands of the AONB so vulnerable to effects of inappropriate development such as this.

o This development was not included in the old 2006 Local Plan nor in the 2014 Issues and Options consultation on the new plan. Indeed, in the latter the site was coded 'red' for not to be developed. As the emerging plan is delayed until the Joint Core Strategy has been adopted, this is still an unplanned site contrary to the NPPF's Core Principle that planning should be plan-led and allow local people to decide.

o As part of the 2014 consultation, the 'Ryder Report' (Landscape Character, Sensitivity and Capacity Assessment of Cotswolds AONB) was commissioned by CBC Strategic Planners who seem to have accepted the Report before it has been tested at the future Examination in Public. Consequent upon this is the Officers' decision to agree virtually to allocate the top half of the Glenfall Way field as having 'capacity' for development, largely based on Ryder's rather puny assessment:

"Landscape Value

The quality of the landscape elements are moderate, however degraded in places such as the post and rail fencing to the north of the area and the poorly managed hedgerow boundaries . . ."

"Landscape Capacity

The area to the north west of the character area comprises flat topography, is located adjacent to a school and is visually contained by surrounding vegetation. It is therefore considered that this location, as marked by the grey shading has a slightly reduced landscape value and therefore the assessed landscape capacity for residential, or other forms of development is slightly increased."

It is upon this untested and inadequate assessment that the developer is relying, as repeated several times in the documentation. Until such time as the Report is adopted into the adopted Local Plan I believe that any development like this one based on its findings is premature and should be refused to prevent unwarrantable and harmful early incursion into the AONB.

NOTE: FROM BASIC MEASUREMENT ONLY, I BELIEVE THERE IS A DISCREPANCY IN SIZE BETWEEN RYDER'S 'GREY AREA' AND THE LARGER AREA OF LAND THE DEVELOPER SEEMS TO SHOW AS DEVELOPABLE ON HIS PLANS. WHICH IS CORRECT?

6. THE BOOST TO HOUSING NUMBERS IS TOO SMALL TO WARRANT ENCROACHING INTO THE AONB

The development should be refused as the four houses proposed would be negligible in meeting the need for housing in Cheltenham and in any case the dwellings are of the wrong kind to satisfy the most urgent need for affordable properties. To open the floodgates to further applications in the AONB by allowing this quantitatively small proposal seems unwise in the extreme. (In any case, two Inspectors in the past ruled that the natural beauty of the AONB outweighed the shortfall in housing: I believe that NPPF 14 Paragraph 9 should lead to the same findings this time.)

7. A GREENFIELD SITE IN A DESIGNATED AREA SHOULD BE LAST TO BE DEVELOPED

Cheltenham's brownfield sites and land of lesser value within the PUA should surely be used before any development in the AONB is contemplated.

CONCLUSION

I consider that the proposal should be refused for all the above reasons. The developer has tried various persuasion techniques but has fallen down on the most important aspect - conserving and enhancing Cheltenham's part of the Cotswolds Area of Natural Beauty.

Comments: 17th November 2016

Letter available to view in Documents Tab

Comments: 4th January 2017

I should like to add to my previous objections for the new reasons below.

I note from the Cheltenham Plan Part 1: Preferred Options 2011 - 2031 that Land South of Glenfall Way (subject of current application 16/01789/FUL) has been EXCLUDED from Preferred Options for Development in the next plan.

(See Section 10 Appendix E of the Plan, Page 92.)

The reasons given are that SALA found the site not to be deliverable or developable, the critical constraints being the AONB and topography.

I would hope that this unplanned application in our precious AONB will now be refused as Cheltenham Borough itself is shown not to be approving the site for development. Decisions should be plan-led (see NPPF Paragraph 17 Bullet 1) and this new draft must be taking a material step forward to an adopted Local Plan once the JCS itself is adopted.

Comments: 23rd January 2017

I wish to object to the revised proposal above while maintaining the earlier objections in my letters of 3 and 17 November 2016 and 4 January 2017. Refer particularly to my letter of 17 November 2016 which deals specifically with the building design then proposed and its inappropriateness for its Charlton Kings AONB location.

As this is a FULL application I wish to comment further on the revised architectural proposals. From the Addendum to Flood Risk Assessment and the revised drawings, I note that the ground level for the dwellings has been lowered by 900mm. Also, characteristic pitched roofs have been removed in favour of flat roofs which are totally out of character in Charlton Kings.

This looks like an attempt to 'bury' the actual design by hiding it at a lower level to conceal just how unsympathetic the proposals are to our fragile AONB

There must be an adverse impact in achieving this - the stripping of about 1m of good agricultural topsoil over the whole housing area, final destination unknown - will it just be heaped on the meadow area of the proposal willy-nilly?

Will there be an adverse effect on The Orchards' septic tank, located somewhere amongst all these excavation works?

How will the existing levels be made to merge into the lowered levels? Or will each house technically be sitting in a sump below surrounding ground level?

My comment would be, "If it is so bad you have to bury it, it should not get planning permission."

LACK OF INFORMATION

The lack of detailed annotations to the revised plans has made commenting difficult. Explanatory notes on revisions to the drawings should have been provided to avoid uncertainty.

LACK OF QUALITY IN DESIGN WHILE ATTEMPTING TO SATISFY CRITICISM

The standard of design has deteriorated further, rather than improved, since the earlier attempt. With reduced stature to flat roofs - not a design feature in Charlton Kings - while still maintaining zinc is appropriate as a first floor siding material, with unnecessary added rusted steel panels, poor uncoordinated window arrangements and overlooking from house-to-house while denying the most important aspect of this site - its marvellous views to the AONB - this proposal cannot be said in any way to enhance or conserve the AONB and so should be refused.

FURTHER ENCROACHMENT ON LAND

The obedient enlargement of garden space to match house size in answer to the Architects' Panel comments has pushed the developers to break their commitment to 1.2 ha of land to be kept open to preserve views to the AONB escarpment beyond the site (D&AS 7.4): a further 10-12m strip of land has been taken north of the original gardens boundary.

SLP have also done nothing to remedy their over-extension beyond the Ryder 'grey area' at their property No 4 where the additional 'bulge' wrongly takes the property too closely into proximity with No 3 The Orchards.

UNTESTED AUTHORITY OF RYDER REPORT

I have learnt from communications in May 2016 that the Ryder report is not an adopted policy but is supposed to be up for consultation in the current Cheltenham Plan Part 1.

This suggests that its findings should not yet be considered 'material' to the current Glenfall Way application and that no permission should be based on this untested report.

PROPOSALS IN CONSULTATION DOCUMENT 'CHELTENHAM PLAN PART 1'

In my letter of 4 January 2017 I noted that the Glenfall Way site was not designated as a development site. In addition I have noted that there is no proposal to extend the Principal Urban Area to include this site, that the Borough backs policies protecting the AONB from harm to natural beauty and that the Borough has proposed sites to provide an adequate five year supply of housing land without encroaching on the AONB.

This suggests that no decision should be taken to approve this application until the site's status has been confirmed at Examination in Public.

CONCLUSION

As a Consultee, the Cotswolds Conservation Board has objected to the Glenfall Way application. Our Member of Parliament, local Ward Councillors not on the Planning Committee, Charlton Kings Parish Council and over a hundred local residents are also against the proposals.

I do hope that Cheltenham Borough Council will refuse this attempt to break into our precious part of the Cotswolds Area of Outstanding Natural Beauty.

Comments: 3rd February 2017

I wish to object to the landscape revisions to the above proposal while maintaining the earlier objections in my letters of 3 and 17 November 2016 and 4 and 21 January 2017.

REVISED? APPENDIX A: METHODOLOGY

My chief objection here is that this is not a revised document, being instead word for word the same as the original submission. Undertaking the comparison exercise was time consuming and unnecessary and I am extremely irritated by this. I hope the intention was not to enrage residents. Nevertheless, re-reading it has reminded me of the pitfalls (or sometimes bonus points for developers) of blindly applying the 'Assessment Criteria' script for all types of landscape and valuing them according to the criteria given.

(See 'Overall Value', Table 5, P.18 of Landscape and Visual Impact Assessment (L&VIA))

Examples pertinent to the Glenfall Way site:

- o Table 2: LANDSCAPE CONDITION CRITERIA: evaluating the beauty of a landscape by how well it is managed !

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- o Table 3: LANDSCAPE QUALITY AND CONDITION: again dependent on management, not natural beauty. (Thus, Glenfall Way only scores 'Low/Moderate' mostly because of SLP neglect.)
- o Table 3: SCENIC VALUES: demoted to 'Moderate' rather than the 'High' it should have as part of a designated AONB landscape.
- o Table 3: TRANQUILLITY: not relevant to a landscape's beauty: to be given even weighting in an assessment is surely quite wrong. Table 3: CULTURAL OR HISTORIC ASSOCIATIONS: The Glenfall Way field does have a historic association with Ham Court, originally having formed part of its curtilage as part of the great field known as Ham Close.
- o Table 3: RECREATION: as above, surely not relevant to a landscape's beauty and to be downgraded in an assessment just because it's private land and people are not disporting themselves all over it again seems very wrong. PAGE 1/2
- o Table 4: LANDSCAPE SENSITIVITY: This I believe to have been deliberately downgraded in the L&VIA from the 'Very High' it deserves to High/Moderate because the consultants unjustifiably claim 'housing forms part of the character of the site' !to foster the idea that more houses on the site won't matter.

I object to the way these insensitive criteria have been used to judge the natural beauty of our part of the Cotswolds, as they were in the Ryder Report.

REVISED LANDSCAPE AND VISUAL IMPACT ASSESSMENT (L&VIA)

As above, this document is practically word for word the same as the original. Rather than obliging residents to read the whole lengthy document to find out what horrors might be concealed, as far as I can see all that was needed was to submit

- o revised page 13, showing Table 1, the revised Accommodation Schedule, and Figure 03, the Revised Illustrative Layout on which I commented in an earlier letter;
- o revised page 38, showing Figure 13, the revised Landscape Strategy.

As with APPENDIX A, looking through the L&VIA drew my attention to Page 37, Figure 12, Site Analysis, which clearly shows the belt of young trees along the top of the steep southerly slope down to the Colgate Brook - the slope descending from 98m - 90m at about 1 in 7 gradient.

The revised Illustrative Layout shows the revised attenuation pond located where a length of this belt has been cleared. To construct a pond to sit into the above gradient, obviously requires copious earthworks to excavate and embank the volume necessary to make it stay there - water doesn't seem to lie at an angle. The lower edge of the pond would give a long uncontrolled overflow possibility.

I object to the revised Landscape Strategy, being concerned that the site would be unable to be drained satisfactorily.

REVISED TREE PROTECTION

All very well, but it reveals just how jammed up House 1 is against Glenfall Way planting if ground has to be dug by hand not to harm a TPO tree, once again evidence of poor design and layout to which I have objected.

REVISED HARD LANDSCAPE PLAN

I object

- o to the quantum of hard impermeable landscape material (I believe more than in the original proposal and amounting to at least one third of the site area) which will add to run-off - no sign of a SUDS approach to drainage
- o to the actual choice of materials - more grey to go with the zinc? - plus an addition of some buff-grey resin bonded gravel too; and four different edging materials
- o when this is a rural setting, not a business park.

(I did note, on looking up the developer's landscape consultants, that they "operate across a broad range of sectors with an emphasis on education, housing, regeneration, OFFICE and waste management projects" - perhaps though not in sensitive rural AONB situations?)

REVISED SOFT LANDSCAPING PLAN

I object to the revised plan.

It reveals the adverse effect of extending the gardens northwards with planting likely to reduce yet further the promised view out to the AONB.

- o Tall beech hedges are proposed as north-south plot dividers - that is, across the view to the AONB, obviously able to grow well above eye-level.

- o Numerous native trees are proposed for the back gardens, including major trees like oak and Scots pine but also other quite large species such as wild cherry, rowan and alder - once again able to combine to limit the view still further as they mature.

- o A hedgebank is proposed, round the rear of the gardens, to be planted with hedging material once again capable of growing tall (up to 6m) - species such as hawthorn, hazel and blackthorn: this hedge too would be capable of cutting off public views to the Cotswolds.

CONCLUSION

I consider that the landscape revisions have in no way improved the revised scheme as a whole, I hope that you will take account of the points I have made above and that the revised and earlier applications will be refused, to avoid harm to Cheltenham's precious part of the Cotswolds Area of Outstanding Natural Beauty.

Comments: 22nd June 2017

I am not quite sure why we are still here but I wish to object to the above revisions as rendering the scheme yet worse than the flawed previous submissions on which I have commented. I trust that all the points of objection which I then raised will be taken into account without my having to repeat them all here.

Residents right from the start queried the October validation of the AONB application in Glenfall Way on a site subject to such a cascade of National and local policies designed to protect this type of precious landscape from unplanned open market speculative development.

Since October it has become clear that the emerging Cheltenham Plan as it progresses is not currently planning for development in the AONB. To quote from e-mail correspondence on 16 June with John Rowley, Senior Planning Policy Officer,

"We are not currently taking forward any sites within the AONB in the Cheltenham plan. So our position on the sites you mention hasn't changed"

- the sites in question including Land off Glenfall Way which SALA stated, back in the 2015 public consultation way before the October application, was not developable because of its location in the AONB.

To disregard SALA, to go against the emerging Cheltenham Plan, to recommend approval for the Glenfall application at this particular juncture, seems to me to be putting the whole of Cheltenham's AONB at risk. Surely at this stage, if you will not recommend refusal outright, it would be sensible at least to recommend suspending the application. until the Cheltenham Plan has been adopted - only by then will it have become clear whether development is acceptable on this site or not. I should like to feel that Development Control and Planning Policy were working together for Cheltenham's good.

I was surprised and anxious to find, when we met on 6 April, that you were intending to recommend approval. You seemed virtually to discount all the raft of AONB-protective policies, claiming that the development would not harm the AONB, and appearing to rely on an anonymous Architects' Panel's positive opinion of the development, even before seeing the current revisions.

Turning to these revisions, it is plain to see that they are in breach of the underlying threads of NPPF Section 7 Requiring Good Design, such as:

Page 180

- responding to local character and surroundings

The dwellings have nothing in common with the locality and relate in no way to their AONB setting

- using locally appropriate materials

The developer's list - zinc roofing, grey bricks and pre-rusted steel panels - is emphatically not appropriate in this locality of largely traditional building materials and within the special landscape of an Area of Outstanding Natural Beauty.

- integrating the new development into the natural, built and historic environment

The revised design shows no sign of responding in any way to the natural beauty of its surroundings. What has been created is an artificial gated ghettoised community, fenced, walled and hedged off from the community, the disparate buildings avoiding any stylistic integration with, for instance, the two large historic houses, The Orchards and Ham Court, which might be said to frame the AONB strip of which the site is a part.

- the buildings looking visually attractive

Even the Architects' Panel surely must admit that the final effect of the revisions is no way attractive.

Apart from the unappealing bulk use of drab grey zinc, built forms have been contorted, presumably trying for effect, producing strange flanges, unnecessary cantilevered protrusions, windows dotted about haphazardly, odd asymmetrically-placed eaves, the new H-shaped twin bungalows packed together with their strange bedroom frontal extrusions and tower, the generally mean unwelcoming approaches to the front entrances . . .

It is more pick and mix than the exceptional architecture which its AONB location requires and deserves.

Not only is the built development of poor design. The possibilities of the site layout are also missed.

- The sunny south sides of the buildings, instead of inviting leisure and relaxation, are set aside for hard paving, cars parking and garaging
- Balconies face north rather than enjoying a sunny aspect
- The twin bungalows are placed unnecessarily y close together more like units in an Estate
- Worst of all, none of the houses, with one exception, is designed to have views to the AONB.

This surely must indicate just how inept and unacceptable this scheme is.

I believe that the development should be refused and that NPPF Paragraph 64 should apply:

"Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions."

It should not just be refused on design grounds. We all understand that only development which enhances and/or conserves the natural beauty of an AONB should be acceptable.

From the above, it should be plain that this application does not meet these criteria in any way and it seems to me that it would be perverse, if not an abrogation of your responsibility to Cheltenham Borough Council, to continue to recommend approval - especially when the Cotswolds Conservation Board has expressed an objection.

I do hope that you will find it possible to revise your opinion.

85 Haywards Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6RG

Comments: 4th November 2016

This area is one which is home to many native mammals and other animals. To lose not only a beautiful natural space but further habitats for these creatures would be detestable.

7 Reaburn Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NL

Comments: 4th November 2016

I'm emailing you to object to the new set of plans proposed for Glenfall Way, which follow the ones rejected in 2008 and 2015 and the High Court case in 2008.

As before, my major objection is to development on any part of the AONB. In addition, this proposal looks particularly ugly with zinc-cladded houses which would clash badly with existing housing stock and in no way enhance the appearance of the AONB, which I understand is the only basis on which development can take place on an AONB. I believe that any development on the AONB would create a disastrous precedent and be a precursor to general development of the land around Ham. We are lucky to have the beautiful landscape of the Cotswolds which needs to be preserved for the enjoyment and health of future generations. There are brownfield sites which can be developed in Cheltenham and the general need appears to be more for affordable housing than for large and presumably very expensive houses.

Comments: 16th June 2017

I am starting to lose count of the number of times this application has been revisited. As ever, the AONB status of the land makes the application a non-starter, and, as ever, any development of the AONB puts all the rest of the AONB at risk because a precedent would have been set.

Additionally the house designs are still very ugly meaning that there is no possible argument that they enhance the landscape.

SAVE OUR AONB

Comments: 4th November 2016

Letter attached.

Comments: 23rd January 2017

We have taken time to go through the new drawings proposed for the field and have come up with many short fallings which are listed below. We are however completely confused as to why the land owners think that a few changes here and there will lessen the impact on the AONB, let alone enhance its natural beauty.

COMMENTS ON REVISED DRAWINGS 17 JANUARY 2017

Please see our previous representation of 3 November 2016 which remains the same apart from references to the above drawings.

LACK OF INFORMATION

The revised proposals lack detailed information on the changes and the reasoning behind them. A schedule of revisions and explanatory notes on the drawings should customarily have been provided. They should not have been accepted in their current guesswork form.

MISUSE OF SPACE

o House No 4 is still protruding beyond the Ryder grey-shaded area (see Consultee Comment 'Policy Considerations', and Status of Ryder Report below) and is therefore still impinging adversely on No 3 The Orchards.

o To achieve the bigger gardens required by the Architects' Panel SLP have kept the same number of houses but pushed out the proposed Cotswold 1m stone wall with its impractical hedge topping by 10 - 12 m, thus reducing the public's promised view of the AONB from Glenfall Way especially if trees are planted in these extended gardens. This is contrary to SLP's Planning Obligation Heads of Terms D&AS 7.4

Green Infrastructure: "SLP will provide and maintain an area of 1.2 ha to be kept open and preserve views to the AONB escarpment beyond the site"

CONTRARY TO CHELTENHAM'S SAVED POLICY CP7(c) : DESIGN

This policy states:

Development will only be permitted where it . . .

(a) is of a high standard of design

(b) N/A

(c) complements and respects neighbouring development and the character of the locality and/or landscaping."

No conformity with CP7 (c)

One of our main criticisms of the first proposal was of the misleading attempt by the developers to persuade us that the proposal would segue seamlessly into the local context in terms of materials, form and design, meeting the Cotswolds Conservation Board's requirements and being attractive enough to enhance our AONB.

We consider that the developers' new design has failed even more singularly to realise these requirements for the following reasons -

o The dwellings are now shown as FLAT ROOFED - absolutely not in the local palette for development where pitched roofs prevail.

o The flat-roofed appearance and zinc siding material even more suggest medium grade commercial or industrial offices not natural beauty.

o The inappropriate materials remain the same as in the original application, first floor walls still in grim grey zinc but with the addition of RUSTED STEEL as a front door feature - we do not believe Charlton Kings sports a single example of this, and it was turned down decisively when suggested for the Wilson Museum extension.

o As before, the developers' own visualisation of the revised proposals as seen from Glenfall Way re-emphasises the inappropriateness of this harmful scheme to our rural AONB.

CP7 (a): good design not achieved

As this is a Full application, it is important to assess design flaws in the properties themselves, likely to affect enjoyment by any buyer:

o House No 1 has a large balcony apparently uselessly partly focussing on The Orchards' driveway shrubs and partly on to Glenfall Way and school parking.

o House No 3 has small windows in its SE elevation overlooking the NW side of House 4 and benefiting in no way from any view to the AONB.

o The NW elevation of House No 4 extraordinarily shows copious fenestration and a balcony all overlooking House No 3, while its SE elevation shows much smaller windows looking out to the AONB. There are many more windows and a balcony on the SW side able to overlook No 3 The Orchards.

o Throughout, the fenestration looks restless and uncoordinated, particularly the

'seaside bungalowoid' circular windows imposed on the NE facades of Houses 2 & 3.

- o Access to the garage space for Houses Nos 2 & 3 remains too limited, requiring considerable manoeuvring before larger cars could 'line up' on the garage doors.
- o There is no sign that there is a change to the original specification of large areas of impermeable hard landscaping materials inappropriate in this rural location and not assisting SUDS.

For these reasons the revised application should be refused.

DEVELOPMENT STATUS OF LAND

Since our November representation, Cheltenham Plan Part 1 (Preferred Options 2011-2031) has been prepared for consultation. As in the 2014 consultation, the Glenfall Way site is shown as 'not for development'.

The draft Plan also confirms support for the AONB and does not propose extensions to the Principal Urban Area apart from very minor adjustments. A five-year supply of housing land without breaching the AONB has been put forward.

For these reasons, no decision to approve the application should be made until the Plan is Examined and adopted.

STATUS OF RYDER REPORT

We note that the Consultee Comments 'Policy Consideration' states that:

"This report and its findings are a material consideration" on the Glenfall Way application.

We had understood from earlier correspondence in May 2016, that the Report was not policy and that we would have an opportunity to make representations on it in the next stage of consultation ie, the current Part 1, these representations to be taken into account at the future Examination in Public.

We feel that, as it stands, the Ryder report is not established as tested 'evidence base' and that its findings should not be allowed at present to support development in this sensitive part of Cheltenham's AONB.

For this reason we consider that no decision to approve should be based on this report.

CONCLUSION

We hope very much that the Borough will refuse this application outright and that it will be the last attempt on this part of the AONB, confirmed by the Secretary of State in 1990 for its 'outstanding natural beauty'. We were very pleased that the Cotswolds Conservation Board has objected to both this application and the new application for the land opposite Ham Close.

Comments: 7th February 2017

We maintain our objections to both the original and the revised proposals above.

The revised landscape documents have in no way made an improvement to the revised application but have instead emphasised what we see as the developer's total lack of understanding of natural beauty.

NO CLEAR INFORMATION ON REVISIONS

As before, the developer has not provided a schedule of revisions as is normal professional practice but has instead expected us to locate any changes unaided. This has been particularly onerous in the case of scrutinising the long Appendix A Methodology document - which turned out not to have been changed - and the even longer Revised Landscape and Visual Impact Assessment (L&VIA) where only two pages (13 and 38) turned out to have been changed.

OBJECTIONS TO THE REVISED LANDSCAPE DOCUMENTS

Page 184

(New comments not previously made in our letter of 23rd January relating to the earlier revisions)

- L&VIA Page 38 Revised Illustrative Layout shows the attenuation pond unsustainably relocated on a 1 in 7 slope.
- The Revised Tree Protection drawing shows House 1 to be sited very poorly, too close to major trees.
- The revised Hard Landscape Plan shows an increase in impermeable hard landscape pavings around all four houses which will contribute to run-off to the pond-on- the-slope rather than the surface water being allowed to percolate into the soil. The paving itself is inappropriate in this rural setting being much too urban in nature.
- The Revised Soft Landscaping Plan shows a variety of back garden planting in the extended gardens which will be likely to block still further the promised public views to the Cotswolds from Glenfall Way as follows:
 - a hedgebank planted with native shrubs capable of reaching considerable heights (hawthorn, hazel etc) is to run along the back of all the gardens.
 - large trees like oaks and Scots pines are shown planted fairly closely in the back gardens.
 - tall hedges of beech running north-south are to divide the garden plots, ie across the public's line of vision.
 - though native plants, the end effect of the planting will be suburban in nature.

CONCLUSION

We consider that neither the Revised Landscape Plan if implemented nor the Revised House Plans would enhance or conserve natural beauty.

For all the reasons Save Our AONB have put forward in our sequence of representations, we hope that Cheltenham Borough Council will refuse this application likely to harm the Cotswolds Area of Natural Beauty.

Comments: 22nd March 2017

Save our AONB have learnt that application 16/02104/OUT, Land Opposite Ham Close, in the very next AONB field to Land South of Glenfall Way, has been refused on harm to the landscape and scenic beauty.

Alongside the refusal is a consultee report 'Landscape and Visual Comments on Ham Road Application - 16/02104/OUT' - actually prepared by Stuart Ryder, Principal of the consultancy which produced the 'Ryder Report' to which we continue to object.

The contents of Mr Ryder's comments on what the Ryder Report labelled Landscape Character Area 6.2 are completely different in tone and conclusion from his firm's Report but are proper evidence this time of the qualities of this strip of land and how it would be harmed by development

As we have mentioned many times before, the Ryder Report has not noticed any natural beauty but seems instead to have concentrated on creating an impression of low-level degradation - particularly of fences and hedges - in an area supposedly surrounded by existing development - in a landscape apparently only moderately sensitive to further development. In other words, it might look to some as though this part of the report was designed to play down natural beauty and suggest that the land was ripe for development - such as had already been proposed on the Glenfall Way site. Hence our mistrust of the Report as 'opinion' rather than unbiased evidence.

Instead, the sometimes glowing terms used by Mr Ryder confirm the AONB qualities of the land - natural beauty worth conserving.

Though applied to Land Opposite Ham Close, surely Mr Ryder's descriptions and conclusions should equally be applied to the immediately adjacent Land South of Glenfall Way:

'valued landscape'

'overall its character is rural'

'not joined to any housing areas'

'the visual sensitivity of the site and across it to the Cotswold scarp is high'

'has intrinsic landscape value though not managed recently'

'houses here would tie Ham to suburbia and denude its separate identity'

'Development here of this type in this location would not be able to conserve the natural beauty of the AONB nor enhance it any foreseeable way'

'In conclusion:

- o The proposals as they stand would fundamentally change the character of this . . . rural field to one of residential settlement
- o The residential settlement given the nature of the architectural mass and styling as proposed would appear out of keeping within the landscape setting and the rural character of the site.
- o There is a foreseeable effect of perceptually linking Glenfall Way properties to the village of Ham.
- o The Landscape effect on a Valued Landscape would be significant and adverse given the site's designation as part of the Cotswolds AONB.'

Save Our AONB considers that the Principal's recommendations based on a thorough positive evaluation of the land in question and on policies designed to protect the AONB are so different from the Ryder Report that it undermines yet further our trust in the Report's findings that the land has landscape capacity for development.

As previously stated, we believe that the Report should be withdrawn and not counted as evidence for the Cheltenham Plan (Part 1). It certainly should not be acceptable as backing for approval of application 16/01789/FUL.

Comments: 20th June 2017

Save our AONB maintain all our earlier objections to the Glenfall Way proposals and object even more strongly to the May 8 revised proposals for the above application.

