



CHEL TENHAM

BOROUGH COUNCIL

Notice of a meeting of Planning Committee

Thursday, 21 September 2017
6.00 pm
Council Chamber - Municipal Offices

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

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 - 26)
6. **PLANNING/LISTED BUILDING/CONSERVATION AREA
CONSENT/ADVERTISEMENT APPLICATIONS,
APPLICATIONS FOR LAWFUL DEVELOPMENT
CERTIFICATE AND TREE RELATED APPLICATIONS –
SEE MAIN SCHEDULE**
 - a) **17/00337/FUL Central Cheltenham Police Station,
Talbot Road** (Pages 27 - 84)
 - b) **17/00484/FUL 41 Asquith Road** (Pages 85 - 104)
 - c) **17/00659/FUL Lilleybrook Golf Club** (Pages 105 - 138)
 - d) **17/01220/FUL Cotswold View, The Reddings** (Pages 139 - 178)

e) **17/01347/FUL Naunton Park Pavilion, Asquith Road** (Pages 179 - 186)

f) **17/01412/FUL 57 Hewlett Road** (Pages 187 - 192)

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

17th August 2017

Present:

Members (15)

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

Substitutes: Councillor Matt Babbage (MB)

Officers

Martin Chandler, Team Leader, Development Management (MC)
Lucy White, Senior Planning Officer (LW)
Michelle Payne, Senior Planning Officer (MP)
Emma Pickernell, Senior Planning Officer (EP)
Harry DuBois Jones, Planning Officer (HDJ)
Chris Chavasse, Senior Trees Officer (CC)
Annie Holdstock, Trees Officer (AH)
Nick Jonathan, Legal Officer (NJ)

1. Apologies

Councillors Seacome and Colin Hay.

2. Declarations of interest

i. 17/00337/FUL Central Cheltenham Police Station

- Councillor McCloskey – personal only – is a member of the Police and Crime Panel
- Councillor Nelson – personal only – is a member of the Police and Crime Panel
- Councillor Hobley – is substitute on the Police and Crime Panel (has not yet attended a meeting)

ii. 17/01238/FUL 2 Giffard Way

- Councillor Nelson – is a member of the Leckhampton with Warden Hill Parish Council, but has not been involved in any discussion of this application

3. Declarations of independent site visits

- Councillor Fisher – visited BMW; googled others
- Councillor Nelson – Police HQ, BMW, 2 Giffard Way
- Councillor Baker – BMW, Police HW

4. Public Questions

There were none.

5. Minutes of last meeting

Resolved, that the minutes of the meeting held on 20th July 2017 be approved and signed as a correct record *without* corrections.

6. Planning applications

Application Number:	17/00337/FUL
Location:	Central Cheltenham Police Station, Talbot House, Lansdown Road
Proposal:	Demolition of all existing buildings on site and erection of 68no. new homes, access, landscaping and other associated works at the former Police Headquarters, Lansdown Road
View:	Yes
Officer Recommendation:	Permit
Committee Decision:	Defer
Letters of Rep:	11
Update Report:	None

MP introduced the application as above, on the former Police HQ site on Lansdown Road, which was allocated for housing development in the 2006 Local Plan, being noted as a significant negative feature in the central conservation area. The application is for 68 residential units with associated parking and landscaping, comprising 43 apartments facing Lansdown Road and 25 town houses on the rear portion of the site. A green open space is also included in the scheme. It is at Planning Committee at the request of Councillor Harman, primarily due to concerns about highways matters. The proposal has been the subject of extensive pre-app discussion and revision. The recommendation is to permit, subject to S106 agreements on education, libraries and playspace.

Public Speaking:

Mr Guy Wakefield, Hunter Page Planning, in support

Members will have read the officer report and noted the conclusion in respect of this longstanding allocated brownfield site for 67 1-5 bedroomed houses. Cala is a medium-sized building company, aims at high quality design, attractive sites, and good quality homes. Extensive discussions have taken place in the preparation of this application, with officers, consultees, and residents, and various changes made taking matters raised into consideration. There have only been nine objections, mostly concerning traffic, and the Talbot Road/Lansdown Road junction. The highways authority does not consider any extra work to the junction is needed, and has no objection, agreeing there will be a significant reduction in traffic compared with the previous use as a police HQ; the applicant's own consultant has suggested this could be as much as 60%. All S106 contributions will be paid; applying vacant building credit results in the scheme providing no affordable housing. Vacant building credit was intended to incentivise the delivery of brownfield sites while avoiding situations where sites are deliberately brought forward to take advantage of this rule. This is not the case here – there has been a longstanding intention of the police and council to develop the site and provide new premise for police. Failure to deliver the site was in part due to all the costs and contributions associated with it, but the sale of the site is in the public interest. The design has evolved through discussion with officers and a presentation to neighbours. Following a presentation to Committee members, comments re bin storage and parking have been taken on board, resulting in a high quality proposal that will make a positive contribution to the conservation area. This view is shared by residents who attended the presentation, and further indicated by the lack of objections on this matter.