No development should be acceptable in the Cotswolds Area of Outstanding Natural Beauty unless -

- o it enhances and conserves this special landscape as the raft of AONB planning policies requires
- o OR there are exceptional circumstances.

We wholly believe that these plans do not meet either of these requirements and are attempting to circumvent the raft of AONB policies out there designed to protect it.

The resultant scheme now presented by the developers should be refused as it neither conserves nor enhances. It obliterates natural beauty under suburban gardens, hard pavings and driveways all wrapped in closeboarded fencing surrounding the clumsy redesigned architecture.

The designs ignore all the most common requirements for good architecture as voiced for instance in the National Planning Policy Framework (NPPF) Section 7: Requiring good Design, and the Cotswolds Conservation Board's AONB Management Plan Policy DTP. There is no sign of:

- o Response to local character and surroundings
- o Use of locally appropriate materials
- o Integration of the new development into the natural, built and historic environment
- o The buildings actually being visually attractive.

The NPPF says "Permission should be refused for development of poor design."

This surely applies in this case. It must be poor design

- o to have a site within and overlooking beautiful AONB countryside but to deny views of it to 3 of the 4 houses;
- o to site balconies north on the shady side of two of the properties with views to Stevens waste handling company's lane rather than the AONB;
- o to have a large area to work in but to cram the two similar H-block 'bungalows' together exactly alongside like housing estate dwellings just 5m apart with head-high walls between;
- o to use the sunny side of all the buildings not for relaxation and enjoyment but for car parking, hard standing and garages.

These examples we think show a poor grasp of good layout, a lack of awareness of the adverse effects on the amenity of possible residents of these houses and a total disregard for the quality of the special natural landscape deserving so much better than the developer thinks to offer.

We consider the architecture is an even worse insult than the site layout to the natural landscape of our AONB. To us, once again, the developer's visualisations and long sections prove this. The detailed house designs externally are such a hodge podge of oddly-placed eaves, unwarranted cantilevered shelves, random fenestration, rusty feature panels and strange unnecessary zinc flanges, that the saying 'a camel is a horse designed by a committee' comes to mind.

For instance,

- o HOUSES 2 & 3, the latest additions: each of the two mirror image bungalow 'H Blocks' (dualism at its worst) have little and large pitched roofs, a peculiar flanged flat-roofed zinc bedroom tower and a strange bedroom pod along a sort of stem, embarrassingly alongside the narrow front path and obscuring the very mean little main house front door.
- o HOUSES 1 & 4 revamp their earlier designs. NOTE: Some of the compass orientations of the elevations have been carelessly mis-labelled.
- o For HOUSE 1, apart from exterior features like the cantilever, the unappealing end gable to Glenfall Way and the front with its meagre entrance and blank stairwall, the interior layout is abysmal - narrow cluttered hall with many doors off, passage to open plan living with unworkable kitchen; upstairs a Travelodge-like dormitory.
- o For House 4, every excess from the hodge podge list applies.

We are agitated that the last consultee response by an anonymous architects' panel (whose membership list has been denied to us) was that they would approve the proposals if the roofs were made more interesting. We hope that the current iteration has been too much even for them.

We know from our meeting with you on 6 April that you (as Case Officer since Chloe Smart left to join Hunter Page) were inclined to believe the architects' opinion and had been minded to recommend approval of the application even before the above revisions.

- o You stated that the 4 houses then proposed would not harm the AONB but there was no mention of their enhancing and conserving the AONB.
- o We discussed with you the fact that the red line for development was around the whole field rather than just the areas the houses were located, you said you would try and have this re-evaluated, it however remains the same in this revised application.
- o Though agreeing they existed, you were clearly disinclined to place little if any weight on any of the many valid planning considerations we and others had submitted since last October - the others including the Cotswolds Conservation Board, CPRE, Charlton Kings Parish Council and well-informed residents.

o You placed little importance on the progress so far of the Cheltenham Plan, especially the proposal not to take forward sites within the AONB for development, including the Glenfall Way site.

This policy we have learnt from John Rowley, Senior Planning Policy Officer, in his recent e-mail to us, has not changed as the Plan progresses. The SALA finding that the Glenfall Way site should not be developed because of its AONB status still stands, as it has since the earlier public consultation in 2015.

o We are concerned that in this case the two arms of planning, Policy and Development Control, appear not to be working together as they should.

In the light of this letter and other objections we hope you will now recommend refusal.

Old Ham House
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6ND

Comments: 4th November 2016

I am writing to object in the strongest terms to the proposed development of 4 houses in a designated area of outstanding natural beauty. This area is of great recreational validity to many residents of Charlton Kings and Cheltenham who enjoy walking, cycling and horse riding in the area. If this development is allowed it will set a precedent and allow the flood gates to open. The area will be altered permanently. The proposed houses are ugly and not in keeping with the area, and as such the development is contrary to Cheltenham's saved policy CO2.

1 Glenfall Way
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YQ

Comments: 3rd November 2016

The road near Glenfall School is already very busy with parents dropping off and collecting children and the increase in traffic from the proposed development will add to an already dangerous situation. In addition, the junction with Glenfall Way and the A40 will be even more congested. The AONB will inevitably be adversely affected and this has been the reason for previous applications being rejected, so why should this one be treated any different? I strongly disagree with this application.

Comments: 30th January 2017

My objections to this application are that additional traffic will only increase the congestion around Glenfall School, with added danger to parents, children and residents. Furthermore I thought planning was prohibited in this Area of Outstanding Natural Beauty.

Comments: 16th June 2017

My objections remains the same as previously. Traffic and parking near Glenfall School pose a significant risk to children and parents at critical times of the day and these additional houses will simply add to the risk. Additionally, access to the A40, Ryeworth Road and Mill Lane is made very difficult, particularly at at peak times of the day and the extra traffic from the proposed development making the situation worse. Furthermore, the proposed site is a protected area and should continue to be so. Finally, any successful planning application is likely to lead to additional building in this area, which would make matters so much worse and would be crazy!

11 Ham Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NP

Comments: 7th November 2016

I am writing to register my opposition to the proposed planning application for Glenfall Way.

I am not an habitual letter writer but the sustained pressure to acquire planning permission for this field has in this instance, persuaded me to submit my objection to the application.

From my perspective the field in question still resides in an AONB and has not change in status during any of the previous, rejected, application processes. In the simplest objective view the current application should again be rejected for this single important reason.

In this case there are, in my opinion, a number of other valid supporting reasons why the application should be rejected.

1. This application is to test the resolve of the planning procedure and how long before applications for the rest of the field are submitted if this phase is accepted? In the blink of an eye I suspect.
2. This application is at odds with all the local area development plans and strategies and has been identified as such in all previous applications for this location.
3. Finally the application is for what appears to be 4 light industrial units and certainly not "compatible with the distinctive character of the location and designed to respect local building styles and materials" as promoted by the Cotswold Conservation Board.

I urge you to once again reject the planning application for this field and strenuously resist what appears to me to be a developer resorting to a campaign of attrition to achieve its goals.

Comments: 19th June 2017

I vigorously object to these amended plans and my earlier objections still stand. How many times do these people need to be told? This is an AONB and therefore not to be built on. Altering the planning application, no matter how many times, does not alter the AONB status. There is no justification for the repeated submission of modified plans and I strongly urge CBC to resist this and all attempts to abuse the AONB status.

CBC - do not roll over on this matter and resist this drip, drip, drip approach to planning applications.

Developer - I will continue to object to these applications designed to undermine our priceless AONB's and your "light industrial estate" proposed for the south side of Glenfall Way should be treated with the disdain it deserves.

6 Pembridge Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6XY

Comments: 25th October 2016

Email attached.

Comments: 30th January 2017

My objection stay the same. I do not want any buildings built on AONB land .

6 Hambrook Street
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LW

Comments: 30th October 2016

What a ridiculous proposal to replace a AONB with and abhorrent design as these. I use this area daily and would hate to see it destroyed.

Whitefield House
Harp Hill
Charlton Kings Cheltenham
Gloucestershire
GL52 6PU

Comments: 4th November 2016

i don't want to see any more of our beautiful local countryside taken for development especially when it has been nominated as an aonb. In addition to this, the resulting building works will create a dangerous environment so near to a school in what is already a traffic busy area.

Comments: 13th June 2017

We totally object to this proposal. Building on a piece of land that has been deemed an AONB is a very worrying precedent to set.

In addition to this the proposal is very near a primary school, the site traffic while work is under construction poses a real risk to the very small children attending.

I sincerely hope this proposal is rejected once and for all.

17 Carisbrooke Drive
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YA

Comments: 4th November 2016

I wish to register a strong protest at the proposed erection of four dwellings with landscaping and public open space land on the South Side Of Glenfall Way Charlton Kings.

This application is, I believe, against the spirit and principle of the "Cotswolds Conservation Board Position Statement" revised 2013, in respect of Housing and Development.

Paragraph 1 states that "Areas of Outstanding Natural Beauty (AONBs) are designated by the Government for the purpose of ensuring that the special qualities of the finest landscapes in England and Wales are conserved and enhanced.

As this part of the Cotswolds has already been designated an AONB there is no way that this proposal can be said to conserve or enhance the area in which it is to be built. Its submission therefore is clearly seeking to overturn the whole purpose of the AONB designation which is to protect the special qualities of the finest landscapes in England and Wales.

Paragraph 13 states that "the Cotswolds is an environmental asset surrounded by development pressure; therefore, development needs to be carefully managed." I could not agree more. In recent years, there has been mounting pressure to build on this piece of land in blatant disregard of the fact that it is a priceless environmental asset.

In response to this, and in keeping with the statement in Paragraph 13, there is a greater need now to ensure that it is carefully managed to prevent unnecessary and unmerited exploitation, which could have a serious impact on other areas surrounding it if this application is allowed to go ahead.

Under the section marked "Planning Applications and Landscape Character Assessment and Guidelines" there is a condition that "Building style should respect the local tradition. Inappropriate, particularly suburban, styles and materials should be avoided."

Under this section of the "Cotswolds Conservation Board Position Statement" the design and materials of the proposed housing are inappropriate, introducing suburban style into essentially an edge of the countryside environment and cannot remotely be said to respect local tradition.

Finally, the notes that accompany the position statement stipulate that "the Cotswolds Conservation Board has the statutory duty to pursue the following two purposes:

- a) to conserve and enhance the natural beauty of the AONB; and
- b) to increase the understanding and enjoyment of the special qualities of the AONB."

If this application is allowed to proceed, then I believe that the CCB would be failing in its duties under points (a) and (b).

It cannot be emphasised too strongly that this area, as an AONB, is a priceless resource that once lost can never be replaced. The benefit that I, and all those who regularly walk this part of the neighbourhood, gain from watching the changing seasons of the year reflected in the Cotswold hills that can be seen with an uninterrupted view across the field, cannot be measured in terms of its benefit to mental and physical well-being. If this application is allowed to go-ahead then it will deny this incredible benefit, not only to those who enjoy it now, but who will come after us.

And it is for this reason, and for those outlined above, that I firmly believe this planning proposal should be refused

Comments: 15th June 2017

I wish to register a strong protest at the proposed erection of four dwellings with landscaping and public open space land on the South Side Of Glenfall Way Charlton Kings. This application is, I believe, against the spirit and principle of the "Cotswolds Conservation Board Position Statement" revised 2013, in respect of Housing and Development.

Paragraph 1 states that "Areas of Outstanding Natural Beauty (AONBs) are designated by the Government for the purpose of ensuring that the special qualities of the finest landscapes in England and Wales are conserved and enhanced

As this part of the Cotswolds has already been designated an AONB there is no way that this proposal can be said to conserve or enhance the area in which it is to be built. Its submission therefore is clearly seeking to overturn the whole purpose of the AONB designation which is to protect the special qualities of the finest landscapes in England and Wales.

Paragraph 13 states that "the Cotswolds is an environmental asset surrounded by development pressure; therefore, development needs to be carefully managed." I could not agree more. In recent years, there has been mounting pressure to build on this piece of land in blatant disregard of the fact that it is a priceless environmental asset. In response to this, and in keeping with the

statement in Paragraph 13, there is a greater need now to ensure that it is carefully managed to prevent unnecessary and unmerited exploitation, which could have a serious impact on other areas surrounding it if this application is allowed to go ahead.

Under the section marked "Planning Applications and Landscape Character Assessment and Guidelines" there is a condition that "Building style should respect the local tradition. Inappropriate, particularly suburban, styles and materials should be avoided." Under this section of the "Cotswolds Conservation Board Position Statement" the design and materials of the proposed housing are inappropriate, introducing suburban styles into essentially an edge of the countryside environment and cannot remotely be said to respect local tradition

Finally, the notes that accompany the position statement stipulate that "the Cotswolds Conservation Board has the statutory duty to pursue the following two purposes:

a) to conserve and enhance the natural beauty of the AONB; and

b) to increase the understanding and enjoyment of the special qualities of the AONB."

If this application is allowed to proceed, then I believe that the CCB would be failing in its duties under points (a) and (b). It cannot be emphasised too strongly that this area, as an AONB, is a priceless resource that once lost can never be replaced. The benefit that I, and all those who regularly walk this part of the neighbourhood, gain from watching the changing seasons of the year reflected in the Cotswold hills that can be seen with an uninterrupted view across the field, cannot be measured in terms of its benefit to mental and physical well-being. If this application is allowed to go-ahead then it will deny this incredible benefit, not only to those who enjoy it now, but who will come after us. And it is for this reason, and for those outlined above, that I firmly believe this planning proposal should be refused.

4 Pembridge Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6XY

Comments: 4th November 2016

I wish to strongly object to this new planning application for four large houses on the field at Glenfall Way, and my objections are as follows:

- The land is in the Cotswolds Area of Outstanding Natural Beauty
- Previous applications have all been judged as not a good enough reason to encroach on AONB land. Nothing has changed concerning this new application.
- As the field is on the edge of the AONB any development, no matter how limited in scale, will open the neighbouring fields to similar exploitation
- Further planning applications could also be made for this field if permission for these four houses is given
- The plans do not address the borough's housing shortages and the field has not been allocated for any housing in Cheltenham's plans.
- The land is 'Greenfield' when 'Brownfield' should be central to policy (DCLG planning guidance)
- The loss of green space would be sorely felt

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- The wildlife will be greatly disturbed and for example, we regularly see the family of deer and hear owls
- We also have concerns over drainage issues that any building could exacerbate. Since we've lived in Pembridge Close, we've had sink holes open up in the road outside our house
- Increased traffic is also a serious concern and the roads are already incredibly busy with school traffic right by the proposed site.

Comments: 31st January 2017

I'm stunned that a revised design has been submitted for this piece of land.

The field is in the AONB and no matter how many tweaks and changes the land owners make, it will not lessen this fact and unless there are exceptional circumstances - which there certainly aren't - it should not be built on. Surely a no from the high court should remain a no!

The designs are no better in terms of impact to the AONB. There are still four houses and now with bigger gardens compromising views of the AONB even more than the previous design.

The houses will be very close to our home in Pembridge Close, where we can see the beautiful field, and will bring additional traffic, noise and impact on the area which has already suffered from sinkholes in the past two years.

There is a septic tank in the field for houses in The Orchards who need access for maintenance and emptying which isn't mentioned.

There is also a badger set located in the field around where the houses are planned, this is also not mentioned, as well as the deer, woodpeckers and other myriad wildlife.

This field is the edge of the countryside and marks the start of Cheltenham's beautiful countryside and the hamlet of Ham.

We can see that many other land owners are watching the progress of this application with great interest to see whether it goes through, all hoping that they too can apply for planning on their AONB pieces of land. This is perfectly demonstrated by the land opposite Ham Close which has come up for planning in the last month too. Are you prepared to let this through, to then break the seal on building in the AONB.....Cheltenham would then change forever.

Is this really worth the risk seeing as Cheltenham already has a proposed five year housing supply which doesn't include this field.

In summary this field is AONB for a reason. We know the land owners don't look after it (in the hope that people will be fooled into thinking housing would be better than an untended field), but it should remain as it is (but actually be maintained by the land owner) as the developer is purely looking to reap his rewards and doesn't care about the local area, community or wildlife.

Please please throw this application out along with all others on the AONB.

2 The Orchards
Glenfall Way
Charlton Kings Cheltenham
Gloucestershire
GL52 6BJ

Comments: 4th November 2016

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It with a heavy heart that I have to write to object once again to a planning application on this beautiful field. The past 3 applications have been turned down and nothing has changed so why should these developers be allowed to continue to apply? This piece of land is part of the Area of Natural Beauty and should therefore be left alone; it's a beautiful field loved by locals. The fact that it is on the fringe of the AONB makes it even more vulnerable, having 4 big houses built on it would certainly harm its natural beauty. This field is the start of the countryside with The Orchards (where I live) being the end of the urban sprawl from Charlton Kings. If this land is permitted for development Ham would quickly disappear.

The field is home to lots of wildlife including a badger set, deer varieties, owls and birds of prey. It also offers great views across the escarpment which would be lost even with this new housing design being in the South corner.

The application is also for the whole site not just the area the houses are on. This signals that if planning is permitted further development would be requested in the coming years on the rest of the field. This therefore giving the developers exactly what they originally wanted.

This site has no special circumstances giving it the okay for development so why give permission for 4 large mansions on the greenest of green field sites when many other brown field sites exist. If this gets the go ahead many other local land owners will apply for similar developments thus risking any AONB field in Gloucestershire, surely this is a risk not worth taking all for such a small development. This is very serious and would be a very sad story.

The houses, especially the one furthest from Glenfall Way would be very imposing on our neighbours and us. We also have a septic tank on the field that has not been mentioned. We therefore have a right of way through the field for maintenance which these houses would directly obstruct.

Please realise the importance of this piece of land, its decision is of much significance and you must do the right thing which is to leave it alone.

Comments: 27th January 2017

Why we are even entertaining a revised design on this piece of land is ridiculous, this land is AONB and no matter how many tweaks and changes the land owners make it will not lessen the fact that this field is within our AONB and therefore unless there is exceptional circumstances (which there certainly isn't) should not be built on. This is the 4th time we have had to fight for this field and I can't believe that we are having to come back to it time and time again. A no from the high court should remain a no.

The designs are no better in terms of impact to the AONB, there are still 4 houses and now with bigger gardens making the views of the AONB even more compromised than the previous design. The houses will be very close to our lane, The Orchards, with house 4 being overbearing onto no 3 the Orchards and our shared garage area down The Orchards. There are also more windows (house 4) overlooking this area in the new design.

We also have our septic tank located around 10-15 metres from the fourth property. We have right of way access through the field for maintenance and emptying, this is not mentioned nor is the septic tank. There is also a badger set located in the field around where the houses are planned, this is also not mentioned.

This field is the edge of the countryside and has been more many, many years. The field marks the start of Cheltenham's beautiful countryside and the hamlet of Ham. We can see that many other land owners are watching the progress of this application with great interest to see whether it goes through, all hoping that they too can apply for planning on their AONB pieces of land. This is perfectly demonstrated by the land opposite Ham Close which has come up for planning in the last month too. Are you prepared to let this through, to then break the seal on building in the

AONB.....Cheltenham would then change forever. Is this really worth the risk seeing as Cheltenham already has a proposed five year housing supply which doesn't include this field.

In summary this field is AONB for a reason, we know the land owners don't look after it (in the hope that people will be fooled into thinking housing would be better than an untended field), but it should remain as it is (but actually be maintained by the land owner) as the developer is purely looking to reap his rewards and doesn't care about the local area, community or wildlife.

Comments: 6th February 2017

The changes made to the landscape documents do not change the main issue with this planning application, which is the site in within our AONB. None of the changes make any difference to this point.

The changes made actually seem to cause more problems due to run off issues with water and more trees in gardens which will further block the views to and from the AONB's.

I am extremely cross that the council allowed the developer to make any further changes at this late stage in the consultation period. This is the third time I have had to OBJECT to this single application, expecting this level of attention from all 'Objectors' is asking way to much in todays extremely busy world. It makes me feel that the developers are just trying to wear people out with this/catch people out by making changes which are not clear and take time to understand.

Comments: 19th June 2017

Here we have to go again, objecting to a development that should not be allowed to be applied for due to the land being in our AONB. This is the fourth time we have had to comment (please see previous comments submitted) and object on these developers trying to ruin our local natural beauty - what don't they understand?!

We know from John Rowley that there are no currently sites within the AONB being taking forward in the Cheltenham Plan which is great news.....so why then is this planning application being strung along with small changes every few months? The Ryder Report which was full of inaccuracies should not be used as an excuse for allowing this application as the report was full of biased information lending a hand towards planning permission being granted.

The new designs are poorly executed and certainly do not enhance the natural beauty of the field - far from it! It obliterates natural beauty under suburban gardens, hard pavings and driveways all wrapped in closeboarded fencing surrounding the clumsy redesigned architecture.

The NFPP states that 'Permission should be refused for development of poor design'. There is no sign of -

- Response to local character and surroundings
- Use of locally appropriate materials
- Integration of the new development into the natural, built and historic environment
- The buildings actually being visually attractive.

Plot 4 also comes down further into the field at the East end, their garage ports are now much closer to The Orchards and will be overbearing. The outline for planning permission still covers the whole site which is a massive concern. Many say that if planning is given the go ahead for these 4 houses the site will be sold and then a new planner will attempt once again for more houses to maximise their profit.

Regardless of the designs being poor the issue here is that this is our AONB, and therefore should stay beautiful, and I strongly believe that any housing on this site will not enable the field to stay beautiful. Planning on an AONB should only be allowed in exceptional circumstances and this is certainly not this. If this goes through it will be the start of the end of our local AONB.

94 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LT

Comments: 8th November 2016

Letter attached.

97 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LS

Comments: 8th November 2016

I am writing to oppose any development in the field at the top of Glenfall Way, next to Glenfall school. The land is in the Cotswolds Area of Outstanding Natural Beauty, nationally designated with the highest level of protection from harm to natural beauty and therefore can not be considered for development. Also, we need our green spaces for our mental and physical wellbeing. There are plenty of brownfield sites that should be developed, preferably with affordable housing for our young people.

5 Pear Tree Close
Cheltenham
GL52 9TY

Comments: 1st November 2016

Surely the last place we should be building is on protected land.

The AONB is just that - protected.

This sets a dangerous precedent for building on the rest of our green spaces. It must be stopped at all costs.

These houses meet no local housing needs and will destroy the AONB.

Comments: 23rd January 2017

These 4 houses are still unacceptable. This land is AONB and should not be built upon apart from exceptional circumstance. I don't see how 4 luxury houses are exceptional.

1. The development extends beyond the Ryder report 'grey area' (a report published by external agents which colour coded pockets of land on the AONB where they felt development could be permitted, this was just in their opinion and seemed very convenient that most pockets of land identified had previous planning apps on them!).
2. The extended gardens reduces the promised 1.2 hectares the previous design pledged to be kept open and will further impact the view in and out of the AONB..
3. The designs are contrary to Cheltenham Saved Policy CP7 (a) and (c): Design.
4. The new designs are just as inappropriate and alien to surrounding area: flat roofs, zinc siding, new pre-rusted steel features at front door

5. Good design has not been achieved - errors of overlooking, poor window design, missed chances to celebrate AONB.
6. The Cheltenham Plan Part 1 (preferred options 2011- 2031), out soon for consultation, shows the Glenfall Way field as NOT designated for development.
7. The above plan proposes a five year supply of housing land without breaching the AONB including the Glenfall Way field!
8. The Ryder Report is still to be tested at the Examination in Public and so, until the Plan is adopted, it should not be used to support this application.
9. The Cotswold Conservation Board has rejected the principle of development on this site (and for that matter the field next to this one).

Comments: 20th June 2017

Do the developers think they can wear us down by coming back with small amendments every few months? Well they won't as we will all continue fighting to protect our precious green spaces.

My previous objections still stand. The houses are still hideous and are not suitable for this or any location.

I can see what the developers are trying to do. They are trying to get planning permission for 4 houses and then they are going to come back in with a revised planning application for the whole field.

They said that the rest of the field would be for the public. Well were have they written this. Are they going to assign the rest of the field to the local council or a local residents association? I doubt it.

Mark my words, that if planning permission is given you will see more than 4 houses on this field. Precedent will have been set and the rest of the AONB fields will be built upon.

I await having to comment (once again) in a few months.

46 Hartlebury Way
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YB

Comments: 5th November 2016

I strongly object to this development on the grounds that this area is designated land for AONB and has always been so. Developers repeatedly request planning permission and this has repeatedly been refused and I do not see why they are allowed to keep repeating the process. as residents in the area we regularly walk up on the hill as a family, as do many of our neighbours and visitors. i work in the NHS and am constantly recommending physical activity to all the patients I see. This area of green space is very well used by people of all ages to walk and be physically active and it would be a grave mistake to take this opportunity away from people.

We chose our house to give our children the opportunity to grow up with green space and nature around them. We would be bitterly disappointed and angry to see this taken away for the greed of developers who won't even be living here as part of the community.

We all know that if this small development is allowed to go through then it will be the first of many subsequent larger applications. This would have a huge impact on the demand for schools which

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is already extremely high with decreasing boundary areas. it would also impact on demand for health services in the area. The recent Charlton Kings parish council survey addressed the issue of traffic again, and more houses will increase traffic again further.

I strongly ask the council to refuse this application yet again, as it has done every other time, on the same grounds that it is an AONB. Please do not change the category of land to enable this to go through at a later date. There will be many angry local residents who are currently committed members of the community.

15 Briarbank Rise
Charlton Kings
Cheltenham
Gloucestershire
GL52 6XR

Comments: 6th November 2016

I am writing to object in the strongest terms to this application to build on the AONB.

It should be enough that this is land designated as in the Cotswolds AONB and that previous applications have been rejected and yet here we are again rehearsing the same impeccable arguments for rejection. It beggars belief.

An AONB enjoys the highest level of protection from harm and that should be the end of the story. Nibbling at an area 'only' on the edge will simply open the door to more and more houses on the land. We all know that this is how the system works. An AONB should be a strong red line, not a negotiable wavy one. This application is the thin end of a very large wedge.

Aside from being within an AONB, this is speculative, unplanned housing on a greenfield site when we know that brownfield land should be developed first.

There are no 'special circumstances' for allowing this development. Previous inspectors have judged on two occasions that a shortage of housing is not a valid reason for eating into the AONB.

Even if, by some chance, you get as far as considering the validity of the detail of the proposed development, it runs contrary to Cheltenham's Saved Policy CO2 ("Development which would harm the natural beauty of the landscape within the AONB will not be permitted") and the design and build materials are contrary to the Cotswold Conservation Board's Policy DTP1 (that development should be compatible with the distinctive character of the location and designed to respect local building styles and material). These are modern, characterless structures which would be seen from other parts of the AONB and introduce an ugly scar on the landscape.

I urge that the application not only be rejected but be rejected with the clearest signal that this should be an end to the matter and not the start of a further round of attempts to exploit our most protected countryside for the sake of naked financial greed.

Comments: 30th January 2017

Whether this application is for 4, 40 or 400 dwellings the fact remains that it is on land within an AONB which should bestow on it the highest level of protection from development. Short-term profit should not be allowed to win out over the everlasting damage which this proposal would visit on the environment and our heritage. Other land **MUST** be exhausted for development before we even contemplate encroaching on an AONB.

Comments: 19th June 2017

I object to the amended proposal. In the same way that you can't be a little bit pregnant, a little bit of intrusion into the Cotswold AONB is unacceptable. This land demands the highest level of

protection from development. Any foothold on the land would undoubtedly result in further, bigger proposals. We cannot allow that foothold.

26 Hartlebury Way
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YB

Comments: 8th November 2016
Letter attached.

2 Pembridge Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6XY

Comments: 9th November 2016

We write in connection with the above planning application. We have examined the plans and know the site well. We wish to object strongly to the development of these houses in this location.

We feel that the houses will ruin the character of this Area of Outstanding Natural Beauty that we live in and that the development of this design of house will fail to improve the quality of the area.

Another reason for rejecting this scheme is that this will inevitably lead to an increase in traffic to the London Road, which is at present already inadequate.

95 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LS

Comments: 7th November 2016
Building on this land should never be allowed.

This timeless landscape has been designated An Area Of Outstanding Natural Beauty and rightly so.

If these plans put forward by developers thinking only of their financial gains were to go ahead they would set a terrible precedent which would spell impending Doom for the surrounding countryside and is unnecessary. Build on Brownfield sites and save the wonderful landscapes of Ham and Ryeworth etc.

On a safety note, to build next to Glenfall School would increase traffic by heavy plant vehicles raising danger levels to children and adults walking to school as well as local residents who already have to suffer blocked roads due to width restrictions and where speeding regularly occurs.

I say NO to the desecration of our AONB.

4 Carisbrooke Drive
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YA

Comments: 6th November 2016

This proposal has been made to develop land within an Area of Outstanding Natural Beauty. If permission is granted, development of other fields would quickly follow, as another is already up for sale as potential for development. We believe that other fields have also been purchased by people who are biding their time.

More than one application has already been rejected concerning this site. They started with a plan for some 45 houses, on the grounds that it would help to ease the housing shortage. We are now looking at a development of 4 luxury homes. Hardly the same ethical stance on the part of the developers, who appear to be desperate to build on this field, no matter what. Of course, coming from Exeter, what does it matter to them? They want their money and will then disappear.

The infrastructure will hardly support the increase in traffic which would be generated by future house building. I realise this appears hypothetical, but we firmly believe that where one planning application is allowed, others will follow.

Finally, this field borders an unpleasant landfill site. Hardly an appropriate location for luxury dwellings! I cannot imagine who would want to live there.

It is time this sorry saga was brought to a close. There are still opportunities for brownfield site building within Cheltenham, without ruining the precious countryside around. We can never get this land back. We will continue to oppose any further applications for this field, bought unwisely by a speculator who doesn't care about the local people.

Comments: 31st January 2017

I am writing to object strongly to the above proposed dwelling, complete with alterations. My objections are as follows:

Firstly, and most importantly, this site is part of the Cotswold Area of Outstanding Natural Beauty, and should not be built upon except in exceptional circumstances. This application clearly does not come into this category.

Previous applications to build on this field have been rejected. The type of housing is inappropriate as are the proposed materials, and these houses are not needed.

Building upon this field was not included within the Cheltenham Plan Part 1 for housing supply over the next five years.

We feel that this is a desperate attempt by a builder who foolishly and greedily bought up this land, without any consideration for the neighbourhood. Once one field is given planning permission, others will follow, destroying the unique landscape around Ham. The builder does not live anywhere near Cheltenham, and is only interested in making money.

The infrastructure around Charlton Kings (including schools, medical services) would not support prolonged building projects in this area.

We will continue to oppose these appalling applications, and seek wholeheartedly to protect our beautiful countryside, which has so much to offer to the residents of Cheltenham.

Comments: 21st June 2017

Once again I find myself having to write to object to a totally unsuitable planning application within our Area of Outstanding Natural Beauty, concerning the field adjacent to Glenfall School.

The developers have made further modifications, in the hope of getting this application approved.

My only consolation is that it must be costing them a lot of money, as I am sure it is also costing the Council a great amount to deal with this intrusion on our precious countryside.

My main objection remains that this field is part of the AONB, and should not be built on at any cost. Planning application to build on the field opposite Ham Close was ultimately rejected for this reason, and the Glenfall field should be subject to the same decision. Added to that, from what I can see in the plans online, these dwellings look like industrial units, and seem to overlook Stevens Skips landfill site. Of concern also is that a large area of the field has not been earmarked for building, which suggests that another batch of housing might be proposed if permission is granted, and the precedent would be set for housing development right along Ham Road.

These builders are not local, as we have said before. They are speculators who run the risk of losing money on the field they have bought. They care nothing for the residents of Charlton Kings. Please make an example of them and refuse this building application once and for all!

Stonecrop
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NG

Comments: 26th October 2016

Letter attached.

Comments: 21st June 2017

Letter attached.

1 Hartlebury Way
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YB

Comments: 27th October 2016

The proposed development is in the AONB on the edge of Cheltenham and I object on the basis that it would cause significant harm to the character and appearance to the AONB. Approval of this application would only encourage applications on other sites at the edge of the AONB and erode our precious green spaces. I note from the site layout plan the the access road is aligned to possibly give access to the next field in the AONB.

Comments: 19th January 2017

The revised plans will result in significant harm to the character and appearance of the AONB and approval would only encourage applications for other sites on the edge of the AONB. There are a number of brown field sites which should be developed as a first priority rather than harming the AONB.

Comments: 12th June 2017

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I wish to object to the revised application as it does nothing to change the fact that if agreed the building would cause significant harm to the character and appearance of the AONB. There are a number of brown field sites in the area which should be developed as a priority. This proposed development does not conserve or enhance the natural beauty of the area, but would destroy it for the future. Approval would only encourage applications for other sites on the edge of the AONB.

2A Gladstone Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8JG

Comments: 6th November 2016

I object to this proposed development on almost every level. It would destroy the views around this beautiful area, serve no helpful purpose in terms of much needed affordable housing, set a dangerous precedent in encroaching into the green belt, is not in keeping with the local area and runs entirely contrary to the planning policy for the area. Please focus on brown field regeneration as per the policy and turn down this application based purely on profit at the expense of the natural environment.

4 Carisbrooke Drive
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YA

Comments: 6th November 2016

My reasons for objecting to this plan to build 4 houses in the field by Glenfall Way are the same as on previous occasions, principally:

1. The land in question is within an AONB, the unique character and benefits of which would be lost forever if houses were built here.
2. To allow this application to go ahead would open the floodgates to similar schemes in this area sought after by the builders who own the small fields/paddocks in this area.

I do not believe that the revised proposal to build only 4 houses makes any difference at all. Having achieved that, more and more applications to infill the remaining land would be very likely to come. Four houses only implies four substantial buildings in the luxury market, hardly fulfilling Cheltenham's need for essential, affordable housing. This application is from a builder miles away in Exeter who has no interest in the wellbeing of Charlton Kings, but who is frustrated at not being able to see any return on a field unwisely purchased some years ago. The issue has dragged on for far too long now, and this builder should be shown the door once and for all.

Comments: 31st January 2017

Having objected to the proposals for this area within an AONB on previous occasions, my objections remain and are not altered by this revised plan. My principal reason is the fact that the proposed development is on an AONB that is precious to this area and the current proposals would impact on more land than just the 'grey areas' identified by the Ryder report. Plans for larger garden areas in this revised scheme would take away even more of the threatened land than was previously stated. The current Cheltenham Plan Part 1, while identifying areas of Cheltenham suitable for development over the next five years, does not include this area of Glenfall as suitable for development, neither does the Cotswold Conservation Board support its development for housing.

The revised house designs, containing modernist features such as flat roofs and metallic finishes are out of keeping with the area and would be an inappropriate eyesore. The Ham/Glenfall area is a delightful semi-rural location on the very edge of Cheltenham, characterised by a moderate number of highly individual and mainly older houses of various sizes. As well as ruining the views of open countryside, the proposed new dwellings would introduce an ugly and ill thought out element that is totally out of keeping in this area. Also, very significantly, it would open the flood gates for other similar developments on the various pockets of land, and this beautiful area of Cheltenham would rapidly lose its rural character and become just another faceless suburb of the town.

Comments: 21st June 2017

As in all my previous objections to these plans, my view remains that to build in this AONB in Charlton Kings is completely unacceptable. Most importantly, allowing one such scheme to go ahead would undoubtedly open the flood gates to several other schemes in nearby fields, thereby destroying for ever the unique semi-rural character of this part of Cheltenham. The latest revision of plans with new designs for 4 houses does nothing to pacify me. In fact the new designs are very ugly and completely out of character with existing properties in this area. It is well known that the Ham area of Charlton Kings contains a number of fields and paddocks that are owned by frustrated builders, but my view is that either they must live with that situation, or they should cut their losses and sell the fields to someone who is prepared to return them to agricultural use.

A1A Bunchrew Caravan Park
Inverness
IV3 8TD

Comments: 10th November 2016

I object to building on an AONB site. This is designated for a good reason and this will be negated if this development goes ahead.

140 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LY

Comments: 2nd November 2016

Letter attached.

Comments: 23rd January 2017

Thank you for the letter of 17 January 2017 from Director of Planning, Tracey Crewe, in which I understand that revised plans have been lodged, yet again, for this proposed development . I also understand from a phone call to the Planning Department that those who lodged letters of objection to the previous plan do not need to resubmit.

However, I have decided to write again to register my strongest possible objection to this revised application for planning permission to construct four large houses on the field on the south side of Glenfall Way in Charlton Kings, adjacent to Glenfall Primary School. I feel it important to send another letter to you firstly to state that, after carefully looking at all the documentation provided on the revisions, the important objections I raised in my letter dated 29 October 2016 still stand (despite the proposed revisions, we would still have four large, partially zinc-clad houses that are out of keeping with the local area and would be built on protected AONB land).

I confess I was disappointed that the time scale between us being informed of the revision and the date to submit any further comments/objections is so short - precisely a fortnight, which gives

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anyone with busy working and family lives so little time to digest the revisions and write to you. I suspect that submitting the revisions in such a last-minute way may have been a deliberate move on the part of the developers to ensure less time for further letters/restatement of objections - forgive my cynicism, but a similar tactic was used on the proposal that was previously rejected.

Further, the fact that the developers have once again revised their proposal suggests very strongly what many of us residents have believed all along, i.e. that it was ill-conceived and that their revisions are knee-jerk changes made to try to make the scheme more palatable to realise profit before anything else. This may be what developers are in business to do, you may argue, but let's not forget that this is AONB land which should never have been considered for development, and the repeated tweaks to all their proposals show a desperation to get the scheme through at any cost.

The revised plan still features houses that in my view do not fit in sensitively with the landscape, still will in some way obstruct the view to the hills (one of the reasons for previous rejections) and still (being 4 and 5 bedroomed) will not actually meet the shortfall that we understand needs to be met in the town i.e. for affordable and starter homes. For four (still) large houses, this would create a precedent that will, I'm sure, see other edges of the AONB nibbled away.

Not only that; I firmly believe that, should permission be granted for these four houses, the developers will not stop there and will aim to put more on that field, so we are actually considering only the 'thin end of the wedge'. In my previous letters to you on all the schemes these developers have submitted, the earlier of which were thankfully rejected, I have documented well their 'manoeuvres', their token consultations with residents and their thinly disguised underlying motivations, all of which add up to the fact they will not take 'no' for an answer and will relentlessly pursue their goal, spoil this corner for ever, then move on. Unlike them, long term and newer residents love this area and want to remain here. Others who visit this area regularly and value it do not want this to happen to the field, as it is strategically placed at the start of an area with wonderful amenity value.

No matter how well considered and how professional the plans may seem in presentation, the string of revisions since the developers bought the land and the earliest proposals, clearly shows a desperation and erratic attempt to get round the protection of a much needed part of the 'green lung'. This 'changing tack' approach also reflects the little thought and understanding SLP has for such precious spaces, which we lose at our peril.

In my view, the revised proposal is still wholly inappropriate in nature and scale to the area. The building of those four houses would herald a very unwelcome precedent and prospect for this and other protected areas. This is the latest move (and a characteristically late one) from the developers and they will not stop trying to get something through at all costs, until they get what they want. They may not take 'no' for an answer, but they will continue to get that response from significant numbers of people in and around this area, and I do hope that will be your answer too.

I also hope that you will take these points on board, in conjunction with the content of my earlier letter of 29 October in response to the previous proposal before revision - which still applies, and I urge you most strongly to turn down this latest 'Glenfall Way' revision and planning application.

Comments: 14th June 2017

Thank you for the letter of 8 June 2017 from Director of Planning, Tracey Crewe, in which I understand that revised plans have been lodged, yet one more time, for this proposed development. I rang the Department to check to whom I should address this letter and was told to send it to you.

I am writing once more to register my strongest possible objection to this application for planning permission to construct four large houses on the field on the south side of Glenfall Way in Charlton Kings, adjacent to Glenfall Primary School.

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It is important to send another letter to you firstly to state that, after carefully looking at all the documentation provided on the revisions, the important objections I raised in my letter dated 29 October 2016 still stand (despite the proposed revisions, we would still have four large, partially zinc-clad houses that are out of keeping with the local area and would be built on protected AONB land).

The time scale between us being informed of the revision and the date to submit any further comments/objections is once again short - which gives anyone with busy working and family lives little time to digest the revisions and write to you. It would also have been appreciated and helpful of the developers if they had submitted a short covering letter or at least some brief narrative to direct those who are not well versed in architects' drawings/terminology straight to the revisions (again there are many drawings and it is time consuming to check each to try to identify what exactly has changed in each particular revision).

I understood from you when I rang today that the nub of this current revision is that that the developers have replaced the flat roofs with pitched roofs, while also ensuring that they do not increase the height of the dwellings. While this does not fundamentally change the basis of the objections raised in my previous letters, I feel that sending a further letter is essential, despite this continuing and somewhat exhausting process, to ensure that planning officers do not think the objections have gone away - especially as, given the short time frame to reply, others may simply not have had the time to respond as they would have wanted to due to other commitments.

Moreover, the fact that the developers have for the umpteenth time revised their proposal suggests very strongly what many of us residents have believed all along, i.e. that it was ill-conceived and that their revisions are knee-jerk changes made to try to make the scheme more palatable to realise profit before anything else. This may be what developers are in business to do, you may argue, but let's not forget that this is AONB land which should never have been considered for development, and the repeated tweaks to all their proposals show a desperation to get the scheme through at any cost.

The revised plan still features houses that in scale, materials and location fail to fit in sensitively with the landscape, still will partially obstruct the view to the hills (one of the key reasons for previous planning application rejections), and still will not actually meet the shortfall that we understand needs to be met in the town, i.e. for affordable and starter homes. Four (still) large houses where proposed would without doubt create a precedent that will, I'm sure, see other edges of the AONB nibbled away.

Not only that; I firmly believe that, should permission be granted for these four houses, the developers will not stop there and will aim to put more on that field, so we are actually considering only the 'thin end of the wedge'. In my previous letters to you on all the schemes these developers have submitted, the earlier of which were thankfully rejected, I have documented well their 'manoeuvres', their token consultations with residents and their thinly disguised underlying motivations, all of which add up to the fact they will not take 'no' for an answer and will relentlessly pursue their goal, spoil this corner for ever, then move on. Unlike them, long term and newer residents love this area and want to remain here. Many others who visit this area regularly and value it do not want this to happen to the field, as it is strategically placed at the start of an area with wonderful amenity value.

No matter how well considered and how professional the plans may seem in presentation, the string of revisions since the developers bought the land and the earliest proposals, clearly shows a desperation and erratic attempt to get round the protection of a much needed part of the 'green lung'. This 'changing tack' approach also reflects the little thought and understanding SLP has for such precious spaces, which we thought were - and certainly should be - protected for all of us, and which we lose at our peril.

The revisions this time have not in any way changed my view and the proposal remains wholly inappropriate in nature and scale to the area. The building of those four houses would herald a

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very unwelcome precedent and prospect for this and other protected areas. This is the latest move (and a characteristically late one) from the developers and they will not stop trying to get something through at all costs, until they get what they want. They may not take 'no' for an answer, but they will continue to get that response from significant numbers of people in and around this area, including local political representatives across the spectrum, who continue to campaign against the proposal.

I hope very much that you will take these points on board, in conjunction with the content of my earlier letters, in particular my main letter of 29 October in response to the original proposal before revisions, many of the points in which still apply, but which for practicality I will not repeat here. I urge you most strongly to turn down this latest 'Glenfall Way' revision and planning application.

1 Briarbank Rise
Charlton Kings
Cheltenham
Gloucestershire
GL52 6XR

Comments: 2nd November 2016
Letter attached.

Comments: 30th June 2017
Letter attached.

8 Briarbank Rise
Charlton Kings
Cheltenham
Gloucestershire
GL52 6XR

Comments: 2nd November 2016
Letter attached.

6 Sandhurst Place
London Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YN

Comments: 25th October 2016
Letter attached.

Comments: 23rd January 2017

In reply to your letter 17th January, we have considered the revisions and remain seriously concerned that the proposed development:

1. despite the revisions, the site remains in an area of land that has been specifically accepted as an area that should be preserved from intrusion by development, being within the Cotswold Area of Outstanding Natural Beauty.

The purpose and intent of such designation, after consultation, being to preserve the area from development.

2. The revised montages, drawings and plans of the proposed buildings, still indicate prominent dwellings out of sympathy with the protected location.

3. The revised current application does not appear to be for meeting a housing need, as it is for four large dwellings, out of sympathy to the location, at the expense of significant and obvious intrusion into the Cotswold Area of Outstanding Natural Beauty.

The Willows
Ham Square
Cheltenham
Gloucestershire
GL52 6NF

Comments: 6th November 2016

We strongly object to this application as the field is in Cheltenham's small area of AONB which has a high level of protection from harm to natural beauty. Allowing development here will encourage further development in this precious rural area & it will be lost forever, all for the sake of developers trying to make a quick profit.

We urge you to reject this application.

Comments: 31st January 2017

This is in addition to our previous comments for the last application. The field is in the AONB & therefore should not be built on as this rural area needs to be protected. If allowed, it opens the floodgates for other developers, already there is an application for houses in the next field & a developer has recently purchased a paddock further up Ham Road.

Please do not allow this destruction of our precious AONB.

17 Ham Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NP

Comments: 6th November 2016

The proposal is long on assertion and short on evidence. Namely, there is no evidence that the development of four 5&6 bedroom houses will make any contribution to reducing the current shortfall of "affordable" (used in its commonly accepted meaning of accommodation need) houses in the Cheltenham area. Similarly there is no evidence that the development is "essential to meet local community needs". In the absence of such evidence there is no justification to encroach on the AONB and to create a precedent for the area.

I can find no evidence that the proposal from the developer/landowner to set aside and maintain adjacent land for public access is backed by a legally binding commitment. In the absence of this commitment the "offer" to support the community is valueless as it can be rescinded at any time. As such, no consideration should be given to this "offer" in the consideration of the application. A simple test to assess the value of the developer/landowner's commitment is to request that ownership of the land be passed into public hands.

I note the tone and wording of the email ref 15/00025/OUT - Glenfall Way to the developer's agent from a Council officer where it is reported "officers consider the scheme is moving in the right direction". This comes close to suggesting that Cheltenham Borough Council is working with the developer/landowner to create a proposal that will find approval by its planning committee. Is this acceptable behaviour for developments on land that has a "protected" status?

134 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LY

Comments: 6th November 2016

I am disappointed to see another application for planning permission on this site. Nothing has changed. This area is still an AONB and any building on this should not be granted. The AONB needs to be protected and building here would likely lead to further loss of similar areas which would be unacceptable. Many of us living in the area feel strongly about the beauty, wildlife and views here and any building would be of huge detriment to the area.

I also see that the plans are not at all in keeping with this local area and would be seen from a number of places around the field, having a significant negative affect on the natural beauty of the area.

I am concerned that agreement for this project would only lead to further applications for building on other areas of this field and I believe a stand needs to be taken now and no planning should be given for any building on this site, regardless of how many houses at initially planned.

There are no special circumstances or reasons to justify giving planning permission for this.

Comments: 31st January 2017

In consideration of the new plans for buildings on this field I wish for my previous objections to stand. There is nothing in this new application that lessens my concerns. The area remains and AONB and as such should remain untouched. We need to protect such areas from any building. The plans are not in keeping with the area, the resources used are not fitting and the space used will have a significant impact on the beauty of the area. Access to the area is already difficult, this is not an area that can sustain more development. The new plans are not improved, take up more ground space and should not be considered at all as standing concerns have not changed.

Penvounder
Ham Square
Cheltenham
Gloucestershire
GL52 6NF

Comments: 4th November 2016

It is disappointing to see yet another planning application for this site. The arguments in favour of preserving the natural beauty of the AONB have not changed since 2008. In this case, four zinc-clad mansions of stunning ugliness are proposed, which are in no way compatible with the local environment, and would be unacceptable in our opinion even outside the AONB.

We fear that if this application goes through, it will open the flood gates to further development.

Comments: 31st January 2017

We can only reiterate our previous objections to this application. There is no significant improvement, in our view, in the revised designs which remain inappropriate to the surrounding area. The impact on the AONB remains unchanged, as does the threat which the acceptance of this scheme would represent.

6 Bournside Drive
Cheltenham
Gloucestershire
GL51 3AP

Comments: 7th November 2016

This unsympathetic development in the Cotswold Area of Outstanding Natural Beauty is in close proximity to many people wishing to enjoy the countryside of the AONB. The point of AONBs is to conserve natural beauty and enable the community to enjoy it at their leisure. For myself, and others, who regularly walk and run in this area, this development would ruin such activity. Cheltenham is surrounded by beautiful countryside precisely because of the AONB and any approved development, especially one so ugly, would surely set a dangerous precedent for other privately owned pieces of land within the AONB. I firmly object.

4 Warwick Crescent
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YZ

Comments: 7th November 2016

I wish to object to the building proposals. The area is a designated AONB. The construction of these houses (or any houses as per the previous failed application) will be contrary to this and no doubt be a catalyst towards further development. There are no special circumstances to allow development on this AONB.

Comments: 31st January 2017

I wish to object to the building proposals. The area is a designated AONB. The construction of these houses (or any houses as per the previous failed application) will be contrary to this and no doubt be a catalyst towards further development. There are no special circumstances to allow development on this AONB.

Comments: 15th June 2017

I wish to object to the building proposals. The area is a designated AONB. The construction of these houses (or any houses as per the previous failed applications) will be contrary to this and no doubt be a catalyst towards further development. There are no special circumstances to allow development on this AONB.

70 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LT

Comments: 7th November 2016

We strongly apprise the application. To build on this land would harm wildlife and strip the area of its individuality and charm. We cannot go on squeezing homes into spaces like this. please consider more than lining your pockets when making your decision. We are already dealing with extra houses being squeezed onto Ryeworth Road on the site of the pub. Please don't squeeze resources further and save wildlife and beauty.

7 Ashley Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LF

Comments: 7th November 2016

I strongly OBJECT to the proposed development on Glenfall Way for the following reasons:

1. It is AONB - as previously mentioned, why have the AONB if we don't protect it against development, especially around it's fringes. It has the HIGHEST LEVEL of protection, to the same degree as NATIONAL PARKS.
2. The proposal is for four very large, executive houses that do not in anyway fit in with the surroundings, let alone enhance the beauty of the AONB.
3. 4 very expensive houses DOES NOTHING to address the housing shortage for those most in need.
4. The application is for the WHOLE FIELD, not just the four houses in the design statement.
5. A crucial point is that if the development were to go ahead it would set a dangerous precedent for future development, giving the greenlight to other property development companies to justify their applications. This would cause irreversible damage to our greenspace that in theory has the HIGHEST LEVEL OF PROTECTION and be a travesty for the many many people who enjoy the beautiful green spaces of Charlton Kings.

This is now the 4th application to develop the site. With High Court rulings against any form of development being suitable on this site, how many more times will this process take place, the court's decisions be undermined and disrespected, and how much more of our public money and of the Council's time will be wasted?

Please support us in rejecting this application once again and protecting the AONB for FUTURE GENERATIONS to enjoy.

Ham Green Cottages
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6ND

Comments: 7th November 2016

Whilst I feel that the design, size and materials proposed for these properties is out of character with the surrounding area, I object to planning being granted.

Most importantly I object on the grounds that the site of the proposed development is a Green Field Site within the Cotswolds ANOB.

To allow this development to proceed will be nibbling away at our precious landscape which once gone is gone for ever and that must not be allowed to happen.

Court Barn
Ham Road
Charlton Kings Cheltenham
Gloucestershire
GL52 6ND

Comments: 31st January 2017

Here we go yet again. It makes no difference how many changes the developers make to their design proposals. The key fact will never change. The proposed development is on an Area of Outstanding Natural Beauty. The AONB has the greatest level of protection other than National Parks. This has not and will not change.

Why is it that the Council continually forces the many residents who want to protect the AONB from having to comment on modified design proposals. It is obvious to everyone that the developers hope to finally win approval by a wearing down dissent. Do the Council not understand these obvious tactics ? Why is it that objections to previous design plans cannot stand if all that has happened is the proposed development has been modified. The proposed development is still in the AONB. All of my previous objections to development on this site remain.

I do not have to time to examine the new design proposals in full but her are some specific flaws in the developer's new plan:

- 1.The new designs are just as inappropriate and alien to surrounding area including flat roofs, zinc siding and new pre-rusted steel features at front door. There is NO improvement ! Good design has not been achieved.
- 2.The development extends beyond the Ryder report 'grey area' (a report published by external agents which colour coded pockets of land on the AONB where they felt development could be permitted.
- 3.The extended gardens reduces the promised 1.2 hectares the previous design pledged to be kept open and will further impact the view in and out of the AONB.
- 4.The designs are contrary to Cheltenham Saved Policy CP7 (a) and (c): Design.
5. The Glenfall Way field has not been designated for development.
- 6.The Cotswold Conservation Board has rejected to the principle of development on this site.

Comments: 20th June 2017

Do we really have to go through yet another planning application for this land in Glenfall Way. The proposed dwellings look like holiday lodges and are completely out of character for the area. They block the view of a stunning landscape. What is it that the developers do not understand about Areas of Outstanding Natural Beauty having the highest level of protection against such misconceived schemes such as this application ? This application should clearly be rejected along with all the other applications for this piece of land.

If the developers think they can wear down local opposition by constantly modifying and resubmitting planning applications then they can think again.

25 Eldon Road
Cheltenham
Gloucestershire
GL52 6TX

Comments: 19th April 2017

This is AONB for a reason, we should not think it acceptable to lose this land to an alternative use.

96 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LT

Comments: 28th January 2017

This is the first time I have commented to object about development on this land.

Firstly this is an AONB and no development should be allowed. The developers are not listening to the concerns of residents and have no respect for the area that they are trying to develop.

Secondly, I have major concerns about the level of traffic on the roads around Charlton Kings and Ham. The lanes are becoming like rat runs for people to avoid the traffic on main roads. They are not designed to handle this volume of traffic and any additional development in Charlton Kings will worsen this situation.

As a local resident who enjoys living in Charlton Kings for its rural position, I am very concerned that this development would pave the way for future developments in the area. I am strongly against this development.

27 Ham Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NP

Comments: 28th January 2017

I refer to the revised planning application for 4 houses on land on Glenfall Way, Charlton Kings. I am not impressed with the revised designs as these are not in keeping with the area: in particular I note the change of design to flat roofs and extensions to the gardens. As I have previously stated in my objections to planning applications on this site, the land is not designated for housing in the proposed Cheltenham Plan 1 (2011-2031) and the Cotswold Conservation Board has objected to any development on this site.

However, I feel most frustrated that yet again we are forced to object to plans for building on this land which is designated AONB and therefore is statutorily entitled to the highest degree of protection by its custodians from speculative developers. The sheer beauty of the views in the AONB would be significantly compromised by any development on this land: this must not be allowed to happen and the AONB should be preserved for future generations.

I therefore urge Cheltenham Borough Council to reject this application outright.

Comments: 16th June 2017

I have reviewed the revised application above and conclude that there are categorically no reasons why this should alter the previous refusals of planning permission. The proposed houses

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are poorly designed, suburban in character and wholly inappropriate for the location. However, the design of the houses is completely immaterial as the development is in the AONB and should be refused outright. All my previous comments of 28th January 2017 therefore stand and I would reiterate that the AONB is statutorily entitled to the highest degree of protection and no further planning applications (new or revised) should be entertained.

8 Hetton Gardens
Charlton Kings
Cheltenham
GL53 8HU

Comments: 16th December 2016

I wish to protest, in the strongest possible terms, against the development of four new houses on a green field site in the Cotswolds Area of Outstanding Natural Beauty (AONB) in Charlton Kings, Cheltenham.

I live in Charlton Kings and cherish the fact that I live within a 5 minute walk of the beautiful Gloucestershire countryside. My wife and I run most days and our running route takes us past the field in question. I never fail to take a moment to enjoy the view and in particular to note the changes that take place throughout the seasons. I often see Deer and Red Kites.

It is my real great fear that if this proposed development goes ahead it will set a precedent and open the way for further development. Indeed, it is believed locally (some say it is fact) that the owners of land along Mill Lane and Greenway Lane are waiting to make their move.

There are many residents of Charlton Kings who use and enjoy the surrounding countryside on a regular basis please do not place its very future in jeopardy.

Comments: 28th January 2017

I have objected previously but want to confirm that my opposition to the proposed development still stands for the same reasons.

8 Hetton Gardens
Charlton Kings
Cheltenham
GL53 8HU

Comments: 16th December 2016

I wish to protest, in the strongest possible terms, against the development of four new houses on a green field site in the Cotswolds Area of Outstanding Natural Beauty (AONB) in Charlton Kings, Cheltenham.

I live in Charlton Kings and cherish the fact that I live within a 5 minute walk of the beautiful Gloucestershire countryside. My husband and I run most days and our running route takes us past the field in question. I never fail to take a moment to enjoy the view and in particular to note the changes that take place throughout the seasons. I often see Deer and Red Kites.

It is my real great fear that if this proposed development goes ahead it will set a precedent and open the way for further development. Indeed, it is believed locally (some say it is fact) that the owners of land along Mill Lane and Greenway Lane are waiting to make their move.

There are many residents of Charlton Kings who use and enjoy the surrounding countryside on a regular basis please do not place its very future in jeopardy.

5 Beeches Road
Charlton Kings
Cheltenham
GL53 8NG

Comments: 9th December 2016

We are writing to express our concern about the proposed development of a greenfield site in the Cotswolds Area of Outstanding Natural Beauty. This is the area near the Glenfall School. We object to ANY development taking place on this site, as it would affect the wildlife and also mar the landscape. We frequently go for walks in this lovely area and do not want to see it ruined.

87 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LS

Comments: 18th January 2017

This is irreparable damage to the AONB.

78 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LT

Comments: 22nd January 2017

Nothing has changed since the previous version of the application - this is still in an area of outstanding natural beauty.

I object to this proposal. The land is not urban, it is rural.

The proposed development is in an Area of Outstanding Natural Beauty and I feel it would detract from this and would almost certainly be in breach of the many laws designed to protect AONB.

The previous 3 (very similar) planning applications have already been turned down and as far as I am aware nothing has changed in either local or national planning policy to suggest that the previous decisions were wrong. I think the previous decisions should also apply to this application.

There is a very big danger that granting this application would set a precedent for the neighbouring fields to be similarly developed in the future, gradually eroding the area of natural beauty and turning it from open fields into urban sprawl. This contradicts the statutory duties of the Cotswolds Conservation Board which include:

- a) to conserve and enhance the natural beauty of the AONB; and
- b) to increase the understanding and enjoyment of the special qualities of the AONB

A development on the land would not conserve it and building on AONB land will not enhance its natural beauty.

The varied wild life that currently enjoys use of this land would be disturbed and displaced. The development would destroy the habitat of the various creatures that currently live there.

37 Chase Avenue
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YU

Comments: 1st February 2017

No new houses should be built in this area as it is an AONB and too close to Glenfall school. There are already too many vehicles using this road with skip lorries, vehicles using Mill lane as a rat run to Hewlett road and all the parents cars for the school. Parking is also a huge problem now that would be made worse with any new houses nearby. With more roads and buildings it will affect water run-off and have a detrimental impact on houses nearby.

10 Pembridge Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6XY

Comments: 31st January 2017

I can add little to what the other people have said who object to this other than to reiterate that this is a simple matter of principle - that this is AONB land and should not be built on. Apart from the threats to wildlife and the environment these four houses will spoil the view irrevocably. On a more practical level the disruption (including the need for access to the dwellings) that will be caused seems out of proportion to the benefits gained from erecting only four houses.

Further, in the context of my previous correspondence with the Planning Policy Team, that certain sections of AONB have been designated as possible "small areas of development", it is hard to believe that this would turn out to be the case in the longer term - and that there is every likelihood that further building will take place on this site and elsewhere in the Glenfall/Ham area.

24 Ham Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NP

Comments: 31st January 2017

I am again writing to object to this revised planning application to build 4 large houses on land on the south side of Glenfall Way, Charlton Kings.

This land is in the Cotswolds Area of Outstanding Natural Beauty, nationally designated with the highest level of protection from harm to natural beauty. The application is contrary to Cheltenham's Saved Policy CO2 "Development which would harm the natural beauty of the landscape within the AONB will not be permitted". Once permission is given for building on the AONB then the flood gates would be opened for building on other supposedly protected areas.

My objection is in relation to new plans submitted by the developers. The new designs are just as inappropriate and alien to the surrounding area: flat roofs, zinc siding, new pre-rusted steel features at front door. The extended gardens reduces the promised 1.2 hectares the previous design pledged to be kept open and will further impact the view in and out of the AONB. Therefore, more of the field is being used and materials are still not in keeping with the rest of the area. No number of changes to the design will lessen the impact on the AONB.

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The Cheltenham Plan Part 1 (preferred options 2011 - 2031), out soon for consultation, shows the Glenfall Way field as not designated for development . This plan proposes a five year supply of housing land without breaching the AONB, including the Glenfall Way field. The Cotswold Conservation Board has rejected the principle of development on this site.

Flooding is a serious environmental issue with the development of this field. There are many underground streams. If this land were to be built on, the water would find another route away from the hill on which it stands. At the bottom of Glenfall Way many homes and gardens were flooded in 2007, causing expense and upset to many families, several of them just below the field on Hartlebury Way. In the winter of 2014, a huge sink hole appeared under the road in Pembridge Close, the sandy soil washed away by underground streams swollen by heavy rains. With the heavy rainfall we have these days then these houses will again be very vulnerable.

I reiterate what I have said before with previous planning applications on this field that the traffic around the area is a nightmare, made particularly bad by parents dropping their children off for school. It is extremely difficult now to get onto the London Road from Glenfall Way. We have quite a few schools in the area including Balcarras which makes the traffic very bad. There are also the Stevens' skips travelling up and down Glenfall Way to enter the Waste site which is next to the proposed development. These large lorries piled high with heavy rubbish in my opinion drive too fast. When the school traffic is in full flow with lots of children milling around and parents parking everywhere, it makes a very dangerous situation. I sometimes worry it is an accident waiting to happen. I have had a near miss myself when one of these huge lorries came thundering by. The small lanes around Ham already have a lot of traffic on them with people cutting through from Battledown to avoid the congestion in the village and the A40. These small lanes were not built to cope with a lot of traffic. I do not understand why they can build houses next to a landfill site where a lot of toxic rubbish is buried and burned. The field is a buffer of open land between the Waste Site, the school and local residencies.

Again there is more development in Ryeworth Road with three more houses presently being built on the site of the Ryeworth Inn. This will add to extra traffic.

I live in Ham Close which is close to the AONB area. The designated field is a haven for wildlife. I have lived in Charlton Kings for most of my life and have seen many of the green fields disappear. We have to protect what is left for future generations. These AONB areas are precious. If permission is granted on this field then again the floodgates will then be open to developing on any AONB land, causing us to lose the beautiful green spaces that are left in and around Ham and Charlton Kings.

Comments: 1st February 2017

I am again writing to object to this revised planning application to build 4 large houses on land on the south side of Glenfall Way, Charlton Kings.

This land is in the Cotswolds Area of Outstanding Natural Beauty, nationally designated with the highest level of protection from harm to natural beauty. The application is contrary to Cheltenham's Saved Policy CO2 "Development which would harm the natural beauty of the landscape within the AONB will not be permitted". Once permission is given for building on the AONB then the flood gates would be opened for building on other supposedly protected areas.

My objection is in relation to new plans submitted by the developers. The new designs are just as inappropriate and alien to the surrounding area: flat roofs, zinc siding, new pre-rusted steel features at front door. The extended gardens reduces the promised 1.2 hectares the previous design pledged to be kept open and will further impact the view in and out of the AONB. Therefore, more of the field is being used and materials are still not in keeping with the rest of the area. No number of changes to the design will lessen the impact on the AONB.

The Cheltenham Plan Part 1 (preferred options 2011 - 2031), out soon for consultation, shows the Glenfall Way field as not designated for development . This plan proposes a five year supply

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of housing land without breaching the AONB, including the Glenfall Way field. The Cotswold Conservation Board has rejected the principle of development on this site.

Flooding is a serious environmental issue with the development of this field. There are many underground streams. If this land were to be built on, the water would find another route away from the hill on which it stands. At the bottom of Glenfall Way many homes and gardens were flooded in 2007, causing expense and upset to many families, several of them just below the field on Hartlebury Way. In the winter of 2014, a huge sink hole appeared under the road in Pembridge Close, the sandy soil washed away by underground streams swollen by heavy rains. With the heavy rainfall we have these days then these houses will again be very vulnerable.

I reiterate what I have said before with previous planning applications on this field that the traffic around the area is a nightmare, made particularly bad by parents dropping their children off for school. It is extremely difficult now to get onto the London Road from Glenfall Way. We have quite a few schools in the area including Balcarras which makes the traffic very bad. There are also the Stevens' skips travelling up and down Glenfall Way to enter the Waste site which is next to the proposed development. These large lorries piled high with heavy rubbish in my opinion drive too fast. When the school traffic is in full flow with lots of children milling around and parents parking everywhere, it makes a very dangerous situation. I sometimes worry it is an accident waiting to happen. I have had a near miss myself when one of these huge lorries came thundering by. The small lanes around Ham already have a lot of traffic on them with people cutting through from Battledown to avoid the congestion in the village and the A40. These small lanes were not built to cope with a lot of traffic. I do not understand why they can build houses next to a landfill site where a lot of toxic rubbish is buried and burned. The field is a buffer of open land between the Waste Site, the school and local residencies.

Again there is more development in Ryeworth Road with three more houses presently being built on the site of the Ryeworth Inn. This will add to extra traffic.

I live in Ham Close which is close to the AONB area. The designated field is a haven for wildlife. I have lived in Charlton Kings for most of my life and have seen many of the green fields disappear. We have to protect what is left for future generations. These AONB areas are precious. If permission is granted on this field then again the floodgates will then be open to developing on any AONB land, causing us to lose the beautiful green spaces that are left in and around Ham and Charlton Kings.

Comments: 23rd June 2017

I am writing again to object to this revised planning application to build 4 large houses on the above land.

The revised designs are just as inappropriate and alien to the surrounding area.

This land is in the Cotswolds Area of Outstanding Natural Beauty, nationally designated with the highest level of protection from harm to natural beauty. The application is contrary to Cheltenham's Saved Policy CO2 "Development which would harm the natural beauty of the landscape within the AONB will not be permitted". Once permission is given for building on the AONB then the flood gates would be opened for building on other supposedly protected areas.

There is already too much development in the Ryeworth Road area and these proposed houses will add to extra traffic. Traffic around the area is a nightmare, made particularly bad by parents dropping their children off for school. It is extremely difficult now to get onto the London Road from Glenfall Way. We have quite a few schools in the area including Balcarras, which makes the traffic very heavy. There are also the Steven's skips travelling up and down Glenfall Way to enter the Waste site which is next to the proposed development. The small lanes around Ham already have a lot of traffic on them with people cutting through from Battledown to avoid congestion in the village and the A40. These small lanes were not built to cope with a lot of traffic. I still do not understand why they are proposing to build houses next to a landfill site

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where a lot of toxic rubbish is buried and burned. The field is a buffer of open land between the Waste Site, the school and local residencies.

I live in Ham Close which is close to the AONB area. The smell and the noise from the Waste Site on some days is very bad. The designated field is a haven for wildlife. I have lived in Charlton Kings for most of my life and have seen many of the green fields disappear. We have to protect what is left for future generations. These AONB areas are very precious. It will be devastating to lose the beautiful green spaces that are left in and around Ham and Charlton Kings.

11 Warwick Crescent
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YZ

Comments: 23rd January 2017

As a resident living off Glenfall Way, I object for the reasons already raised by the local community:

1. The development extends beyond the Ryder report 'grey area'.
2. The extended gardens reduces the promised 1.2 hectares the previous design pledged to be kept open and will further impact the view in and out of the AONB.
3. The designs are contrary to Cheltenham Saved Policy CP7 (a) and (c): Design.
4. The new designs are just as inappropriate and alien to surrounding area: flat roofs, zinc siding, new pre-rusted steel features at front door.
5. The above plan proposes a five year supply of housing land without breaching the AONB including the Glenfall Way field. How?
6. The Cotswold Conservation Board has rejected to the principle of development on this site.

Comments: 21st February 2017

This proposal hardly changes the previous submission and certainly not enough to merit permission to build in this AONB. I strongly object.

Comments: 19th June 2017

I object because this is a poorly designed proposal which will encroach into an AONB. The designs also do not fit in with the area as they are a horrible mix of modern ideas.

There are some good examples of 'brown site' develop within Cheltenham and this is where the developers should be focusing their efforts, not on an AONB.

3 Riverside Close
Charlton Kings
GL52 6NW

Comments: 20th January 2017

When will it end? They knew when they purchased the site that it was AONB. I told them this when they first applied for 44 houses. They still kept coming - was it 28, then 11, now 4. At the first application I suggested that before they apply to build first get the land down graded from AONB to Green belt and then downwards when they had done that then submit your application.

Four houses and a public space. How much better had the Parish Council bid have been? All we wanted was a Public space.

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Whilst the consultation rumbles on could it be possible to request that the land is properly managed? I do know that developers try to make the site as ugly as possible but we have to see just how much they are damaging the AONB for pure GREED

10 Grovelands Close
Charlton Kings
Cheltenham
Gloucestershire
GL53 8BS

Comments: 27th January 2017

I have a very simple comment to make which is that this land is designated AONB and should not be built on...period...regardless of revised plans with slightly different designs. It is designated AONB for a reason so no building should take place otherwise it makes a mockery of the whole system.

82B Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LT

Comments: 17th February 2017

I object to the proposed development of the AONB for the following reasons, in line with other commenters (I would like to thank previous commenters for their ability to put things so eloquently, and I hope it is OK that I have used some of their phraseology and comments in my response):

Negative impact on AONB

It beggars belief that this revised proposal is being attempted - this area should remain protected, pure and simple, as an acknowledged Area of Outstanding Natural Beauty, with stunning views over the escarpment, and area for flora and fauna to thrive.

No impact on housing issues

Given these houses are very large, affordable to wealthy people only, they are not really any kind of solution to Cheltenham's housing issues, and it's pretty offensive if this development is being considered as such.

Impact on road use

I do not believe the area has sufficient capacity for further housing, as the local Ryeworth Road already has copious amounts of traffic and parking issues, which would be worsened by any new development in the locality.

Impact on safety

Given the proximity to the school, which already has parking and access issues in the road at school opening and closing times, I fear that additional traffic flowing into the roads would present an unnecessary and excessive risk to the safety of our schoolchildren.

Lack of detail

The revised proposals lack detailed information on the changes and the reasoning behind them. I am confused as to how the council accepted the updated plans in their current form.

MISUSE OF SPACE

- House No 4 is still protruding beyond the Ryder grey-shaded area (see Consultee Comment 'Policy Considerations', and Status of Ryder Report below) and is therefore still impinging adversely on No 3 The Orchards.
- To achieve the bigger gardens required by the Architects' Panel SLP have kept the same number of houses but pushed out the proposed Cotswold 1m stone wall with its impractical hedge topping by 10 - 12 m, thus reducing the public's promised view of the AONB from Glenfall Way especially if trees are planted in these extended gardens. This is contrary to SLP's Planning Obligation Heads of Terms D&AS 7.4

Green Infrastructure: "SLP will provide and maintain an area of 1.2 ha to be kept open and preserve views to the AONB escarpment beyond the site"

CONTRARY TO CHELTENHAM'S SAVED POLICY CP7(c) : DESIGN

This policy states:

Development will only be permitted where it . . .

(a) is of a high standard of design

(b) N/A

(c) complements and respects neighbouring development and the character of the locality and/or landscaping."

No conformity with CP7 (c)

The proposed changes do not segue seamlessly into the local context in terms of materials, form and design, thus don't meet the Cotswolds Conservation Board's requirements of being attractive enough to enhance our AONB.

I consider that the developers' new design has failed to realise these requirements for the following reasons -

- The dwellings are now shown as flat roofed - which is completely out of keeping with the local area in which pitched roofs prevail.
- The flat-roofed appearance plus zinc siding material suggest medium grade commercial or industrial offices not natural beauty.
- The inappropriate materials remain the same as in the original application, first floor walls still in out-of-keeping grey zinc but with the addition of out-of-keeping rusted steel as a front door feature - I do not believe Charlton Kings sports a single example of this, and it was turned down decisively when suggested for the Wilson Museum extension.
- As before, the developers' own visualisation of the revised proposals as seen from Glenfall Way re-emphasises the inappropriateness of this harmful scheme to our rural AONB.

CP7 (a): good design not achieved

As this is a Full application, it is important to assess design flaws in the properties themselves, likely to affect enjoyment by any buyer:

- House No 1 has a large balcony apparently uselessly partly focussing on The Orchards' driveway shrubs and partly on to Glenfall Way and school parking.
- House No 3 has small windows in its SE elevation overlooking the NW side of House 4 and benefiting in no way from any view to the AONB.
- The NW elevation of House No 4 extraordinarily shows copious fenestration and a balcony all overlooking House No 3, while its SE elevation shows much smaller windows looking out to the AONB. There are many more windows and a balcony on the SW side able to overlook No 3 The Orchards.
- Throughout, the fenestration looks restless and uncoordinated, particularly the 'seaside bungalow' circular windows imposed on the NE facades of Houses 2 & 3.

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- Access to the garage space for Houses Nos 2 & 3 remains too limited, requiring considerable manoeuvring before larger cars could 'line up' on the garage doors.
- There is no sign that there is a change to the original specification of large areas of impermeable hard landscaping materials inappropriate in this rural location and not assisting SUDS.

For these reasons the revised application should be refused.

DEVELOPMENT STATUS OF LAND

I note that Cheltenham Plan Part 1 (Preferred Options 2011-2031) has been prepared for consultation. As in the 2014 consultation, the Glenfall Way site is shown as 'not for development'.

The draft Plan also confirms support for the AONB and does not propose extensions to the Principal Urban Area apart from very minor adjustments. A five-year supply of housing land without breaching the AONB has been put forward.

For these reasons, no decision to approve the application should be made until the Plan is Examined and adopted.

STATUS OF RYDER REPORT

I note that the Consultee Comments 'Policy Consideration' states that:

"This report and its findings are a material consideration" on the Glenfall Way application.

I understand that the Report was not policy and that I would have an opportunity to make representations on it in the next stage of consultation ie, the current Part 1, these representations to be taken into account at the future Examination in Public.

I feel that, as it stands, the Ryder report is not established as tested 'evidence base' and that its findings should not be allowed at present to support development in this sensitive part of Cheltenham's AONB.

For this reason I consider that no decision to approve should be based on this report.

CONCLUSION

For the above reasons I object the this latest attempt on this part of the AONB, confirmed by the Secretary of State in 1990 for its 'outstanding natural beauty'

Comments: 16th June 2017

Funnily enough, I still object to this proposal, even though it has been revised. This is because the primary reason for my previous objection on 17th February 2017 was that no building should take place in an AONB. As the revised proposals haven't magically been able to address this primary concern, seeing as no amount of alteration to building/land design will change the fact that the land remains an AONB, they do not improve the situation.

Therefore, unless the developers find a way to create an underground housing development that does not disrupt the AONB in any way (it's a reach, I know), then I find it ridiculously unlikely that my mind will be changed on this matter, no matter how many future revisions, and no matter how many times I must return here to object again.

FWIW, I like walking or running or cycling or driving out of the end of Ryeworth Road towards and past the peaceful AONB, and I'd like it to stay that way.

Will we be playing this game again in another four months? I hope not.

10 Ham Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NP

Comments: 31st January 2017

We strongly object to the above planning application.

The application site lies in the Area of Outstanding Natural Beauty. This proposal will destroy yet more of the AONB and open the floodgates for other equally inappropriate development. Permission for these four large houses here will not resolve Cheltenham Borough Council's housing shortfall.

In addition, the proposed house designs are industrial and not at all sympathetic to the area. There is also a risk that once these properties are built, further development will follow. This is a special area and we need to protect it. The only people who will benefit from this are the landowners. Local people will only be affected negatively.

If this planning application is given permission many other applications will follow in its wake. We need to make a stand. This area has been designated AONB for a reason and we need to protect this.

148 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LY

Comments: 31st January 2017

To whom it may concern, I would like to take this opportunity to formally express my views and oppose the proposed housing development on the Area Of Outstanding Natural Beauty off Glenfield Way, Charlton Kings - reference number 15/00025/OUT.

My wife and I moved into 148 Ryeworth Road, directly opposite the field in question, during the summer of 2014. Besides the beauty of the property itself we were attracted to the area given its proximity to the field and the beautiful uninterrupted views of the Cotswold escarpment and AONB. I have attached a photo of those beautiful views across the field and AONB from our bedroom window. As I'm sure you will agree from the photo attached, the field / AONB personifies what is truly unique about the Cotswolds.

I would strongly urge you to reject the proposed development given the detrimental impact it will have in the short and long term firstly to the ecology and secondly to the economy;

1 - Detrimental Impact to the Ecology Development of the field and AONB and would have a significant detrimental impact to the flora and fauna and in clearing the land for development would destroy the natural habitat and ecology.

2 - Detrimental Impact to the Economy If this beautiful AONB was to be developed on it would also simply set the precedence for further future development of land that is currently registered as AONB throughout the Cotswolds. As a result I believe this would have a long term detrimental impact to the economy of the Cotswolds.

By developing on this field we would simply be destroying the Cotswolds' unique selling point. The beautiful flora and fauna, rich Cotswold stone and dramatic views that Areas of Outstanding

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Natural Beauty offer, are all fundamental reason why people are attracted to and why they visit the Cotswolds year on year. Furthermore attracting tourism is crucial in order to create a sustainable economy, particularly for some of the smaller villages throughout the Cotswolds.

The Cotswolds are like any other organisation with a profit and loss account and a balance sheet. Areas of Outstanding Natural Beauty like the land off Glenfield Way are assets that differentiate the Cotswolds. I would urge anyone to protect and preserve this beautiful asset and not sell it off to simply make a short term financial gain, 15 houses. On a final note, very poignantly, if the Area of Outstanding Natural Beauty was to be developed on, the consequences to the flora and fauna are IRREVERSIBLE! As a result I would urge you to REJECT the proposed housing development on the AONB on the land off Glenfield Way.

22 Maple Drive
Cheltenham
GL53 8PD

Comments: 8th December 2016

I strongly object to this proposal. It is in a AONB, which recognises that this area is of significant value as is and should not be built on.

322 London Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YJ

Comments: 30th January 2017

The Inspectors judgment of 2008 should still stand .Since this date there is even less justification for housing as the parish of Charlton Kings has had plenty of development of brownfield sites.

The existing designated use for agriculture should continue as this land could provide market gardening , orchard or grazing use thus creating some employment in keeping with the AONB and improving the management of the neglected site which would benefit flora and fauna. Retaining agricultural use would also be the proven way of draining this land and not creating problems for the River Chelt catchment. Retaining its agricultural status also minimises traffic in the area near the school and already congested roads.

Fieldway
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NG

Comments: 20th June 2017

The area to which this planning application refers, is in the designated Area Of Outstanding Beauty. Simply put, It has been given this status, because it is considered to be outstanding in it's natural beauty and as such, protected.

The development of this land will surely destroy this protection. A precedent will have been set and further encroachment by developers will surely follow. There is no point having areas of outstanding natural beauty, if they are going to be disregarded by local authorities and developers alike.

I therefore strongly recommend refusal of the application.

322 London Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YJ

Comments: 23rd June 2017

I have seen the revised plans and again would object to this development in the AONB. As well as being unsuitable in design there is no reason to change the designated use of this land. The land has established agricultural use and is suitable for an orchard, market gardening, grazing or other cultivation. This would provide much need employment in this sector which is not being provided in this part of Cheltenham Borough .The potential for providing sustainable produce from this land also fits with unfulfilled local Council Plans for land use.

In summary, no change of use is justified for this land .

42 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LH

Comments: 23rd June 2017

This is land that is designated AONB, and therefore if property was developed on this site it would set a precedent for further developments to be built on AONB in the area. The Glenfall Way is already congested particularly in the morning and this would only add to the congestion.

6 Pembridge Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6XY

Comments: 13th June 2017

I do not agree to have dwellings built on AONB land.

We have had sink holes recently in Pembridge close ,reasons being water discharge from hill, this problem will be bigger and people at risk.

5 Ham Close
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NP

Comments: 19th June 2017

This is STILL AONB and if this planning application goes ahead it will be one law for the rich (4 big houses) and another for the poor.

Hamfield House
Ham Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6NG

Comments: 19th June 2017

Letter attached.

5 Coronation Flats
Oak Avenue
Charlton Kings
Cheltenham
Gloucestershire
GL52 6JF

Comments: 16th June 2017

This area is an AONB. I have walked around here since I was a child and many people from nearby Ewens Farm use this area as a quick and easy escape to a quiet natural area. Many do not have a car and value this nearby natural and peaceful environment. Just look at the wild flower meadow in the photo attached to the application. So I strongly object to further housing encroaching on this area and making the countryside more and more unreachable to people with limited access and mobility.

Furthermore the proposed housing is totally alien to the surroundings.

There have also been similar attempts to destroy part of the protected area at nearby Oakhurst Rise.

Developers seem intent on nibbling away at these green sites around the Battledown and Ryeworth areas.

118 Ryeworth Road
Charlton Kings
Cheltenham
Gloucestershire
GL52 6LY

Comments: 20th June 2017

This is an area of outstanding natural beauty and therefore I object to it being developed as housing.

19 Coln Gardens
Andoversford
Cheltenham
GL54 4NB

Comments: 16th June 2017

I am writing to register my strong objection to the proposed planning application to develop the site opposite Glenfall Way. The site is an area of outstanding natural beauty and as such has been protected by law, this proposed change in use will pave the way for further unnecessary

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development of the site and will undoubtedly spoil the land that has supposedly been earmarked for protection

What is the purpose of earmarking areas of natural beauty for protection and carrying out costly assessment of potential development land if the findings are to be disregarded?

19 Hartlebury Way
Charlton Kings
Cheltenham
Gloucestershire
GL52 6YB

Comments: 19th June 2017

I strongly object to the proposed dwellings as I do not feel that there is supporting infrastructure to accommodate any new dwellings!

It is unbelievable to see that the local community is being put through this process again and again. This is a complete waste of planning resources.

3, Natton Cottages,
Charlton Kings,
Cheltenham.
Gloucestershire.
GL52 6NJ

16th June 2017

Cheltenham Borough Council,
PO Box 12,
Municipal Offices,
The Promenade,
Cheltenham,
GL50 1PP
Attn:- Mr M. Chandler – Planning Officer.

Dear Mr Chandler,

Re:- Planning Ref:- 16/01789/FUL – Land off Glenfall Road - Revised Plans @ 08/06/17 - OBJECTION.

I refer to the yet another revised proposal for this site and yet again confirm our complete opposition to any development of this site which is clearly in the AONB. (Letter Ref:- 5th November 2016; 05 January 2017; 28th January 2017)

There is very little new in the plans and the only substantial point is made in the attached ‘photograph’ that the development is totally unsuitable for the area in all respects. The picture reconfirms that if the plans were approved the area **will** look like an industrial site (definitely *not cutting edge*) and they definitely demonstrate a complete lack of vision and sympathy by the architects for even proposing such a design or any design for the AONB area.

The current existing actual view of a natural field habitat, being very much the best outcome, and in keeping with the AONB that we should be passing on to future generations. Mr Gove the Environmental Minister was very clear in his recent interview that environments like the AONB have to be protected for the future.

Further to our comments in our previous letter – the constant revision of plans for an AONB site is pointless as no amount of ‘trying it another way’ will suit this area which has to be left as is.

The field itself does host a whole range of wild life even though it is not of the rare variety but the none the less important more common species. In fact, the longer it has been left has only improved this aspect of the area. It is not as has been argued a **minor** part of the AONB which can just be taken away. The area should either be left as it is or lightly farmed to preserve its natural open and untouched aspect.

In conclusion, nothing has changed which saw previous applications refused. The legal framework for the area confirming the ANOB – excellently reviewed in many previous letters, is still the same and as strong as ever. The area is outside the JCS as highlighted in several letters and planners have to totally reject the application and ensure that a point is made that NO future applications will be entertained for the area.

It is definitely time to take measures to prevent this time-wasting re- occurrence of trying to build unnecessary and unsuitable developments in the AONB especially those which would go on and spoil adjacent areas as this would.

Yours sincerely,



BUILT
21 NOV 2016
ENVIRONMENT

Page 227
14 Lawrence Close

Charlton Kings
Cheltenham, Glos.

GL52 6NN

Dear Sirs.

The application for the building of 4 large houses off Ctenfall Way should not be permitted just because there is enough space. This is not a reason to build there.

The greed of these people just amazes me. I hope, and many more, hope he is not allowed to spoil our countryside.

Yours



**Hamfield House
Ham Road
Charlton Kings
Cheltenham, GL52 6NG**



19 June 2017

Mr Martin Chandler
Planning Officer, Built Environment
Cheltenham Borough Council
PO Box 12, Municipal Offices
The Promenade
Cheltenham GL50 1PP

Dear Mr Chandler

**Planning Application 16/01789/FUL
Proposed erection of four dwellings with landscaping and public open space
Land on the South side of Glenfall Way, Charlton Kings, Cheltenham**

This letter is a further addendum to my letters of objection dated 7 November 2016 and 29 January 2017, the contents of which remain valid. It takes account of the revised proposals submitted by the applicant and placed on the Council website on or after 6 June 2017.

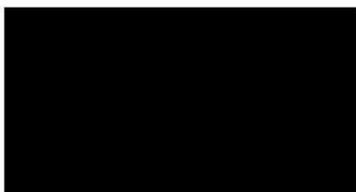
The changes proposed in no way overcome the objections made in my earlier letters. The latest designs of the four dwellings make no attempt to fit this sensitive rural environment. They remain totally alien to this highly sensitive AONB location and to existing buildings in the vicinity. The designs and materials proposed are totally unsuitable and would only exacerbate the damage that would be caused by any residential development at this site.

There remains no supportable case for this development proposal which would represent a highly damaging and intrusive extension of the urban area into sensitive and nationally protected countryside and be contrary to the National Planning Policy Framework and to the policies in both past and emerging local plans. It would therefore be unsustainable.

I again urge the Planning Authority to refuse the application.

Please advise me of the Council's decision.

Yours sincerely



16/01789/FUL

BUILT

- 7 NOV 2016 Page 229

ENVIRONMENT

Yeworth Road,

C | Kings,

GL52 6LS.

Dear Sir/Madam,

I wish to object to the 4 houses to be built on land next to The Orchards off Glenfall Way. First of all that is an AONB, and should not be built on. Secondly the houses are not of a very pleasing design. I also think that this is just the start of a much bigger site. Once there are 4 houses the developer will ask for a few more, and a few more, until the field is full. I was one of the originals against building on this site, and still am. We are being surrounded by houses, and most are too expensive for the ordinary person to afford. I hope you will reject this application.

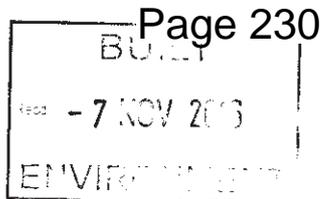
Yours Sincerely,



WADLEYS FARM,

HAM LANE,
CHARLTON KINGS
CHELTENHAM,
GL 52 6NS

your ref. 16/01789/FUL



27-10-16

Dear Miss Smart,

Proposed erection of 4 houses on South side of Glenfall Way.

I object strongly to this latest application to build on the field known locally as the 'strawberry field'. In November 2007 an application for 44 houses on this field was rejected at Appeal in October 2008 and again at the High Court of Justice. The Inspector said at this appeal (Para 59) that 'the precedent granted by a permission would encourage many other local peripheral fields in the AONB to be put forward for development'.

In February 2015 an application for 15 houses (15/00025/OUT) on the same field was again rejected by the Council.

Now we have an application for 4 houses, hopefully this is a final thing!

The nub of the matter is that this field is on the edge of the Cotswold AONB, and any slackening of the building stronghold in the AONB will open the floodgates to other prospective developers who own fields in the Ham area.

The proposed houses are HORRIBLE and look like industrial sheds, totally out of character around here. The idea of the applicant is obvious, that if permission is granted, a principle will have been established, and he can then put in an application for something bigger and more complex. I think this application is just a 'come-on' and must not be allowed to happen. I assume the application is so important that it will go before the Planning Committee and I urge them to reject it out of hand.

yours faithfully,



WADLEY'S FARM,
HAM LANE,
CHARLTON KINGS,
GL526NJ.
24-1-17

Page 231

BUILT

Recd 27 JAN 2017

ENVIRONMENT

16/01789/FUL

Dear Miss Smart,

I have not seen the plans for the labat above application, but it does not matter as the same objections which applied last time still apply, ie. that the site is within the boundary of the Cotswold A.O.N.B. and therefore no building should be allowed.

Please refuse this application.

yours faithfully,



WADLEY'S FARM

Page 232

BUILT

Recd - 9 FEB 2017

ENVIRONMENT

HAM LANE,
CHARLTON KINGS,
CHELTONHAM,
GL52 6NJ
7-2-17

16/01789/FUL

Dear Miss Smart,

I write concerning the latest application for the Glenfield site, again I have not seen the paperwork, but it can only be fiddling around with the details.

The important thing is, again, this site is in the A.O.N.B. and there should be no contemplation whatsoever in permitting building on it.

The Housing Minister was speaking on the radio this morning about having to take some of the Green Belt for housing, but there was not, and never has been, any talk of impinging on the AONB or National Parks.

You, and Cheltenham Borough, MUST refuse this application.

Yours faithfully,



you ref. 16/01789/FUL.

Page 233



WADLEY'S FARM,
HAM LANE,
CHARLTON KINGS,
CHELTENHAM,
GL52 6NJ.
13-1-17

Dear Mr. Chandler,

I am writing concerning the latest application to build houses on the field adjacent to Glynfall Primary School. This is the latest (hopefully) of a long string of applications stretching back to 1980, all of which have been rejected by the Borough Council, several of which have gone to Public Appeal, and one of which has gone to the High Court.

The latest proposed plan shows 4 houses, two of which are multi-story and the other two are single story. They are all of a very modern squarish design, they have zinc sheeting roof and some cladding, and all are built of materials which are totally alien to any other building in the neighbourhood. It is almost beyond belief that these so called 'modern & exciting' buildings could be considered to be built in such a pleasant field in the Cotswold AONB.

All the previous judgements on the foregoing appeals laid great emphasis on the views which would be seen of Charlton Hill and Timbercombe Hill. These would be destroyed for ever by allowing buildings in this field. The AONB was founded originally to preserve as much as possible for future generations to enjoy, and allowing this field to be desecrated would not be in the spirit. It would be giving a short term commercial gain to a developer to destroy a field which has given pleasure to past generations and hopefully to generations to come.

I urge you to dismiss this application,

yours sincerely,



PLANNING POLICY
C.B.C.

MUNICIPAL OFFICE
CHELTENHAM

Page 234 BUILT

7 NOV 2016

ENVIRONMENT

REF 16/01/789/FUL

9, GLENFALL WAY
CHARLTON KINGS
GL52 6YQ

2 NOV 2016

DEAR SIRS,

I AM OBJECTING TO THE POTENTIAL DEVELOPMENT OF THE
LAND ADJOINING GLENFALL WAY, CHARLTON KINGS.

SOME OF MY CONCERNS :-

1. THE TRAFFIC CONGESTION OUTSIDE, AND IN THE VICINITY OF
GLENFALL SCHOOL, CAN BE CHRONIC, THE SERVICE 'BUS', SKIP
LORRIES AND HORSE BOXES ADD TO THE MIXTURE. CARS ARE PARKED
IN EVER INCREASING NUMBERS SEVERAL HUNDRED YARDS EITHER
SIDE OF SCHOOL. POLICE OFTEN HAVE TO ADVISE "ENTHUSIASTIC" PARENTS.
ADDITIONAL DEVELOPMENTS NEAR TO HARP HILL HAVE INTRODUCED MORE,
FASTER 'CUT THROUGH' TRAFFIC, FURTHER PUTTING A DANGER TO
CHILDREN MAKING THEIR WAY TO AND FROM THE SCHOOL. ANY MORE
TRAFFIC FEEDING INTO THAT LOCATION WOULD BE DANGEROUS.
2. THE PROPOSED DEVELOPMENT SITE IS WITHIN THE 'AONB',
THERE ARE NUMEROUS OTHER 'FIELDS' WITHIN THAT DESIGNATION,
AND THEREFORE IF PLANNING IS GAINED, THEN AN AVALANCHE
OF PLANNING APPLICATIONS WILL FOLLOW. THERE WILL NO DEFENCE.
THE PLANNERS WILL BE AWARE THAT ONCE GRANTED THE
PERMISSION WOULD BE 'MANIPULATED' TO INCREASE DENSITY.
3. WHY DESIGNATE AN AREA 'AONB' IF IT IS NOT TO BE DEFENDED!

AS IN ALL THE OTHER, PROPOSALS AND REVIEWS, I URGE THE
PLANNING COMMITTEE TO BE ROBUST IN THE REFUSAL OF ANY
DEVELOPMENT OF THE FIELD.

THANK YOU

YOURS FAITHFULLY



9 GLENFALL WAY

Page 235

BUILT

19 JUN 2017

ENVIRONMENT

CHARLTON KINGS

GLSZ 6YQ

PLANNING POLICY

CBC
MUNICIPAL OFFICES
CHELTENHAM

16/01789/FUL

17 JUNE 2017

DEAR SIRS,

I AM OBJECTING TO THE POTENTIAL DEVELOPMENT OF THE LAND ADJOINING GLENFALL WAY, CHARLTON KINGS.

1/ THE TRAFFIC CONGESTION OUTSIDE, AND IN THE VICINITY OF GLENFALL SCHOOL CAN BE CHRONIC, THE SERVICE 'BUS, SKIP LORRIES AND HORSE BOXES ADD TO THE MIXTURE. CARS ARE PARKED IN EVER INCREASING NUMBERS SEVERAL HUNDRED YARDS IN ALL DIRECTIONS FROM THE SCHOOL. ADDITIONAL DEVELOPMENTS NEAR TO MARPHILL HAVE INTRODUCED MORE, FASTER "CUTTHROUGH" TRAFFIC. ANY MORE VEHICLES FEEDING INTO THAT LOCATION WOULD BE A DISASTER.

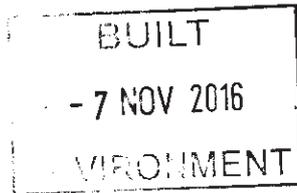
2/ THE PROPOSED DEVELOPMENT SITE IS WITHIN THE "AONB" THERE ARE VARIOUS OTHER "FIELDS" WITH THAT DESIGNATION LOCALLY. THE HISTORY OF THE AREA, IS THAT THE MAJORITY OF THE LAND FORMING THE HARTLEBURY WAY AND GLENFALL ESTATES WAS SOLD TO THE BUILDERS BY A LOCAL FAMILY. THE GLENFALL FIELD IN QUESTION HAD PERMISSION FOR DEVELOPMENT REFUSED (PROBABLY 1980'S) SEVERAL FURTHER ATTEMPTS TO SECURE DEVELOPMENT WERE ALSO REFUSED. THE SURVIVING FAMILY MEMBER SOLD THE SITE, TO THE PROBABLE CURRENT OWNERS, WITH THE FULL DISCLOSURE THAT PERMISSION HAD BEEN REFUSED MORE THAN ONCE. DURING THE 1960'S AND 1970'S HOUSEBUILDER 'BOVIS' BUILT UP A SUBSTANTIAL LAND BANK AROUND RYEWORTH AND MAM, CONSISTING OF MANY BUCKETS OF INDIVIDUAL FIELDS, THEY SOUGHT PLANNING, BUT, REALISED THAT THE LOCAL PLANNING COMMITTEES WOULD NEVER GRANT PLANNING. SO THE CURRENT OWNERS OF THE GLENFALL SITE HOPED TO SET A PRECEDENT, AFTER ACQUIRING A BARGAIN PURCHASE. THE FIELDS SOLD BY "BOVIS" HAVE BEEN ACQUIRED AT 'INFLATED PRICES' BY WOULD BE DEVELOPERS AWAITING THE OUTCOME OF THE GLENFALL PLANNING APPLICATION. IF GRANTED THERE WILL BE AN AVALANCHE OF PLANNING APPLICATIONS ON THESE SITES.

3/ WHY DESIGNATE AN AREA 'AONB' IF ITS NOT TO BE DEFENDED!

AS IN ALL THE OTHER PROPOSALS I URGE THE PLANNING COMMITTEE TO BE ROBUST IN THE REFUSAL OF ANY DEVELOPMENT OF THE FIELD.

THANK YOU

YOURS FAITHFULLY



Wadleys Farm,
Ham Lane,
Chalton Kings.
GL52 6NT
6th Nov. '16.

Dear Madam,

I would urge you to recommend that the development proposed at Glenfield, Ham Road, be REFUSED.

There are National, Regional and local Policies in place to PROTECT the AONB. and there are positively no extenuating circumstances why these should not be adhered to, in the case of Glenfield or any other proposed development in the future. Once the AONB around Cheltenham has been penetrated by even ONE DEVELOPER for 4 houses, there would be no way other prospective developers could be refused.

We want to keep the AONB for future generations to enjoy, as walkers, cyclists and horse-riders do today without the hazard of any additional traffic.

Ryeworth Road and Glenfall Way are already at saturation point in terms of traffic.

Twice a day during Page 237:ine There are more than 50 cars parked adjacent to the Glenfield proposed building site.

There have been 3 other proposed / applications for development in Ham - Glenfield (two) & one by Boire Homes in 1982. All have been refused by Cheltenham Borough Council and subsequently refused on Appeal.

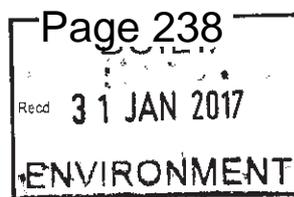
I do hope C.B.C. will be consistent in protecting the AONB and refuse this latest application.

Thank you once again for giving me the opportunity to 'air' my views.

Yours faithfully,



Ref: 16/01789/FUL



Wadley Farm,
Ham Lane
Charlton Kings.
30th Jan. 17

PLEASE SAVE THE AONB.

Dear Madam,

Once again I write in opposition to the 4 houses proposed on Glenfield, Glenfall Way, Charlton Kings.

There are boundaries of the AONBs and National Parks beyond which development cannot take place except in exceptional circumstances. The boundary of The Cotswolds AONB in this area is GLENFIELD and as such there is NO REASON why development of this site should take place - whether for 4 or 40 houses. It is WITHIN the AONB and is sacrosanct.

No local plans which I know of have indicated that Glenfield, and other fields in the AONB in this area could be subject to development. Indeed, Cheltenham Borough Council

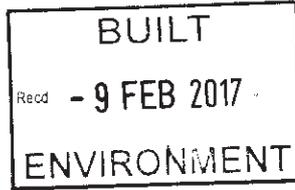
have protected the AONE here on a number of occasions from developers, who persist in trying to infiltrate it.

I sincerely hope this application will be REFUSED once again, and thank you for the opportunity to "have my say".

Yours faithfully,

A solid black rectangular redaction box covering the signature of the sender.

Ref. 16/01789/EUL.



Wadleys Farm,
Ham Lane,
Charlton Kings,
GL52 6NJ.
7th Feb. 17.

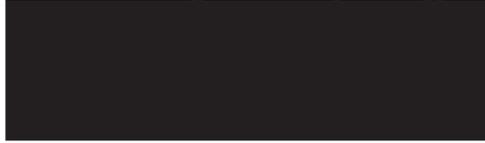
Dear Madam,

We will not give up trying to prevent developers penetrating the AONB. Glenfield is within the AONB. and if ANY houses at all are permitted on this site, the floodgates will be open and the whole area around Charlton Kings will be lost under tarmac and development for ever.

So many of the fields between Greenway Lane and Ham Road are owned by developers, and once it is seen that the AONB is not sacrosanct by permitting these 4 houses at Glenfield, the Planning Dept. will be inundated by potential developers who have no regard for the AONB and its value to the neighbourhood. I hope you will continue to protect the AONB

on the outskirts of ^{Page 241} ~~Warrington~~ as you have
done many times in the past, by refusing
this latest application.

Yours faithfully

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

Ref: 16/01789/FOL

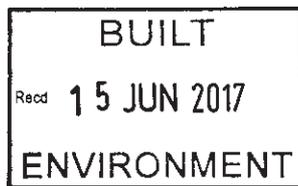
Page 242

adleys Farm,

Ham Lane,
Chaulton Kings.

GL52 6NT

13th June, '17.



Dear Sir,

I would like to oppose the Planning Application for four dwellings etc. at land on the South Side of Glenfall Way.

The proposed houses are totally alien to the architecture in the surrounding area and would fail to enhance the beauty of the environment, which is a criterion for development in any AONB.

The view from Glenfall Way to the hills, across and beyond this field, should not in any way

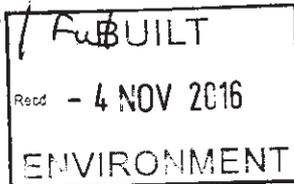
be destroyed by development,
especially the ^{Page 243} one proposed, with its
building materials and structure
totally out of character in the locality.

An application to build in this
field has been rejected time after time,
including when developers have taken
the application to Appeal and even to
the High Court. I don't think anything
has changed!

No local plans which I know of,
have indicated that development
could take place in the AONB except
in exceptional circumstances. Indeed
in all the Government Planning Documents
no mention has been made of
potential development in National Parks
or AONBs, even in these times of
housing shortages.

Please don't create a precedent
here by allowing this application on
Glenfall way and I hope you will
refuse it. Yours faithfully,


Page 244
Ref number 16/01789 / FuBUILT
Glenfall way.



Dear Sir's

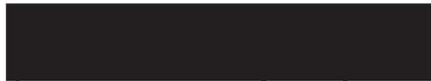
Once again developers want to encroach into the AonB, just the thin edge of wedge again. AonB is supposed to safeguard the beauty of the countryside this includes the Cotswolds. not allow people to put up the most ugly houses, they look like warehouses not even in keeping with the area.

Why can't they plant a wild flower meadow with trees so the children can learn about nature even a garden so they learn how to grow things, not add ~~the~~ ~~the~~ more pollution to the area, plus more cars & at least this is already a rat run, so this will make it

even harder to get in & out up here.

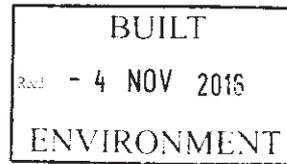
Why should someone from Exeter spoil a beautiful part of Cheltenham?

This land is not part of the JCS Plan, and has already been turned down because of Aonb which ministers have said no "Special circumstances" exist for permitting this development.



resident of Ham Road.

Cheltenham Borough Council
Built Environment
PO Box 12
Municipal Offices
Promenade
Cheltenham
GL50 1PP



3 November 2016

For Miss Chloe Smart, Case Officer

Dear Miss Smart

CBC Application Reference 16/01789/FUL, Land on the South Side of Glenfall Way

1. I am writing to object to the proposal described in CBC reference 16/01789/FUL to build four dwellings and ancillary infrastructure on land on the south side of Glenfall Way. I think that the proposal is wholly inappropriate for this land, which is located in the Cotswold AONB.
2. The current application, referenced 16/01789/FUL in CBC letter dated 17 October 2016, is the fourth of which I am aware, the three previous applications having been considered in 1980, 2008, and 2015. All of the previous applications were rejected on the grounds that the proposed developments were inappropriate on AONB landscape grounds. The 2008 Planning Inspector stated that the then-proposed development would “result in significant harm to the AONB through the change of character and appearance that would be the inevitable consequence of residential development of the site, however carefully designed and landscaped. I (i.e. the Inspector) do not consider that the site can be considered suitable for housing”.
3. To the best of my knowledge, nothing has changed since 2008 to alter the Inspector’s considered opinion. It is true that, since 2014, the owner of the land has left it untended to give it a derelict appearance, presumably in the hope that this would promote his cause. However, the land has been remarkably attractive in its untrimmed state: there are lots of wild flowers in the field, and there is wildlife – both flora and fauna have flourished while the field has been locked-off. The lovely view looking across the field from Glenfall Way towards the tree-lined Cotswold ridge has remained intact (it is an amazing sight on a clear, winter dawn, with the sun rising behind the distant trees on the ridge). The view was the main point identified by the Planning Inspector in his 2008 decision, so it was no surprise, soon after, when the owner of the field planted a line of trees at the bottom of the field, presumably with the intention of the trees growing to a height which would partly or wholly obscure the view of the Cotswold ridge – such is the relentless pursuit of profit. These trees are growing quite quickly, and the owner will probably achieve that objective in a few years time. Leaving the land untended and planting the line of trees indicate to me that the owner has no interest in the land other than for profit from speculative building.
4. Character, appearance and view are all-important to AONB status. The proposal to build houses on the field would do nothing but harm to the character and appearance of the field, and to the view looking from Glenfall Way towards the Cotswold ridge – nor would it do anything but harm to the view into the land from surrounding viewpoints (not to mention that the appearances of the houses now being proposed are decidedly weird, totally out of keeping with the surrounding area – ref Cotswolds Conservation Board Policy DTP1 on compatibility). And it is obvious that the current proposal, like the previous proposal, is a long-term strategy, starting with a few houses, then more (an initial batch, then a pause, then the next batch ...), using precedent to argue for more and more – with the eventual result that there will be a dense development of housing on the site. And if this proposed development in the AONB were allowed, it would set a precedent which would be leapt upon quickly by the owners of adjacent and nearby land in the AONB – a domino effect which would spoil completely the AONB status of the Glenfall/Ham area – and, in time to come, be used as reason to allow development beyond Ham into the hills.

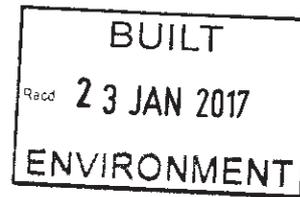
5. I remain convinced that we need to look to the basic principal that this land is part of the AONB and, as such, is protected from inappropriate, undesirable, speculative development. CBC's Saved Policy CO2 states that "development which would harm the natural beauty of the landscape within the AONB will not be permitted". As I understand it, this AONB Greenfield land on the south side of Glenfall Way is outside CBC's Principal Urban Area, and that it has not been allocated for housing in CBC's Local Plans, and nor has it been allocated for housing in the Joint Core Strategy (JCS). Further, I believe that the JCS states that the AONB is inappropriate for urban extensions. Where is the logic in building in prime AONB territory when there are more appropriate sites elsewhere? We need to draw a line, and keep to it - let's protect the AONB for what it is, to the best of our ability, rejecting unnecessary, speculative, for-profit development. The Cotswold AONB is a precious, national treasure and, once it's spoiled, it's spoiled for ever - our ancestors won't thank or compliment us for that.

6. Thank you for providing the opportunity to comment. I trust that CBC Officers, Councillors, and the Planning Committee will take my comments and observations into account in making their decision. I object to the proposal in reference 16/01789/FUL as entirely inappropriate, for the reasons given above.

Yours sincerely



Cheltenham Borough Council
 Built Environment
 PO Box 12
 Municipal Offices
 Promenade
 Cheltenham
 GL50 1PP



20 January 2017

For Miss Chloe Smart, Case Officer

Dear Miss Smart

CBC Application Reference 16/01789/FUL, Land on the South Side of Glenfall Way

1. I am writing to object to the proposal which is the subject of CBC reference 16/01789/FUL dated 17 January 2017 to build four dwellings and ancillary infrastructure on land on the south side of Glenfall Way. I think that the proposal is wholly inappropriate for this land, which is located in the Cotswold AONB.

2. The current application, which is described in reference 16/01789/FUL dated 17 October 2016 and its revision 16/01789/FUL dated 17 January 2017, is the fourth of which I am aware, the three previous applications having been considered in 1980, 2008, and 2015. All of the previous applications were rejected on the grounds that the proposed developments were inappropriate on AONB landscape grounds. The 2008 Planning Inspector stated that the then-proposed development would “result in significant harm to the AONB through the change of character and appearance that would be the inevitable consequence of residential development of the site, however carefully designed and landscaped. I (i.e. the Inspector) do not consider that the site can be considered suitable for housing”.

3. To the best of my knowledge, nothing has changed since 2008 to alter the Inspector’s judgment. It is true that, since 2014, the owner of the land has left it untended to give it a derelict appearance, presumably in the hope that this would promote his cause. However, the land has been remarkably attractive in its untrimmed state: there are lots of wild flowers in the field, and there is wildlife – both flora and fauna have flourished while the field has been locked-off. The lovely view looking across the field from Glenfall Way towards the tree-lined Cotswold ridge has remained intact (it is an amazing sight on a clear, winter dawn, with the sun rising behind the distant trees on the ridge). The view was the main point identified by the Planning Inspector in his 2008 decision, so it was no surprise, soon after, when the owner of the field planted a line of trees at the bottom of the field, presumably with the intention of the trees growing to a height which would partly or wholly obscure the view of the Cotswold ridge – such is the relentless pursuit of profit. These trees are growing quite quickly, and the owner will probably achieve that objective in a few years time. Leaving the land untended and planting the line of trees indicate to me that the owner has no interest in the land other than for profit from speculative building.

4. Character, appearance and view are all-important to AONB status. The proposal to build houses on the field, together with all the paraphernalia that they would attract, would do nothing but harm to the character and appearance of the field, and to the view looking from Glenfall Way towards the Cotswold ridge – nor would it do anything but harm to the view into the land from surrounding viewpoints. And it is obvious that the current proposal, like the previous proposal, is a long-term strategy, starting with a few houses, then more (an initial tranche, then a pause, then the next tranche ...) using precedent to argue for more and more – with the eventual result that there will be a dense development of housing on the site. And if this proposed development in the AONB were allowed, it would set a precedent which would be leapt upon quickly by the owners of adjacent and nearby land in the AONB – a domino effect which would spoil completely the AONB status of the Glenfall/Ham area – and, in time to come, be used as reason to allow development beyond Ham into the hills.

5. I remain convinced that we need to look to the basic principal that this land is part of the AONB and, as such, is protected from inappropriate, undesirable, speculative development. CBC’s Saved Policy CO2

states that “development which would harm the natural beauty of the landscape within the AONB will not be permitted”. As I understand it, this AONB Greenfield land on the south side of Glenfall Way is outside CBC’s Principal Urban Area, and that it has not been allocated for housing in CBC’s Local Plans, and nor has it been allocated for housing in the Joint Core Strategy (JCS). Further, I believe that the JCS states that the AONB is inappropriate for urban extensions. Where is the logic in building in prime AONB territory when there are more appropriate sites elsewhere? We need to draw a line, and keep to it - let’s protect the AONB for what it is, to the best of our ability, rejecting unnecessary, speculative, for-profit development. The Cotswold AONB is a precious, national treasure and, once it’s spoiled, it’s spoiled for ever – our ancestors won’t thank or compliment us for that.

6. Revision of the development proposals does not alter the basic principles at stake here. I return to the judgment made by the 2008 Planning Inspector that the then-proposed development would “result in significant harm to the AONB through the change of character and appearance that would be the inevitable consequence of residential development of the site, however carefully designed and landscaped. I (i.e. the Inspector) do not consider that the site can be considered suitable for housing”. That statement is as valid now as it was in 2008.

7. Thank you for providing the opportunity to comment. I trust that CBC Officers, Councillors, and the Planning Committee will take my comments and observations into account in making their decision. I object to the proposal in reference 16/01789/FUL dated 17 October 2016 and its revision dated 17 January 2017 as entirely inappropriate, for the reasons given above.

Yours sincerely

[Redacted signature block]

Cheltenham Borough Council
 Planning: Environmental & Regulatory Services
 PO Box 12
 Municipal Offices
 Promenade
 Cheltenham
 GL50 1PP



14 June 2017

For Mr Martin Chandler, Planning Officer

Dear Mr Chandler

CBC Application Reference 16/01789/FUL, Land on the South Side of Glenfall Way

1. I am writing to object to the proposal which is the subject of CBC reference 16/01789/FUL dated 8 June 2017 to build four dwellings and ancillary infrastructure on land on the south side of Glenfall Way. I think that the proposal is wholly inappropriate for this land, which is located in the Cotswold AONB.
2. The current application dated 8 June 2017, which is the latest update to reference 16/01789/FUL dated 17 October 2016 and its revision 16/01789/FUL dated 17 January 2017, is the fourth in a long series of applications of which I am aware, the three earlier applications having been considered in 1980, 2008, and 2015. All of the earlier applications were rejected on the grounds that the proposed developments were inappropriate on AONB landscape grounds. The 2008 Planning Inspector stated that the then-proposed development would “result in significant harm to the AONB through the change of character and appearance that would be the inevitable consequence of residential development of the site, however carefully designed and landscaped. I (i.e. the Inspector) do not consider that the site can be considered suitable for housing”.
3. To the best of my knowledge, nothing has changed since 2008 to alter the Inspector’s judgment. It is true that, since 2014, the owner of the land has left it untended to give it a derelict appearance, presumably in the hope that this would promote his cause. However, the land has been remarkably attractive in its untrimmed state: there are lots of wild flowers in the field, and there is wildlife – both flora and fauna have flourished while the field has been locked-off. The lovely view looking to the south-east across the field from Glenfall Way towards the tree-lined Cotswold ridge has remained intact (it is an amazing sight on a clear, winter dawn, with the sun rising behind the distant trees on the ridge, but it is great at any time of day and year). The view was the main point identified by the Planning Inspector in his 2008 decision, so it was no surprise, soon after, when the owner of the field planted a line of trees at the bottom of the field, presumably with the intention of the trees growing to a height which would partly or wholly obscure the view of the Cotswold ridge – such is the relentless pursuit of profit. These trees are growing quite quickly, and the owner will probably achieve that objective in a few years time. Leaving the land untended and planting the line of trees indicate to me that the owner has no interest in the land other than for profit from speculative building.
4. Character, appearance and view are all-important to AONB status. The proposal to build houses on the field, together with all the paraphernalia that they would attract, would do nothing but harm to the character and appearance of the field, and to the view looking from Glenfall Way towards the Cotswold ridge – nor would it do anything but harm to the view into the land from surrounding viewpoints. And it is obvious that the current proposal, like the previous proposal, is part of a long-term strategy, starting with a few houses, then more (an initial tranche, then a pause, then the next tranche ...) using precedent to argue for more and more – with the eventual result that there will be a dense development of housing on the site. And if this proposed development in the AONB were allowed, it would set a precedent which would be leapt upon quickly by the owners of adjacent and nearby land in the AONB – a domino effect which would spoil completely the AONB status of the Glenfall/Ham area – and, in time to come, be used as reason to allow development beyond Ham into the hills.

5. I remain convinced that we need to look to the basic principle that this land is part of the AONB and, as such, is protected from inappropriate, undesirable, speculative development. CBC's Saved Policy CO2 states that "development which would harm the natural beauty of the landscape within the AONB will not be permitted". As I understand it, this AONB Greenfield Land on the south side of Glenfall Way is outside CBC's Principal Urban Area, and that it has not been allocated for housing in CBC's Local Plans, and nor has it been allocated for housing in the Joint Core Strategy (JCS). Further, I believe that the JCS states that the AONB is inappropriate for urban extensions. Where is the logic in building in prime AONB territory when there are more appropriate sites elsewhere? We need to draw a line, and keep to it - let's protect the AONB for what it is, to the best of our ability, rejecting unnecessary, speculative, for-profit development. The Cotswold AONB is a precious, national treasure and, once it's spoiled, it's spoiled for ever - our ancestors won't thank or compliment us for that.

6. Successive revisions of the development proposals do not alter the basic principles at stake here. I return to the judgment made by the 2008 Planning Inspector that the then-proposed development would "result in significant harm to the AONB through the change of character and appearance that would be the inevitable consequence of residential development of the site, however carefully designed and landscaped. I (i.e. the Inspector) do not consider that the site can be considered suitable for housing". That statement is as valid now as it was in 2008. We should not allow the AONB to be chipped away, bit by bit.

7. Thank you for providing the opportunity to comment. I trust that CBC Officers, Councillors, and the Planning Committee will take my comments and observations into account in making their decision. I object to the proposal in reference 16/01789/FUL dated 8 June 2017 and its earlier versions as entirely inappropriate, for the reasons given above.

Yours sincerely

1 Ham Close
Charlton Kings
CHELTENHAM
Glos. GL52 6NP
Tel. 

Ms C. Smart,
Case Officer. Built Environment.
PO Box 12 Municipal Offices
The Promenade
CHELTENHAM
GL50 1PP

28th October 2016

Dear Ms Smart

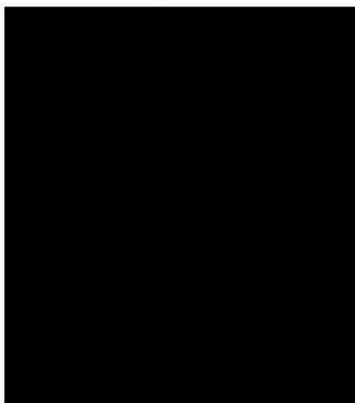
Re: Planning application 16/01789/FUL

I write to object to the above planning application being granted for the "Erection of 4 dwellings" for the following reasons.

In their wisdom the powers that be, decided that the Cotswolds should be given special status. At a **lot of time and energy, not to mention cost**, the Cotswold Area of Outstanding Natural Beauty was created. **The above application is in the Cotswold AONB** and also represents a **Departure from the Cheltenham local plan policy CO2** which states that "**Development which would harm the natural beauty of the landscape within the Cotswold AONB will not be permitted**". They stipulate cladded buildings, giving the appearance of an Industrial landscape, when the Orchards, Ryeworth Rd and Ham Close are all brick built. It is Greenfield agricultural land outside the designated urban area. The Cotswolds in general attract many visitors, The Ham area is no exception with many walkers using it for access to and from the Cotswold Way.

Some people think that rules and regulations are there to be broken. I hope those who make the decision on this application will see it for what it is, and see their way clear to **refusing** the application and thereby maintain the heritage of the Ham area on the lower slopes of the Cotswold escarpment and bolster the work done by the **Cotswold AONB** and the other organisations. **Applications have been made before to build on this site and have been refused, nothing material has changed to alter the situation**. The outcome could undoubtedly have far reaching effects for the area.

Yours sincerely



From: [REDACTED]
Sent: 26 October 2016 11:49
To: Internet - Built Environment
Subject: 16/01789/FUL - Glenfall Way

Dear Sir/Madam,

This land is in the Cotswolds AONB and should be treated as such. I understood that AONB's were granted the same level of protection as National Parks. These areas by their very nature should be protected and not be taken over with urban sprawl.

It seems highly likely that if development is undertaken on the top half of the field, the developers will then wish to press on with the development of the bottom half of the field. The ultimate goal being to push through to Chase Avenue and Detmore Close in one direction and into Ham in the other. There is no doubt in my mind that Strategic Land Partnerships will put in a further planning application for the bottom half of the field as soon as they have planning approval for the top.

These fields also house a vast array of wildlife. There are always Roe & Muntjac deer, foxes, pheasants, owls and perhaps most importantly a family of badgers. What will happen to the badgers if houses are built?

The residents of Charlton Kings wholeheartedly object to this development on protected land.

What is the point of classifying an area AONB if you then allow property development?

Regards

[REDACTED]
3 The Orchards
Glenfall Way
Charlton Kings
Cheltenham
GL52 6BJ

SAVE OUR AONB
3rd November 2016

Chair: Lucy Claridge
2 The Orchards
Glenfall Way
Charlton Kings
Cheltenham
GL52 6BJ

FAO ALL MEMBERS OF THE PLANNING COMMITTEE
CHARLTON KINGS PARISH COUNCIL
CHURCH PIECE
CHARLTON KINGS

Dear Chloe

Proposed erection of four dwellings with landscaping and public open access, at Land On
The South Side of Glenfall Way, Charlton Kings **Ref 16/01789/FUL**

Save Our AONB as a campaign group opposes yet another proposal for residential development on this small area of Cheltenham's precious part of the Cotswolds Area of Outstanding Natural Beauty.

As in 2015, many local residents have indicated that they too are against the development.

We object to the above proposals for the following reasons.

1. THE LAND IS IN THE COTSWOLDS AREA OF OUTSTANDING NATURAL BEAUTY (AONB)

AONB land is nationally designated and has the highest level of protection from harm to natural beauty. Worse, the Glenfall field lies on the fringe of the AONB which is regarded by the Cotswolds Conservation Board as the type of area most vulnerable to adverse change. The NPPF, the emerging Joint Core Strategy and Cheltenham's Saved Policy CO2 all unite in requiring that proposals for development should conserve and enhance this natural beauty (see below). We contend that Strategic Land Partnerships is in breach of this requirement. (See comment on Design later.)

2. PREVIOUS APPLICATIONS WITHDRAWN OR DISMISSED AT APPEAL ON HARM TO THE AONB

We are slightly at a loss to understand why Strategic Land Partnerships (SLP) believe this application to differ significantly, apart from the number, from their 2015 application 15/00025/OUT for 15 houses (withdrawn just before being recommended for refusal) and their 2008 application for 33/44 houses which was dismissed at Appeal, this dismissal being confirmed in the High Court. (Appeal APP/B/A/08/2067428; Adams v Secretary of State for Communities and Local Government.)

Though SLP say this "previous appeal decision carries very little weight" (D&AS Para. 3.13),

significant to the current application (and, we would have thought, pretty compelling) comments from the 2008 Inspector's decision are as follows:

Paragraph 58: *"I have no doubt that the current proposal would result in significant harm to the AONB through the change in character and appearance that would be the inevitable consequence of residential development of the site, however carefully designed and landscaped . . . In these circumstances I do not consider that the site can be considered suitable for housing. I conclude that the shortfall in housing land supply and the community benefits that would be provided in association with the scheme are of insufficient weight to overcome the significant harm to the character and appearance of the AONB which would flow from the development."*

This statement echoes an Inspector's decision on an earlier similar planning application (T/APF/5223/A/80/O6772/G9) in 1980 even before the 1990 incorporation of the land into the AONB (which also SLP also try to call into question (D&AS Para 3.8)).

SLP contend that planning has changed since 2008, that there is now a presumption in favour of sustainable development, that this is in any case a smaller development (4 as opposed to 15 or 44 / 33 dwellings), that Cheltenham has still got a housing land shortage and so the decision should be approved.

However, on the topic of 'presumption in favour', the National Planning Policy Framework (NPPF) Paragraph 14 limits this automatic approval which SLP expects where *"specific policies in the Framework indicate development should be restricted"* - explanatory Footnote 9 including as an example policies protecting AONBs.

3. AONB POLICIES PROTECTING NATURAL BEAUTY

Reviewing these policies, we note that, though differently-labelled or numbered since 2008 in some cases, AONBs are still the subject of the highest level of protection from harm to their landscape and natural beauty, this confirmed in DCLG Planning Guidance in October 2014.

Indeed, the Countryside and Rights of Way 2000 Act still stands with its requirement under paragraphs 84 and 85 that local authorities should *"have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty"* included in their area – as performed to date in an exemplary fashion by Cheltenham Borough Council and Charlton Kings Parish Council.

The National Planning Policy Framework (NPPF) (replacing most PPS policies) still protects AONBs at the highest level:

NPPF Paragraph 115: *"Great weight should be given to conserving landscape and scenic beauty in . . . Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas . . ."*

Planning for the next 15 years, the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) Submission Version (November 2014) echoes the NPPF with JCS Policy SD8: *The Cotswolds Area of Outstanding Natural Beauty(AONB)*

All development proposals in or adjacent to the Cotswolds will be required to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities. Proposals will require to be consistent with the policies set out in the Cotswolds AONB Management Plan.

Also, significantly, stated in JCS Paragraph 3.2.16: *“It is considered that land within the AONB is not an appropriate location for urban extensions and it is has therefore been excluded from this site selection process.”*

Cheltenham’s latest Local Plan is in preparation, so far only at the Issues and Options consultation stage (to be completed upon the adoption of the JCS). The Glenfall site was listed as CPO29 and was shown with a red coding – ‘not for development’. This coding was supported by a large number of residents who responded to the 2014 consultation.

Saved policies from the earlier 2006 Local Plan, not contrary to the NPPF, are still extant, most importantly Policy CO2 - **“Development which would harm the natural beauty of the landscape within the AONB will not be permitted.”**

So then, it appears that the changes in planning since 2008 should not have in any way reduced the protection which should be accorded to the AONB against landscape harm.

4. **UNCONSULTED AND UNTESTED LANDSCAPE CHARACTER, SENSITIVITY AND CAPACITY ASSESSMENT OF COTSWOLDS AONB WITHIN THE CHELTENHAM BOROUGH ADMINISTRATIVE AREA (RYDER REPORT)**

However, alongside the Issues document, the above landscape report was published, an ‘evidence base’ report which identified parts of Cheltenham’s AONB as having ‘capacity’ for development. The report was commissioned by the Strategic Planners, so far without public consultation or Members’ input as far as we can ascertain. We find it very odd that planners should have accepted its flawed findings (particularly vis a vis Glenfall Way) and then, before it had been tested at Examination in Public, based on their opinion alone, should ostensibly have encouraged development, especially as it had been the subject of two previous Appeals dismissed on harm to natural beauty. We are apprehensive that the report may nevertheless be considered ‘material’ to this planning application. Certainly Strategic Land Partnerships appear to be placing great reliance upon it.

(NOTE: THE LANDSCAPE AND VISUAL IMPACT ASSESSMENT USES THE UNREVISED PRE-APRIL 2016 VERSION OF THE RYDER REPORT)

5. **HARM TO NATURAL BEAUTY**

Whether to permit or not should be simply a matter of establishing whether on balance the proposal will indeed harm the scenic beauty of the AONB, or whether fewer dwellings and a slightly larger strip of retained view (the only substantial changes since the application withdrawn in 2015) will mitigate the harm identified in 2008.

We believe that SLP’s own documentation will show that it does not. We ask you to refer to these three images online in the following application documents -

Harm to natural beauty continued...

From Landscape and Visual Impact Assessment:

4.2 Views from the North: RVP 01 View towards site from Glenfall Way and Ryeworth Road Junction

This shows the so far unspoilt attractive green land stretching to the Cotswolds scarp. The Landscape Report photograph, possibly intentionally, is not the most evocative of pictures. Save Our AONB have pictures recording much better the full natural beauty of this landscape as residents see it from Glenfall Way. On the rural nature of the site, there has been a concerted effort by SLP to convince the reader that the site is urban and that housing to southeast and northwest dominate the character so that additional housing will not be noticed, in fact will be forming a new boundary to the town. For instance, the Landscape Report 3.5.22 states that the site *“is heavily influenced by the residential suburban edge of Charlton Kings”*.

- Note from the image (and from actuality), when looking out over the fence towards the Cotswolds, that there is no sign of this urban character which the developers insist will validate building on this site.

4.4 Views from the South: RVP 07 View towards site from mid-section of FP 20

Looking back to the site from FP 20, if this image were less blurred, it would be plain to see that Cheltenham’s Principal Urban Area is neatly ‘end-stopped’ by The Orchards and that the Glenfall Way field is not part of the town but is instead part of the undeveloped sweep of green land extending north eastwards to Ham.

From Design and Access Statement:

Image at top of Section 4

With the development shown, view RVP 01 out to the Cotswolds is now largely blotted out by four massive warehouse-like structures made even more industrial in appearance by their zinc roofs and cladding and not relating either to the neighbourhood nor to their rural setting.

From Landscape and Visual Impact Assessment: Potential Impact on various views

An assessment of the visual impact of the development from different public viewpoints on for instance the Cotswolds slopes is mostly accurate but tries to play down the effects, downgrading the sensitivity of existing properties to change.

In the case of The Orchards, the properties most likely to be visually affected by the development, for whatever reason no actual viewpoint has been shown nor its effects analysed. We consider this a serious omission. Some information has been bundled into 4.5.9 Table 6 but under RVP 03 Cheltenham Circular Walk. There is an acknowledgement that Nos 1, 2 & 3 The Orchards will be visually affected by the development, No 3 in particular.

We also object to objective assessments being watered down in the developer’s favour, for instance, by trying to persuade us as follows for view RVP 01 from Glenfall Way (see above).

Harm to natural beauty continued...

“Magnitude of Change – Major adverse however not out of character or context with experiences along the road . . . The proposed housing will form a new element . . . but will not be out of character or expectation of the casual observer . . .” It obviously will.

Though mentioning the fact that trees will form better screens in summer when fully in leaf, the report does not mention the fact that trees may be bare for up to six months of the year and the potential for views into the site will be increased.

6. PROPOSED HOUSES NOT APPROPRIATE IN AONB SETTING AND WILL NOT ENHANCE NATURAL BEAUTY

The four sets of application drawings A-P-200- 01 to 04 (Proposed Houses) reveal exactly how little SLP seems to have understood or cared about the sensitivity of AONB locations. They pay lip service to requirements but do not achieve them in practice:

For instance, from the D&AS:

3.17: *“The development is designed to integrate into the landscape”* – Four large prominent buildings clad in Zinc?

4.7 : *“The district contains a rich mix of housing styles and tenures; the proposals here are intended to complement and add to the variety”* – Nothing complementary in designs so at variance with the neighbourhood.

4.13: *“ Furthermore, the actual amount of development is deceptive as it is only a single house presents itself on the main road, the other 3 houses stretch away behind it and so impact less on the public perception”* – This only works if you stand in one position with the properties already in line.

4.26: *“ Whilst the proposals will form a new feature within the view, they will not appear out of character or expectation of the surrounding suburban area”* – Sort of zinc-clad warehouses will surely be an unexpected and uncharacteristic addition to Glenfall Way.

4.30: *“Overall, the proposals have been designed to create a high quality development that respects and positively contributes to the key landscape features of the local character”* – This is nonsense.

See also 4.32, 4.35, 4.38 for more along the same lines.

From ‘Landscape and Visual Assessment’

3.2.13: *“There is no overriding architectural style within the area and materials are typically brick, render and some cladding”* – So that means you use zinc cladding?

3.3.15: *“The small-scale intimate character of the Landscape Character Areas is considered potentially sensitive to any new development. Maintaining the distinctive settlement pattern is considered a key aspect”* – So create a sausage-shaped plot with four large ware-house-like properties not quite in a straight line?

7. DEVELOPMENT CONTRARY TO COTSWOLDS AONB MANAGEMENT PLAN 2013-2018

Whatever their claims, above, SLP appear to have ignored Policy DTP1 Bullets 1 – 3 which state that development should:

- be compatible with the distinctive character of the location as described by the relevant landscape character assessment, strategy and guidelines;
- incorporate designs and landscaping consistent with the above, respecting the local settlement pattern and building style;
- be designed to respect local building styles and materials

Case Officer advice echoing DTP1

The D&AS records two pre-application consultations with planners. The Case Officer twice made the same points:

*“A contemporary approach is welcomed on this site, but given the sensitive context this would need to be of a high quality and also **pay regard to the local vernacular to ensure any proposal complements the surroundings**” and “A suitably designed scheme in the north west corner would not unacceptably compromise the landscape and scenic beauty . . . a contemporary architectural approach would be welcomed, but given the sensitive context, this would need to be of an appropriate mass and scale and also of high quality and pay regard to the local vernacular to ensure any proposal complements the surroundings.”*

8. RESULT OF PRESENTATION TO GLOUCESTERSHIRE DESIGN PANEL

Save Our AONB finds it perverse then that the advice above was ignored in favour of the Gloucestershire Design Panel’s approval for the designs as submitted:

“ Overall well-conceived, the proposed material palette created an exciting and vibrant design”

“ Aesthetics: good potential to achieve the highest standards in modern architectural design” –

but not for a rural AONB setting.

(We were a little disturbed to find that three of the developers’ consultants - Hunter Page, Luxton Architects and Davies Landscapes - are represented on this panel.)

9. FUTURE OF WHOLE SITE IF PERMISSION IS GIVEN

The ‘red line’ development boundary includes the whole site. The drafting of D&AS ‘Planning Obligation 7.4 ‘Green Infrastructure’ seems imprecise: though committing to keep 1.2ha of land open it does not say for how long.

It would seem eminently possible that, should permission for residential development for the 4 houses be given, the whole site would benefit from the residential qualification. It would be a mere step to apply to develop the whole area later and very difficult to refuse it once even limited residential use had been established.

10. PRECEDENT SHOULD PERMISSION BE GIVEN

Permission for this one site would create an unstoppable precedent for other development in the AONB on the edge of Cheltenham. The inspector in 2008 in Paragraph 59 of his decision also warned of this:

“I do not consider the appeal site and its relationship with the AONB to be unique on the periphery of Cheltenham. While precedent is not a reason for refusal in its own right,

allowing this appeal could only encourage applications on other peripheral site in the AONB and create a great deal of uncertainty as to the value of the AONB designation at the edge of a principal urban area.”

Even in Ham we have mapped numerous sites just waiting for the floodgates to open.

We consider this to be further reason for refusing the application, to protect Cheltenham’s special green setting from urban creep in accordance with Cheltenham Saved Policy CP3 a) and b).

OTHER REASONS FOR REFUSING THIS APPLICATION

1. Unplanned Speculative Open Market Housing

Bullet Point 1 of the NPPF (CORE PLANNING PRINCIPLES) states that planning should ‘be genuinely plan-led, empowering local people to shape their surroundings’, which this application does not.

2. The site is outside Cheltenham’s Principal Urban Area

The site is outside Cheltenham’s Principal Urban Area and so any development would in effect be an unplanned urban extension.

3. A Greenfield site in an AONB designated area should be last to be developed

The land is also the greenest of greenfield sites as witnessed by the total absence of any archaeological evidence. Brownfield sites are once again preferred and encouraged (DCLG Planning Guidance and NPPF Paragraph 111). Cheltenham has opportunities in this respect and all Local Authorities are to prepare a schedule of such land. Otherwise use of lesser quality land is preferred for development (NPPF Paragraph 17) – not development on a designated green field in the AONB.

4. No special circumstances exist

No ‘special circumstances’ exist for permitting this development: a shortfall of housing which SLP rely on to pursue their case is not a reason to encroach on the natural beauty of the AONB, as DCLG Ministers have stated and two Inspectors judged.

In any case, the contribution of just 4 properties to any housing shortfall must be an entirely unacceptable reason for breaching the integrity of Cheltenham’s green fringe.

Nor is there national strategic need for these houses.

Nor does any of the houses qualify for the old PPS7 Paragraph 11 permission for development : they are not isolated as there are four of them, they are not of extraordinary architectural merit and they certainly do not provide ‘significant enhancement’ of their setting nor are they are ‘sensitive to the defining character of the local area’.

5. Amenity of future residents compromised

Recognising that the SLP housing is only proposed for the south west of the site, nevertheless attention should be drawn to the ongoing waste transfer and topsoil business at Stevens Yard at Ham Villa Farm (not mentioned by SLP) meaning a constant

and noisy heavy volume of skips and wagons using the track up to the Yard along the north eastern edge of the site.

We consider that these 'disamenities' run counter to DESIGN REQUIREMENTS , JCS Policy SD5 III, Amenity and Space, requiring avoidance or mitigation of potential disturbances, including visual intrusion, **noise, smell and pollution.**

We also would suggest that discerning buyers able to afford large and expensive homes, such as are proposed here, will not voluntarily choose to buy into a site adversely affected by a neighbouring business if another choice is available.

CONCLUSION

For all the reasons given above, we believe that this small part of our AONB should not be sacrificed for the sake of a mere 4 inappropriately-designed unplanned speculative open market houses, an insignificant contribution to Cheltenham's housing need but if implemented leading to an irreparable loss to the Cotswolds AONB's integrity and to Cheltenham's green setting.

We hope that you agree with us and that Cheltenham Borough Council will object to the proposals.

Have we all not got a duty to protect these precious places from speculative development?



From: [REDACTED]
Sent: 28 October 2016 10:19
To: Internet - Built Environment
Subject:

Reference 16/01789/FUL

I strongly OBJECT to this development. This land is the start of THE COTSWOLD AONB and should therefore be protected from development. This development would also bring too many vehicles into this area and certainly would destroy the beautiful area it now is. So definitely NO development please.

Sincerely,

[REDACTED]

9 Hartlebury Way
Charlton Kings
GL52 6YB

-----Original Message-----

From: [REDACTED]

Sent: 28 October 2016 19:27

To: Internet - Built Environment

Subject: Glenfall Way (ref 16/01789/FUL)

Dear Madam/Sir.

I am writing to object to the planning application for four houses on the field off Glenfall Way in Charlton Kings. There are several reasons why I am objecting, but the most important one is that this development is to be built on the Cotswold Area of Outstanding Natural Beauty. To allow the building of these four houses would surely set a precedent and result in this whole field (and then many, many others) being developed.

There is already a high density of housing in the Ryeworth area, with several new houses being built at the moment, and there is simply no need for any more of this size to be built. The local schools are bursting at the seams and any further houses will add to the difficulty in local parents finding school places for their children.

I find it extraordinary that we are once again in the position of having to fight to maintain the natural beauty of Charlton Kings. Any housing built on those fields will certainly spoil a stunning part of our countryside, and for no other reason than the greed of the developer. I urge you to refuse this planning application and any future ones, as I have no doubt that I will receive more letters informing me of plans for further housing on this site.

I have no doubt that the planning department will make the right decision and uphold the sanctity of the AONB.

Yours sincerely,

[REDACTED]
41 Ryeworth Rd
Charlton Kings
[REDACTED]

Sent from my iPad

From: [REDACTED]
Sent: 30 October 2016 10:15
To: Internet - Built Environment
Subject: Planning Reference 16/01789/FUL

Re: Cheltenham Borough Council Planning Application Reference 16/01789/FUL

Please consider this as two persons objecting.

Objection

We wish to object to the above planning application on the following grounds:-

1. This development is proposed to be sited on the Cotswolds Area of Outstanding Natural Beauty (AONB), which should be protected from exploitation by developers. Further, an earlier application all-be-it for a higher number of houses has already been refused, appealed and dismissed on grounds that "...however carefully designed and landscaped ...We do not consider that the site can be considered suitable for housing". (Inspector 2008.) This judgement applies for any houses whether it is 42, 14 or 4 houses, this being the case, how can this application be considered for approval?
2. Permitting this application will inevitably open the floodgates to further ingresses into the AONB by this developer or any persons desirous to develop areas further along Glenfall Way. We fear this only "the first bite of the cherry" and will lead to a domino effect.
3. Although this application is in Full form, once passed, we fear it will be readily amended in any number of ways. It being the nature of developers to revise plans to maximise benefits for their own purposes. An example of this practice exists in a development on the other side of Glenfall Way.
4. Again, we raise concerns over water run-off from non-permeable surfaces that any development will create. Such run-off will inevitably surge into tributaries of the river Chelt adding to the volume of water flowing alongside Hartlebury Way and the lower section of Glenfall Way. Some areas along these roads were subjected to flooding in July 2007, we fear even this small development will make matters worse if such an event were repeated.
5. There are numerous technical/administrative reasons for rejecting this application, which have been made by others more competent in planning matters than us. We endorse their objections.
6. This planning application should be rejected and we would hope that the CBC will make it clear to the developers, once and for all, that CBC will not countenance any further applications to build on this land. This type of persistence is costing the Council money that could be put to better use for citizens of Charlton Kings and Cheltenham.

Yours faithfully

[REDACTED]

3 Hartlebury Way,
Charlton Kings
Cheltenham
GL52 6YB

14 Pembridge Close, Charlton Kings, Cheltenham, GL52 6XY

2 November 2016

Ms Chloe Smart
Planning Officer, Built Environment
Cheltenham Borough Council
PO Box 12, Municipal Offices
The Promenade
Cheltenham
GL50 9SA

Planning Application: 16/01789/FUL

Construction of up to 4 dwellings, on land to the South side of Glenfall Way, Charlton Kings, Cheltenham.

Dear Ms Smart,

We, the residents in this household, are opposed to the granting of outline planning permission for housing development on this site for the following reasons:

1. 50 years ago the Cotswolds was designated a protected landscape as it was made Britain's largest AONB. It is one of the country's finest landscapes and a place to be looked after for future generations. Just because the field in the proposal is the last one in the Cotswolds AONB, next to an urban area does not mean this is a reason for development. We were opposed to housing development on this site in 2007 when a development proposal was made to the Council for this very reason. There has been no change in the policy for the AONB so there is no reason for this proposal to be accepted, a similar proposal having been rejected in 2008, and the decision upheld by the High Court.
2. There is **no** justification for this development as it is a green field agricultural site in the Cotswold Area of Outstanding Natural Beauty. It may be in the jurisdiction of Cheltenham borough but it is part of a larger area to the east designated as a Cotswold AONB. As part of specially designated area of beautiful English countryside it needs to be actively preserved and protected, as stated in a number of statutory planning documents: the National Planning Policy Framework, the submission draft of the Joint Core Strategy Policy and the Saved Policy of the Cheltenham Local Plan. The site has not been allocated for housing in Cheltenham's plans, nor is there a validated report selecting it for development.
3. In the report by Davies Landscape Architects under the heading 'Aesthetic and Perceptual' page 13 para 3.2.14 it is stated 'The aesthetic and perceptual qualities of the site are notably influenced by adjoining suburban development of Charlton Kings to the north and west.' **The applicant assumes that the field under consideration lies within the urban area of Cheltenham whereas it actually is in the protected landscape of the AONB. The photographs of local development further down Glenfall Way towards the London road should therefore not be taken into consideration. Instead the field is part of the ancient village of Ham. The housing in this village is mainly traditional and in the Cotswold style. There are two objections here, one**

is that the style of housing chosen in the plan is not in keeping with the Cotswold area using non-traditional materials ; the second that no housing development should be permitted in this Cotswold green field in the protected area as there is no local reason to do so.

4. Developments in the AONB are to be allowed only for special reasons such as on Brownfield land or to provide buildings needed for work activities. Neither of these are the case; this is just an urban extension. JCS plan (paragraph 3.2.16) states 'land within the AONB is not an appropriate location for urban extensions.'
5. To build on this land would be just an extension of the urban fringe in which case it would no longer be an AONB site. This would be a cause of reducing the size of the AONB and further encroachment would be likely, creeping up into the picturesque ancient village of Ham.
6. The field is not an entity in itself but it is part of a greater whole which provides a country amenity of natural landscape visible to all who use the roads and paths for walking, horse riding, cycling and running. The area would lose part of its open, rural aspect which gives the area its character if this field were to be developed.
7. The fact that there is a need for housing in Cheltenham is **not** a reason for building on this particular piece of land. Charlton Kings village does not support any large industries requiring housing for its workers. In the present day, when it is desirable to provide housing nearer to industry, to save fuel, this is not a logical choice. There are few amenities here and it is several miles away from the motorways for people already commuting. This would therefore not represent sustainable development.
8. **The outline planning permission sought is for 4 homes, large houses to attract wealthy buyers from outside the area, not to serve the local community. This is expensive land owned by a speculator seeking to make returns by building high value properties.** There is no assurance that only 4 homes would be built. The Council should bear in mind that once outline permission should be granted the land could be sold on to a builder who would then seek to alter the plans and seek permission for a larger number of houses. If permission for a small development was granted it would be harder to refuse such a request.
9. There are several environmental issues with the development of this field. The first one is that there are many underground streams the courses of which are probably unknown. If this land were to be built on the water would find another route away from the hill on which it stands. Further down the valley many homes and gardens were flooded in July 2007 causing a great deal of expense and inconvenience to many families, several of them just below the field on Hartlebury Way. More recently, in the winter of 2014, a huge sink hole appeared under the road in Pembridge Close, the sandy soil having been washed away by underground streams swollen by heavy rains. We were in danger of having our cars stranded in the Close by the size and depth of the hole. The houses at the end of Hartlebury Way, adjacent to the field, are in particular danger from underground water changing course as they are considerably lower than the field. At present they are protected by a culvert but it could easily be flooded if there was a built environment above it.
10. The road serving the proposed development would be emerging close to Glenfall Primary School on a corner which becomes congested with traffic at school times and would therefore create danger for children and parents using the school and pre-school. There are also implications for Ryeworth Road which is always one lane wide because of lack of parking for local residents and the junction at Sixways which so often has queues of traffic waiting to proceed.

11. Alongside the proposed site is a track leading to a waste disposal business frequented by heavy skip lorries all day. This represents a further traffic hazard and the effect of fumes from the lorries would not be healthy in the back gardens of any houses backing on to it. We do not know what the levels of pollution are from the site itself but the field affects a buffer of open land between this activity, the school and local residencies. These issues must be addressed in any environmental assessment for this site.
12. **The style of the houses shown on the planning proposal do not fit into the Cotswold style of the AONB. The building materials suggested are not local stone and traditional.** Just look at the next village, Whittington, and see how local Cotswold yellow stone has been used for the recent developments which have taken place on Brownfield sites, or merely extensions to houses. This is what the Cotswold Authority insist on. I hope Cheltenham Borough Council have the same standards.
13. The proposed development would harm the natural beauty of the AONB as it could be seen from the footpaths in the AONB. All the planning policies require that any development in the AONB conserves and enhances the landscape and natural beauty which this proposal does not.
14. As the inspector said in 2008 *'I have no doubt that the current proposal would result in significant harm to the AONB through the change in character and appearance that would be the inevitable consequence of residential development on this site, however carefully designed and landscaped... I do not consider that the site can be considered suitable for housing.'* The same still applies to the present proposal. The development would harm part of the AONB by its presence and would definitely not enhance its natural beauty.

For all these reasons we ask the council to reject the plan.



SAVE OUR AONB
3rd November 2016


2 The Orchards
Glenfall Way
Charlton Kings
Cheltenham
GL52 6BJ

FAO CHLOE SMART
PLANNING
CHELTENHAM BOROUGH COUNCIL
PO BOX 12
MUNICIPAL OFFICES
PROMENADE
CHELTENHAM
GLOS, GL50 1PP

Dear Chloe

**Proposed erection of four dwellings with landscaping and public open access, at Land On
The South Side of Glenfall Way, Charlton Kings** **Ref 16/01789/FUL**

Save Our AONB as a campaign group opposes yet another proposal for residential development on this small area of Cheltenham's precious part of the Cotswolds Area of Outstanding Natural Beauty.

As in 2015, many local residents have indicated that they too are against the development.

We object to the above proposals for the following reasons.

1. THE LAND IS IN THE COTSWOLDS AREA OF OUTSTANDING NATURAL BEAUTY (AONB)

AONB land is nationally designated and has the highest level of protection from harm to natural beauty. Worse, the Glenfall field lies on the fringe of the AONB which is regarded by the Cotswolds Conservation Board as the type of area most vulnerable to adverse change. The NPPF, the emerging Joint Core Strategy and Cheltenham's Saved Policy CO2 all unite in requiring that proposals for development should conserve and enhance this natural beauty (see below). We contend that Strategic Land Partnerships is in breach of this requirement. (See comment on Design later.)

2. PREVIOUS APPLICATIONS WITHDRAWN OR DISMISSED AT APPEAL ON HARM TO THE AONB

We are slightly at a loss to understand why Strategic Land Partnerships (SLP) believe this application to differ significantly, apart from the number, from their 2015 application 15/00025/OUT for 15 houses (withdrawn just before being recommended for refusal) and their 2008 application for 33/44 houses which was dismissed at Appeal, this dismissal being confirmed in the High Court. (Appeal APP/B/A/08/2067428; Adams v Secretary of State for Communities and Local Government.)

Though SLP say this “previous appeal decision carries very little weight’ (D&AS Para. 3.13),

significant to the current application (and, we would have thought, pretty compelling) comments from the 2008 Inspector’s decision are as follows:

Paragraph 58: *“I have no doubt that the current proposal would result in significant harm to the AONB through the change in character and appearance that would be the inevitable consequence of residential development of the site, however carefully designed and landscaped . . . In these circumstances I do not consider that the site can be considered suitable for housing. I conclude that the shortfall in housing land supply and the community benefits that would be provided in association with the scheme are of insufficient weight to overcome the significant harm to the character and appearance of the AONB which would flow from the development.”*

This statement echoes an Inspector’s decision on an earlier similar planning application (T/APF/5223/A/80/O6772/G9) in 1980 even before the 1990 incorporation of the land into the AONB (which also SLP also try to call into question (D&AS Para 3.8)).

SLP contend that planning has changed since 2008, that there is now a presumption in favour of sustainable development, that this is in any case a smaller development (4 as opposed to 15 or 44 / 33 dwellings), that Cheltenham has still got a housing land shortage and so the decision should be approved.

However, on the topic of ‘presumption in favour’, the National Planning Policy Framework (NPPF) Paragraph 14 limits this automatic approval which SLP expects where *“specific policies in the Framework indicate development should be restricted”* - explanatory Footnote 9 including as an example policies protecting AONBs.

3. AONB POLICIES PROTECTING NATURAL BEAUTY

Reviewing these policies, we note that, though differently-labelled or numbered since 2008 in some cases, AONBs are still the subject of the highest level of protection from harm to their landscape and natural beauty, this confirmed in DCLG Planning Guidance in October 2014.

Indeed, the Countryside and Rights of Way 2000 Act still stands with its requirement under paragraphs 84 and 85 that local authorities should *“have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty”* included in their area – as performed to date in an exemplary fashion by Cheltenham Borough Council and Charlton Kings Parish Council.

The National Planning Policy Framework (NPPF) (replacing most PPS policies) still protects AONBs at the highest level:

NPPF Paragraph 115: *“Great weight should be given to conserving landscape and scenic beauty in . . . Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas . . .”*

Planning for the next 15 years, the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) Submission Version (November 2014) echoes the NPPF with JCS Policy SD8: *The Cotswolds Area of Outstanding Natural Beauty(AONB)* *All development proposals in or adjacent to the Cotswolds will be required to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities. Proposals will require to be consistent with the policies set out in the Cotswolds AONB Management Plan.*

Also, significantly, stated in JCS Paragraph 3.2.16: *“It is considered that land within the AONB is not an appropriate location for urban extensions and it is has therefore been excluded from this site selection process.”*

Cheltenham’s latest Local Plan is in preparation, so far only at the Issues and Options consultation stage (to be completed upon the adoption of the JCS). The Glenfall site was listed as CPO29 and was shown with a red coding – ‘not for development’. This coding was supported by a large number of residents who responded to the 2014 consultation.

Saved policies from the earlier 2006 Local Plan, not contrary to the NPPF, are still extant, most importantly Policy CO2 - **“Development which would harm the natural beauty of the landscape within the AONB will not be permitted.”**

So then, it appears that the changes in planning since 2008 should not have in any way reduced the protection which should be accorded to the AONB against landscape harm.

4. **UNCONSULTED AND UNTESTED LANDSCAPE CHARACTER, SENSITIVITY AND CAPACITY ASSESSMENT OF COTSWOLDS AONB WITHIN THE CHELTENHAM BOROUGH ADMINISTRATIVE AREA (RYDER REPORT)**

However, alongside the Issues document, the above landscape report was published, an ‘evidence base’ report which identified parts of Cheltenham’s AONB as having ‘capacity’ for development. The report was commissioned by the Strategic Planners, so far without public consultation or Members’ input as far as we can ascertain. We find it very odd that planners should have accepted its flawed findings (particularly vis a vis Glenfall Way) and then, before it had been tested at Examination in Public, based on their opinion alone, should ostensibly have encouraged development, especially as it had been the subject of two previous Appeals dismissed on harm to natural beauty. We are apprehensive that the report may nevertheless be considered ‘material’ to this planning application. Certainly Strategic Land Partnerships appear to be placing great reliance upon it.

(NOTE: THE LANDSCAPE AND VISUAL IMPACT ASSESSMENT USES THE UNREVISED PRE-APRIL 2016 VERSION OF THE RYDER REPORT)

5. **HARM TO NATURAL BEAUTY**

Whether to permit or not should be simply a matter of establishing whether on balance the proposal will indeed harm the scenic beauty of the AONB, or whether fewer dwellings and a slightly larger strip of retained view (the only substantial changes since the application withdrawn in 2015) will mitigate the harm identified in 2008.

We believe that SLP's own documentation will show that it does not. We ask you to refer to these three images online in the following application documents -

Harm to natural beauty continued...

From Landscape and Visual Impact Assessment:

4.2 Views from the North: RVP 01 View towards site from Glenfall Way and Ryeworth Road Junction

This shows the so far unspoilt attractive green land stretching to the Cotswolds scarp. The Landscape Report photograph, possibly intentionally, is not the most evocative of pictures. Save Our AONB have pictures recording much better the full natural beauty of this landscape as residents see it from Glenfall Way. On the rural nature of the site, there has been a concerted effort by SLP to convince the reader that the site is urban and that housing to southeast and northwest dominate the character so that additional housing will not be noticed, in fact will be forming a new boundary to the town. For instance, the Landscape Report 3.5.22 states that the site *"is heavily influenced by the residential suburban edge of Charlton Kings"*.

- Note from the image (and from actuality), when looking out over the fence towards the Cotswolds, that there is no sign of this urban character which the developers insist will validate building on this site.

4.4 Views from the South: RVP 07 View towards site from mid-section of FP 20

Looking back to the site from FP 20, if this image were less blurred, it would be plain to see that Cheltenham's Principal Urban Area is neatly 'end-stopped' by The Orchards and that the Glenfall Way field is not part of the town but is instead part of the undeveloped sweep of green land extending north eastwards to Ham.

From Design and Access Statement:

Image at top of Section 4

With the development shown, view RVP 01 out to the Cotswolds is now largely blotted out by four massive warehouse-like structures made even more industrial in appearance by their zinc roofs and cladding and not relating either to the neighbourhood nor to their rural setting.

From Landscape and Visual Impact Assessment: Potential Impact on various views

An assessment of the visual impact of the development from different public viewpoints on for instance the Cotswolds slopes is mostly accurate but tries to play down the effects, downgrading the sensitivity of existing properties to change.

In the case of The Orchards, the properties most likely to be visually affected by the development, for whatever reason no actual viewpoint has been shown nor its effects analysed. We consider this a serious omission. Some information has been bundled into 4.5.9 Table 6 but under RVP 03 Cheltenham Circular Walk. There is an acknowledgement that Nos1, 2 & 3 The Orchards will be visually affected by the development, No3 in particular.

We also object to objective assessments being watered down in the developer's favour, for instance, by trying to persuade us as follows for view RPV 01 from Glenfall Way (see above).

Harm to natural beauty continued...

"Magnitude of Change – Major adverse however not out of character or context with experiences along the road . . . The proposed housing will form a new element . . . but will not be out of character or expectation of the casual observer . . ." It obviously will.

Though mentioning the fact that trees will form better screens in summer when fully in leaf, the report does not mention the fact that trees may be bare for up to six months of the year and the potential for views into the site will be increased.

6. PROPOSED HOUSES NOT APPROPRIATE IN AONB SETTING AND WILL NOT ENHANCE NATURAL BEAUTY

The four sets of application drawings A-P-200- 01 to 04 (Proposed Houses) reveal exactly how little SLP seems to have understood or cared about the sensitivity of AONB locations. They pay lip service to requirements but do not achieve them in practice:

For instance, from the D&AS:

3.17: *"The development is designed to integrate into the landscape"* – Four large prominent buildings clad in Zinc?

4.7 : *"The district contains a rich mix of housing styles and tenures; the proposals here are intended to complement and add to the variety"* – Nothing complementary in designs so at variance with the neighbourhood.

4.13: *" Furthermore, the actual amount of development is deceptive as it is only a single house presents itself on the main road, the other 3 houses stretch away behind it and so impact less on the public perception"* – This only works if you stand in one position with the properties already in line.

4.26: *" Whilst the proposals will form a new feature within the view, they will not appear out of character or expectation of the surrounding suburban area"* – Sort of zinc-clad warehouses will surely be an unexpected and uncharacteristic addition to Glenfall Way.

4.30: *"Overall, the proposals have been designed to create a high quality development that respects and positively contributes to the key landscape features of the local character"* – This is nonsense.

See also 4.32, 4.35, 4.38 for more along the same lines.

From 'Landscape and Visual Assessment'

3.2.13: *"There is no overriding architectural style within the area and materials are typically brick, render and some cladding"* – So that means you use zinc cladding?

3.3.15: *"The small-scale intimate character of the Landscape Character Areas is considered potentially sensitive to any new development. Maintaining the distinctive settlement pattern is considered a key aspect"* – So create a sausage-shaped plot with four large ware-house-like properties not quite in a straight line?

7. DEVELOPMENT CONTRARY TO COTSWOLDS AONB MANAGEMENT PLAN 2013-2018

Whatever their claims, above, SLP appear to have ignored Policy DTP1 Bullets 1 – 3 which state that development should:

- be compatible with the distinctive character of the location as described by the relevant landscape character assessment, strategy and guidelines;
- incorporate designs and landscaping consistent with the above, respecting the local settlement pattern and building style;
- be designed to respect local building styles and materials

Case Officer advice echoing DTP1

The D&AS records two pre-application consultations with planners. The Case Officer twice made the same points:

*“A contemporary approach is welcomed on this site, but given the sensitive context this would need to be of a high quality and also **pay regard to the local vernacular to ensure any proposal complements the surroundings**” and “A suitably designed scheme in the north west corner would not unacceptably compromise the landscape and scenic beauty . . . a contemporary architectural approach would be welcomed, but given the sensitive context, this would need to be of an appropriate mass and scale and also of high quality and pay regard to the local vernacular to ensure any proposal complements the surroundings.”*

8. RESULT OF PRESENTATION TO GLOUCESTERSHIRE DESIGN PANEL

Save Our AONB finds it perverse then that the advice above was ignored in favour of the Gloucestershire Design Panel’s approval for the designs as submitted:

“Overall well-conceived, the proposed material palette created an exciting and vibrant design”

“Aesthetics: good potential to achieve the highest standards in modern architectural design” –

but not for a rural AONB setting.

(We were a little disturbed to find that three of the developers’ consultants - Hunter Page, Luxton Architects and Davies Landscapes - are represented on this panel.)

9. FUTURE OF WHOLE SITE IF PERMISSION IS GIVEN

The ‘red line’ development boundary includes the whole site. The drafting of D&AS ‘Planning Obligation 7.4 ‘Green Infrastructure’ seems imprecise: though committing to keep 1.2ha of land open it does not say for how long.

It would seem eminently possible that, should permission for residential development for the 4 houses be given, the whole site would benefit from the residential qualification. It would be a mere step to apply to develop the whole area later and very difficult to refuse it once even limited residential use had been established.

10. PRECEDENT SHOULD PERMISSION BE GIVEN

Permission for this one site would create an unstoppable precedent for other development in the AONB on the edge of Cheltenham. The inspector in 2008 in Paragraph 59 of his decision also warned of this:

"I do not consider the appeal site and its relationship with the AONB to be unique on the periphery of Cheltenham. While precedent is not a reason for refusal in its own right, allowing this appeal could only encourage applications on other peripheral site in the AONB and create a great deal of uncertainty as to the value of the AONB designation at the edge of a principal urban area."

Even in Ham we have mapped numerous sites just waiting for the floodgates to open.

We consider this to be further reason for refusing the application, to protect Cheltenham's special green setting from urban creep in accordance with Cheltenham Saved Policy CP3 a) and b).

OTHER REASONS FOR REFUSING THIS APPLICATION

1. Unplanned Speculative Open Market Housing

Bullet Point 1 of the NPPF (CORE PLANNING PRINCIPLES) states that planning should 'be genuinely plan-led, empowering local people to shape their surroundings', which this application does not.

2. The site is outside Cheltenham's Principal Urban Area

The site is outside Cheltenham's Principal Urban Area and so any development would in effect be an unplanned urban extension.

3. A Greenfield site in an AONB designated area should be last to be developed

The land is also the greenest of greenfield sites as witnessed by the total absence of any archaeological evidence. Brownfield sites are once again preferred and encouraged (DCLG Planning Guidance and NPPF Paragraph 111). Cheltenham has opportunities in this respect and all Local Authorities are to prepare a schedule of such land. Otherwise use of lesser quality land is preferred for development (NPPF Paragraph 17) – not development on a designated green field in the AONB.

4. No special circumstances exist

No 'special circumstances' exist for permitting this development: a shortfall of housing which SLP rely on to pursue their case is not a reason to encroach on the natural beauty of the AONB, as DCLG Ministers have stated and two Inspectors judged.

In any case, the contribution of just 4 properties to any housing shortfall must be an entirely unacceptable reason for breaching the integrity of Cheltenham's green fringe. Nor is there national strategic need for these houses.

Nor does any of the houses qualify for the old PPS7 Paragraph 11 permission for development : they are not isolated as there are four of them, they are not of extraordinary architectural merit and they certainly do not provide 'significant enhancement' of their setting nor are they are 'sensitive to the defining character of the local area'.

5. Amenity of future residents compromised

Recognising that the SLP housing is only proposed for the south west of the site, nevertheless attention should be drawn to the ongoing waste transfer and topsoil business at Stevens Yard at Ham Villa Farm (not mentioned by SLP) meaning a constant and noisy heavy volume of skips and wagons using the track up to the Yard along the north eastern edge of the site.

We consider that these 'disamenities' run counter to DESIGN REQUIREMENTS , JCS Policy SD5 III, Amenity and Space, requiring avoidance or mitigation of potential disturbances, including visual intrusion, **noise, smell and pollution.**

We also would suggest that discerning buyers able to afford large and expensive homes, such as are proposed here, will not voluntarily choose to buy into a site adversely affected by a neighbouring business if another choice is available.

CONCLUSION

For all the reasons given above, we believe that this small part of our AONB should not be sacrificed for the sake of a mere 4 inappropriately-designed unplanned speculative open market houses, an insignificant contribution to Cheltenham's housing need but if implemented leading to an irreparable loss to the Cotswolds AONB's integrity and to Cheltenham's green setting.

We hope that you agree with us and that Cheltenham Borough Council will object to the proposals.

Have we all not got a duty to protect these precious places from speculative development?

Yours faithfully


On behalf of Save Our AONB

From: [REDACTED]
Sent: 25 October 2016 10:33
To: Internet - Built Environment
Subject: ref 16/01789/FUL Glenfall Way AONB new application for 4 houses

I want to have my say because I do not agree building of any amount of houses or other building on AONB land. I fear also if this will be done there will follow more building on a piece of AONB land what I admire every day on my daily run or walk with my family or on my own. It is the nearest bit of nature near where we live and I think it is very important we keep this.

Also I am worried about what will happen to the water situation as we have had many sink holes in Pembridge close which looked very scary and are just covered up. Pembridge close is not far from this AONB land which the proposal of new buildings.

My last point would be that Cheltenham council has the policy to have residents involved in Cheltenham for work etc. I do not think these houses will be for people that would necessary be working in Cheltenham. And probable would need the A40 to go to work in a car. For every house there will be approximately an extra 2 cars and it is already very difficult to get onto the A40 from Glenfall way, especially when the entrance from Glenfall way onto the A40 will be made narrower in due course as per plans of Cheltenham Borough council.

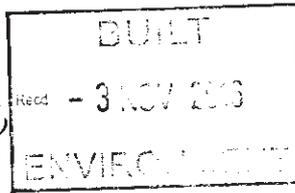
One last point I would like to add which is the beauty aspect. I do not think these houses would be astatically pleasing into this kind of landscape.

thank you

regards,

[REDACTED]
6, Pembridge close
Cheltenham
GL52 6XY

Chloe Smart,
Case Officer,
Built Environment,
P.O. Box 12,
Municipal Offices
Promenade, Cheltenham
GL50 1PP



94 Ryeworth Road,
Charlton Kings,
Cheltenham,
Glos.
GL52 6LT

31st October 2016

ref. 16/01789/FUL

Dear Madam,

I'm writing regarding the planning application for 4 houses on the field at the top of Glenfall Way. This should be rejected for the following reasons.

- a) In planning - Areas of Outstanding Natural Beauty are 'no-go' areas for housing and 2 previous applications have been refused on these grounds, so why should this one be any different when nothing has changed.
The field is still in the AONB. It is contrary to Cheltenham's Saved Policy CO2: Development which would harm the natural beauty of the landscape within the AONB will not be permitted.

continued overleaf /

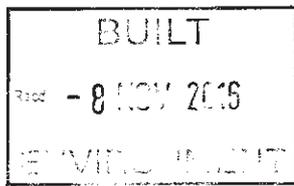
- b) Brownfield sites are supposed to be developed first,
- This is a Greenfield site and should not be considered.
- c) Cheltenham's housing plans have not allocated this site. A report that indicated this site as having capacity for development has not been validated at enquiry.
- d) The design of the houses is totally unsuitable, being incompatible with any of the styles of architecture nearby. It looks like industrial storage units.
- e) The proposed site is too near Glenfall Primary School.

I trust you will consider these points very carefully as this site is obviously unsuitable for this proposed development!

Thank you —

Yours faithfully,





Page 279 Hartlebury Way,
Charlton Kings,
Cheltenham
Gloucs. GL52-64B

5 Nov. 2016

The Case Officer,
Built Environment
P.O. Box 12
Municipal Offices,
Promenade
CHELTENHAM GL50-1PP

Dear Ms. Smart,

CBC planning application # 16/01789/FUL

It is wearisome to have to write yet again concerning a housing application for the field at the top of Glenfall Way beyond Glenfall School.

I enclose for your consideration a copy of a letter sent by me on this matter to the Planning Inspectorate in Bristol in 2008. Other letters have been written re this matter by me and many others both then, now and on other occasions. To grant this application would be a **SERIOUS ERROR OF JUDGEMENT**. In effect, it would render the term Area of Outstanding Natural Beauty (AONB) totally meaningless. It would send to the citizens not only of Charlton Kings, but also of the whole of Cheltenham the following message: Any efforts you may make or any inclinations you may have to protect your environment and to treasure areas which have the potential to uplift you in mind, body or spirit (or all three) are likely to be

totally inconsequential. I wonder? ... if one of the very lovely parts of ^{Page 280} ~~the~~ ~~area~~ — AONB on its eastern extremity reaching out towards the Cotswolds — has been sacrificed on the altar of commerce for the benefit of the few and to the detriment of thousands.

It is a total ^{irrelevancy} ~~irrelevance~~ that ^{the} ~~this~~ application under consideration is for 4 houses. Do not be seduced by the fact that it is not for 14, 24, 34 or 44. Once permission is given for 4, permission for further development on this site immediately becomes much easier. Do not grant permission for these 4 houses — or even 3 houses, two houses or one house. The only way to protect the beauty of this site, as originally was intended when it was given AONB status, IS TO HAVE NO HOUSES.

WEARY is exactly how the applicant with this plan hopes its opponents shall feel. There is apparently no limit to the number of times one applies. Perhaps it is hoped that, if application is made enough times and with ~~enough~~ sufficient variation, the staunchest opponents might be not just weary, but perhaps either dead or so advanced in years or so declined in health that they will be no longer an obstacle. TO PROTECT OUR HERITAGE BOTH FOR THIS GENERATION AND FOR GENERATIONS TO COME, SAY "NO! NO! NO!"

I am
Yours sincerely,


FROM:

Page 281

Hebony Way,
Charlton Kings,
Abetterham

GLACS . 6652-648

24 April 2008

copy
The Planning Inspectorate,
Temple Quay House,
BRISTOL BS11-6PN

Dear Sir or Madam,

Planning Inspectorate Ref. APP/B1605/A/08/2067428
NWF

I wish to lodge a firm objection to the proposed development of 44 dwellings on the south side of Aelfall Way, Charlton Kings, Abetterham.

Please note the following points:

- There will be serious incursion into an area of outstanding natural beauty. Not only will there be the removal of a beautiful view on the road to Ham, but — and VERY SERIOUSLY — there is the likelihood that a precedent will be set for the future. Perceptions will be ~~gained~~ put in place that planning permission can be easily gained, irrespective of local considerations — and that the road to the first £1 million is a thoroughly easy one. Not only Charlton Kings, but also

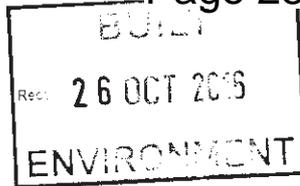
the side of Aeltaha ^{Page 282} lies its nearby
area of outstanding natural beauty. To set
the precedent to which I have alluded
could be very detrimental to the interests
of the citizens of this town. The walk
up Gierfall Way towards Ham is one
that is enjoyed greatly, after by families,
and after families who have come from
~~closer~~ ^{closer} to town to enjoy it. Do you really
want to begin the process which, if
pursued, will lead ultimately to the
discouragement of such a healthy and worthwhile
activity?

2. The removal of a very considerable amount
of land which is highly useful for drainage -
in an area in which the River Aelt
is rarely far away and in a part of
Aeltaham in which there were very
considerable flooding problems last summer -
could be held to be culpably negligent.

I beg you to reject this application. The
company should be given NO HOPE that an
"amended" application would have the
possibility of succeeding in the future.
I am
Yours faithfully,

Built Environment
Cheltenham
Municipal Offices

Page 283



on ecrop,
Ham Road
Charlton Kings
Cheltenham
GL52 6 NQ
25.10.16

Ref: 16/01789/FUL.

Dear Sir,

I am writing to protest strongly regarding the proposed building of 4 houses in the field off Glenfall Way. This is an A.D. N.B. which precludes such a development. It is close to Glenfall School + houses will add to the traffic congestion on the narrow lanes.

I have lived here since 1964 - at that time there were very few houses between Ham Road + the London Road. I feel that now there are enough houses in the area + the countryside should not be encroached on further.

Four houses are not going to solve the housing shortage particularly as several large developments are being built in + near Cheltenham.

Yours sincerely,



tonecrop
Ham Road,
Charlton Kings
Cheltenham
GL52 6NF

Tracey Crews
Director of Planning
Cheltenham Borough
Council.
Ref No 16/01789/Ful.

14.6.17

Dear Sir,

After living in Ham since 1964
I have watched houses being built
from the London Road up to
Ham. I think the encroachment on to
the countryside has gone far
enough.

The proposed 4 dwellings on land
in an A.O. N.B. area should
not be allowed. Why designate
an area ~~as~~ A.O. N.B. - leave our
dwindling countryside alone.

Yours truly



29 October 2016

Ms Chloe Smart
Case Officer (Built Environment)
Planning Department
PO Box 12, Cheltenham Borough Council
Municipal Offices, Promenade
Cheltenham GL50 1PP

Dear Ms Smart,

RE: NEW PLANNING APPLICATION GLENFALL WAY (REF.16/01789/FUL)

I would like to register the strongest possible objection to the application for planning permission to construct four large houses on the field on the south side of Glenfall Way in Charlton Kings, which is adjacent to Glenfall Primary School.

In my view, the above proposal is wholly inappropriate in nature and scale to the area, and also undesirable to local residents and members of the wider community who frequent this area, many of whom are expressing opposition to it. Some of the background to this opposition is rooted in a real love of the area's special (and supposedly protected) qualities, which I will expand on later in this letter. I am sending the letter by email and also delivering a copy to the Municipal Offices.

Some background

Along with other concerned residents and regular visitors to the area, I wrote in 2007 in opposition to the originally proposed scheme of Strategic Land Partnerships (SLP) to build 44 houses, (reduced to 34 for the High Court appeal case). A principal reason for objection was the fact that the field in question is part of the Cotswold Area of Outstanding Natural Beauty (AONB) with national, as well as local recognition. We also made our views felt at SLP's exhibition, at local demonstrations and meetings, and at the council meetings where the original and revised appeal proposals were discussed and finally rejected.

At that time, we made the point that a development of the scale proposed and at that precise location along Glenfall Way – very close to the junction with Ryeworth Road, and adjacent to the primary school – would clearly be out of character with the site proposed for it and its environs, and would not harmonise well with them. In my letter, I drew attention to the following points in connection with this:

1. The proposed site is designated as greenfield and should remain so.
2. The proposed scheme would obstruct the exceptional and currently uninterrupted views of the surrounding hills.
3. The proposed site is part of (Cheltenham's small portion of) the AONB.

Following the rejection of the original proposal, we continued to speak out, act and write in opposition to the subsequent proposal of 34 houses for the appeal, which was ultimately also dismissed.

My last letter to you, dated 2 February 2015, is on your records. It was on the subject of the previous application for outline planning permission to develop housing on this field. I explained in the letter that six years after the events I have just described above, I had been dismayed to hear rumours in late summer 2014 of a new proposal – at the time of an emerging Joint Core Strategy (JCS), following the draft consultation of October 2013. We then discovered through Hunter Page Planning that SLP did indeed intend to make a further attempt to obtain planning permission for housing on this site and that the previously proposed schemes had been tweaked to try to address the points on which they were dismissed. They had reduced the number of houses to 16, and produced a design and site layout which they were claiming would allow uninterrupted views of the hills beyond.

In November 2014, we were invited to the exhibition, presented by Hunter Page at nearby Glenfall Primary School. Warning was scant, yet residents and others attended in force. As with the SLP exhibition years previously, I tried to put my misgivings on hold, find out more and listen carefully to what was being proposed.

My letter of 2 February 2015 was to raise my objections to those proposals and explain my grounds for them. They included some points I raised in opposition to the previous SLP proposals, which were still relevant and important to the revised proposal.

Since then, having heard little, I have monitored the council website each month for any developments of that proposal in planning meetings, but it has never appeared on the agendas. I even rang the planning office a couple of times, but no one could give me any further information on progress.

Current

proposal

A notification from Conservative Borough Councillor, Matt Babbage recently informed local residents that the application (ref 15/00025/OUT) had been withdrawn earlier this year and that the developers have now submitted a new application (ref 16/01789/FUL) for four large houses on the same field as the previous proposals (beside Glenfall Primary School), which local Conservatives remain opposed to. Mr Babbage included a map of the proposed site, as well as north and west elevations of ‘House 1’, located nearest to Glenfall Way.

I would like to raise the following objections to the latest scheme, some of which I raised previously to the preceding schemes as they remain relevant.

Threat to AONB

Since the field concerned falls within the Cotswold AONB, it is totally unsuitable for the currently proposed housing scheme. This viewpoint was endorsed by Cheltenham Borough Council speakers in the planning meeting that turned down SLP’s original planning application. As AONBs are nationally designated with the highest level of protection from harm to their natural beauty, the integrity of this AONB should under no circumstances be compromised. In my opinion, four large (actually *very* large) houses clad in zinc and looking not unlike warehouses would do just that.

There are a number of very important reasons why the AONB should continue to be strictly enforced and not subject to piecemeal erosion, for example, the policies for protection in the National Planning Policy Framework (NPPF), and Gloucester, Cheltenham and Tewkesbury Joint Core Strategy.

In addition – and importantly – Cheltenham’s Borough Council’s Saved Policy CO2 states that, “Development which would harm the natural beauty of the landscape within the AONB will not be

permitted". Cheltenham Borough Council landscape grounds not only the 2008 application, but also one submitted in 1980; and both were dismissed on appeal on AONB landscape grounds, despite the Council experiencing housing shortfalls. In 2008, the Inspector said: "I have no doubt that the current proposal would result in significant harm to the AONB through the change of character and appearance that would be the inevitable consequence of residential development on this site, however carefully designed and landscaped... I do not consider that the site can be considered suitable for housing". This decision was upheld by the High Court.

The measures that are in place precisely to provide protection for this valued area require that other, more appropriate, land should be found for such a development. If this proposal is allowed to go through, it would make a mockery of them. I find it difficult to believe that all the derelict land, brownfield land (preferred under Department for Communities and Local Government planning guidance), or more appropriate greenfield options have been exhausted. The currently previously proposed development is speculative, open market housing on greenfield land, when it had once again been agreed that brownfield land should be developed first. The land has not been allocated for housing in Cheltenham's plans and a report which singles out this site as having 'capacity' for development has not been validated at inquiry.

Although the number of houses has reduced in this application from 16 to 4, these are large houses and located on the part of the site nearest to the road, therefore the most visible (of the previously proposed 16 houses). The visual impact of these houses, which are of a design not at all in keeping or to blend in with the surroundings, will be considerable. Indeed, the design and materials are contrary to Cotswolds Conservation Board Policy DTP1, which requires that development should be compatible with the distinctive character of the location and designed to respect local building styles and material.

I believe that this proposal would still significantly impact upon, and be inconsistent with, the aims of the AONB designation. I understand that under the Cheltenham Plan, four sites were classified low to medium risk regarding building development and that 1/3rd of the Glenfall field has been classified thus, with the other 2/3rds classified as high risk. I imagine that is the reason for the current revisions of the previous proposal. As the field is not extensive, I do not understand why there is a differentiation in risk and especially in view of previous comments from the council.

On several occasions at the time of the Joint Core Strategy consultation, I made my views known about protecting this sensitive fringe of the AONB, and I still fervently believe that further development here on the edge of Ham would represent a dangerous precedent and 'nibbling away' of the AONB. If this new scheme were built, it would become harder to oppose future erosion of the AONB – particularly here where, at the start of the Cotswolds AONB, it is clearly most vulnerable – leading in turn to increasing urbanisation of this unique area.

Site and scheme suitability

Given the above, I dispute most strongly the assertion that the site is suitable for housing development. I also dispute the assertions in Hunter Page's 2014 exhibition literature that the impact on the local road network, the ecology and flood risk are myths to be busted, of which more in the next sub-section.

The land is outside Cheltenham Borough Council's Principal Urban Area and has not been allocated for housing, either under the Council's old (Local Plan Policy CO2) or under the Joint Core Strategy, which has stated previously that the AONB is inappropriate for urban extensions. Furthermore, this is not brownfield land (preferred under DCLG planning guidance), but rather greenfield/agricultural land.

As the whole field is included within the 'red line' development area in the application, the wording is not precise enough to confirm that in the long term no further built development is envisaged.

The legitimate fear is that, should residents granted for the houses on this part of the field, the rest of the site might be open to a revised application for more and this would be made easier by this precedent. In short, I am worried that there would not be any guarantee that what is proposed will not change further down the line.

And what of the adjustments made under the previous application to protect the view **to** the hills? Despite the reduction in the number of houses and adjustments made again to try to ensure permission is granted, I believe the large suburban houses proposed – of a design that does not appear to be well integrated into the landscape – cannot fail to impact on the current view residents and visitors enjoy of a fine segment of the Cotswold scarp. They will be particularly evident when approaching uphill to the junction of Ryeworth Road with Glenfall Way, roughly opposite the proposed site entrance. I certainly do not agree that the scheme preserves the openness claimed and believe instead that the view would be significantly spoiled, causing harm to the natural beauty the AONB was designated to protect and risking further incursions into this unique Cheltenham setting. Therefore, this latest revision to the housing design and application for planning permission remains inappropriate.

Another key point, which perhaps unsurprisingly was not referred to in Hunter Page's Design and Access Statement circulated at their second and last local area exhibition in 2014, is that there will be views of the development **from** many public points on the Cotswold escarpment (not least in winter after leaf fall), which attracts considerable numbers of locals and tourists all year round.

Practical concerns

The material impact on roads, traffic and road safety must also be considered. This was summarily dismissed as not of concern at the exhibition, both in the developers' literature and in their verbal responses to concerns put to them at the exhibition they held. My own road has managed to hang on to its varied character and quality as a place to live despite the increasing and long-term pressures of parking, traffic flow and road surfacing problems, as well as the building of infill housing in very cramped conditions. But I fear that, despite the smaller number of houses the developers now propose, the knock-on effect of the additional traffic and parking that this scheme would bring would still put unacceptable strains on Glenfall Way and Ryeworth Road.

In addition, there would be an adverse impact on pedestrian and driver safety on an increasingly busy road near the school. I live a stone's throw from the already busy Ryeworth Road/Glenfall Way T-junction and the prospect of further congestion/queuing there and further on at junctions with the A40 (which are ill-equipped to cope with further volumes of traffic) is frankly concerning.

The local water course (Ham Brook) would also be affected, as it would have to pick up the run-off from the hard surfaces of this scheme. This water course is already under pressure in times of storm surge and any flood risk assessment, which I understand would have to be considered for this planning application, would need to incorporate necessary amelioration measures on this site.

Local character

One of my main reasons for moving to my house, close to the field in question, was the matchless view from the top of my road across to the Cotswold hills, with a continuation further along Glenfall Way to Ham Court and beyond to Ham Hill. This is one of the increasingly few areas of Cheltenham that reflect the real character of the area, in the 'foothills' of the Cotswold scarp on the approach to the nationally recognised Cotswold Way and its 'jewel in the crown' and highest point on Cleeve Hill.

Apart from the views, this remarkably rural corner manages to retain something of the Charlton Kings village feel and historic character, while still allowing accessibility to the town. This rare combination has long attracted residents and visitors to the area, and that currently uncluttered part of Glenfall Way is an oasis of calm, providing recreation and relaxation opportunities on the

edge of the busy town and residential roads nearby.

We residents treasure living in this beautiful corner on the fringe of Cheltenham, but now wonder if, once again, we are living on borrowed time. It is far from being all about us though — the area's high visual and amenity value makes it a destination for the wider community too, who enjoy relaxing walks along Glenfall Way, often en route to Ham Green, Ham Hill, Mill Lane and Aggs Hill for family outings, strolls, hikes, cycle rides, jogs, dog walking etc with, at present, unobstructed views to the hills beyond.

If the Exeter-based developers' scheme is permitted, it could open up the floodgates to the development of other fields in Ham, and then in other AONBs.

Local and political support

In 2015, the then MP Martin Horwood and Liberal Democrat Councillors, along with Conservative Councillors Paul McClain, Andy Wall, Matt Babbage and prospective Conservative MP Alex Chalk, made it known in letters to local residents that they, too, vigorously opposed the previous application. After all, what on earth is the point of the AONB designation, if it has no teeth whatsoever? The AONB should receive the highest level of protection from development, now as previously, when the earlier proposals were rejected by Cheltenham Borough Council precisely on this point.

The recent notification from Matt Babbage says that Conservative councillors remain committed to opposing development on this site and therefore this new application. As the notification says, the land is the start of the Cotswolds AONB and 'The AONB should have the highest level of protection from development, alongside that for a National Park, and this was the primary reason behind previous schemes being rejected and withdrawn'.

And now, as previously, we who oppose the new scheme are far from complacent. I took heart from a strong showing of interest and residents' opposition to this scheme at the 2014 exhibition and since then, once again, an active residents' campaign has been raising awareness, including by social media (e.g. www.facebook.com/saveglenfallaonb) of all that has led up to the current proposal and any new developments, and to garner opinion with the hope of showing sensible, well reasoned and robust opposition to the scheme. It clearly also reflects our deep-rooted love of the field, its view and its environs.

AONB grab for profit

Quite apart from the siting and scheme themselves, I do continue to have some misgivings about the intentions of those proposing it, both from their (scant) communication with residents and my earlier discussions at the previous broad brush 'consultation' that Hunter Page hosted in 2014, which seemed so hastily put together. As I said, I tried to approach it with an open mind, find out the developers' intentions and judge their proposal on merit. I discussed the amended designs, layout and rationale with the representatives to inform myself as much as possible, and tried to nail down details with practical and targeted questions. I then provided written as well as verbal feedback to them.

As I noted in my previous letter, I never received any feedback on the considered comments I made on the 2014 exhibition forms and am not aware of any attempts to offer practical solutions or address the reactions they invited the public to express at that time. It is sadly ironic that at that time, they said that they aimed to consult residents and other visitors to find out if more meaningful adjustments might be required.

The total lack of communication with the public by the developers on this new proposal, which seems to have abruptly emerged out of the silence following the previous scheme and its withdrawal, gives me little confidence in them. It seems to reflect an even worse disregard than before for the impact on those who live in and enjoy the AONB here. In addition, my regular but

fruitless monitoring of planning meetings ;**Page 290** discover what was happening have proved doubly frustrating. We are now in fear of being presented with a 'fait accompli' and with very little time indeed to register objections. If such little attempt has been made to communicate with residents, it does not bode well for their level of commitment and responsibility should they get the go-ahead.

While their scheme may have been progressively and strategically honed to show that boxes are ticked to fit the requirements on local authorities for housing provision and policy, and while these requirements are pressing and laudable, this latest proposal is only valid if genuine, in-depth consideration is also being given to whether their housing scheme is compatible with the proposed environment and the practical consequences of it being built. There may be lip service paid to provisions and credentials such as sustainability, but given the size of the houses, I doubt they will tick the affordable housing box.

Reducing the number of houses has clearly come with an attempt to maximise profit on each one. Smaller in number they may be, but their size and the materials used will make them be highly visible from the public thoroughfare and stand out from/dominate the landscape. Also, they are clearly not of an appropriate type or scale to meet the stated aims of helping supply local housing stock needs and, in any event, as Ministers have stated and two previous Inspectors have judged, a shortfall of housing is not a good enough reason to encroach on the AONB.

Despite the adjustments the developers are proposing to make to the rejected schemes, I therefore believe the above points demonstrate that this latest scheme also is totally inappropriate for this site and environment, and that it is flawed in concept and intent.

I appreciate your consideration of my points and my warning that this would be the thin end of the wedge. If the green lung along that part of Glenfall Way were lost, with all its current community and wider benefits, and its protection as part of the AONB, it will be gone for ever and things are very unlikely to stop there. Four large houses that are only within the purchasing power of a few and of a design and scale highly insensitive to the local context and wholly inappropriate to helping local housing shortages would benefit only the developers in terms of profit. That gain would be totally disproportionate to the irreversible damage caused to the edge of an AONB which is needed and highly prized by many. This damage will perpetuate too, by creating a very dangerous precedent.

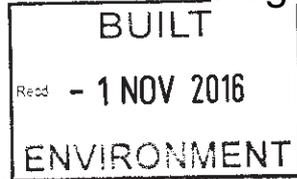
I hope that you will take these points on board and urge you most strongly to turn down this current 'Glenfall Way' planning application.

Yours sincerely



ANOB

Page 291 car bank Rio



Charlita Kings

Dear Madam

Ref: The Strawberry Field, Glenfall Way.

We seem to be plagued with people who wish to spoil our countryside and once again must fight our corner.

Having been a resident here for over 30 years it is sad that in this world there are people who want to take it away. Please do not let them.

As an after thought - who designs these monsters!!

Yours



Ref
16/01789/FUL

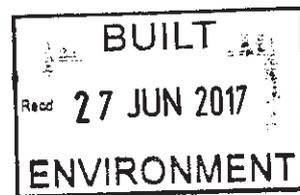
Briarbank Rise
Page 292 Charlton Kings
Cheltenham.

Dear Sir

Further to this "ongoing" saga of
development of field (4000sq) beside Glenfall
School - I would once again strongly
be against any form of development.

Yours faithfully

[Redacted signature]



Planning Application

16/01789/FUL

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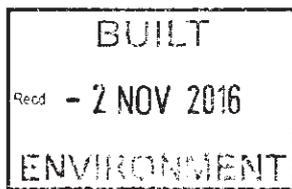
Briarbank Rise
Charlton Kings
Cuckenhaw
GL52 6XR
31.10.16

Dear Ms Smart,
I am writing to object to this planning application to build four large houses on the Cotswold AONB.

I live opposite the field where the developers are proposing to build these houses and feel that if the development were allowed then this would set a precedent and more of the AONB would then be vulnerable to development.

Ministers have repeatedly stated that no special circumstances exist for permitting this development and I think that the planning application should be refused.

Yours sincerely



From: [REDACTED]
Sent: 25 October 2016 15:06
To: Internet - Built Environment
Subject: 16/01789/FUL Land On The South Side Of Glenfall Way Charlton Kings Cheltenham Gloucestershire.

Planning Application no: 16/01789/FUL

Proposed erection of four dwellings with landscaping and public open space. Land On The South Side Of Glenfall Way Charlton Kings Cheltenham Gloucestershire.

We are seriously concerned with this application and object to it on a number of grounds:

1. The proposed development intrudes into an area of land that has been accepted as an area that should be preserved from intrusion by development, being within the Cotswold Area of Outstanding Natural Beauty.

The purpose and intent of such designation being to preserve the area from development.

The application therefore immediately conflicts with the designation reached after consultation with the community.

2. Should the application be granted, which we seriously consider should not be so, the photomontages of the proposed buildings, with the application, indicate prominent dwellings out of sympathy with the location, as all too apparent from the photomontages submitted with the applicant's application.
3. The current application does not appear to be for meeting a housing need, as it is for four large dwellings, out of sympathy to the location, at the expense of intrusion into the Cotswold Area of Outstanding Natural Beauty.

We trust the application will be refused.

Yours truly,

[REDACTED]

6, Sandhurst Place,

London Road,

Charlton Kings,

Cheltenham.

GL52 6YN

Hamfield House
Ham Road
Charlton Kings
Cheltenham, GL52 6NG


18 June 2017

Martin Chandler,
Built Environment,
Cheltenham Borough Council,
P O Box 12, Municipal Offices,
Promenade, Cheltenham, GL50 1PP.

Dear Mr Chandler,

Planning Application 16/01789/FUL : Proposed erection of four dwellings on Land on the South Side of Glenfall Way, Charlton Kings

Further to my letters of objection of 7 November 2016 and 30 January 2017, I am responding to the applicant's latest revised plans for this proposed development. I still object to this application.

The revised plans contain changes to the layout and design of the houses and specify the materials to be used. As pointed out in my initial response, these aspects are peripheral to the main issue, the proposed change of use of the land in question. All the points made in my earlier letter remain valid.

My principal objection to this application is that it proposes development of a greenfield site outside the Cheltenham urban area but within the Cotswolds AONB. This would not only be contrary to the NPPF but it would cause significant harm to a valued and protected landscape.

I would add that, quite apart from the damage that would be caused by any development of this site, the designs put forward in these latest plans are just as bad as those previously submitted. The materials and designs put forward bear no relation to those already used for building in the locality. The houses would thus in no way be sympathetic to this very sensitive location.

The Borough Council should still have no hesitation in refusing this application.

Yours sincerely