Councillor Harman

This is the most significant application to affect Park Ward and prime entrance to Cheltenham for some time, and it is therefore appropriate that the Committee looks at it carefully. Is present to amplify concerns of residents – at Lefroy Court and elsewhere. Talbot Road key access to site – this gives cause for concern during demolition, construction and building. It could be very stressful for residents; many of those living in Lefroy Court at the end of the cul-de-sac are elderly, and every effort to minimise noise and disturbance should be made. Also, residents need to be reassured that any asbestos will be removed in the safest way. Another concern from residents of Lefroy Court – who are

mostly pedestrians – is the traffic light signal at the junction with Christ Church Road. Hears what HW officers have said, but we are missing the opportunity to look at what can be done to improve this crossing. Is also a county councillor - raised subject of a safety review back in February, not linked to this application, as the situation is far from ideal at the moment, with people ignoring the turning signs. A review is needed to improve safety. As said, this is an important decision, , an important site for housing development. There is recognition among local residents that development will take place, and it is also important that the site manager liaise regularly with residents in construction phases.

Member debate:

MC: has two main points to make. First, the agent talked about the reason why no affordable housing is required on this site – can officers explain for other members of committee and the public who may be unaware of the issue here? Secondly, Page 23 of the report refers to the lay-out and parking provision, with one space per apartment, plus four visitor spaces, and two for each house, and the drawings show the site clearly divided between the apartments at the front and the houses at the back. The report states that there isn't any minimum provision for parking, but living on a new housing estate as he does, knows that most two-bedded apartments have two cars, and in his own road of 24 houses, at least four occupiers also have work vehicles. There is nowhere in the locale for extra vehicles, particularly with parking permits being introduced in the area. Concludes therefore that parking provision for the apartments is insufficient. It is brilliant that this brownfield site is being redeveloped, even if the agent says it will be an expensive process. He claims that the developer is medium-sized, responsible and high-quality, but this proposal will cause parking problems – there are not enough spaces for the apartments. Cannot therefore support the recommendation to permit at the moment.

CN: has a number of general points and questions. Something needs to be done about this site, as it doesn't look good; everyone knows that we need more housing in the town, so going for a residential development fits in well with the JCS and Local Plan – all to the good. Reading through the representations and the comments of the Architects' Panel and Historic England, notes that their main concern is overdevelopment – the scheme proposes too high density of dwellings and too many houses. This is a cause for concern, on this main route into Cheltenham, and goes against both the NPPF and Local Policy CP7.

Regarding the parking issue, we often see schemes at Planning Committee without sufficient parking for the new houses, with complaints about the shortage of parking spaces in the area. Understands MC's comments, but in this case it is quite pleasant to see a proposal with plenty of car parking spaces.

What does the draft Cheltenham Plan assume for this site regarding number of houses and affordable housing? Was not on planning view, but is concerned. There is not enough affordable housing in Cheltenham; the current requirement is for 40%, yet here are 68 dwellings and no affordable housing. There have been long discussions about viability and the price the developer is paying for the site, but was under impression that the price the developer pays is irrelevant – if it is over the going rate, tough! Is £6m more than any other commercial buyer would pay for this site? Realises there are other factors and arguments included in the lack of affordable housing provision, but would like some more discussion about this.

What are the developer's S106 contributions? Councillor Harman mentioned that he has secured a review of safety at the junction, but GCC doesn't always deliver. Should there be a condition for a safety review of the junction to address residents' concerns?

PT: also has concerns about the 40% affordable housing, and hopes for some answers from officers. Has waded through the report and is more confused than when she started. Wonders if, at any point,

the possibility of conserving or refurbishing the existing buildings was considered? It was said that it could provide 92 units, including affordable housing.

PB: this is a disappointing proposal. There is no doubt that the current building is a blot on the landscape and what is proposed will be an improvement, but it could be so much better. The height of the building is compared to Thorncliffe next door, and to Eagle Star (24 storeys), but most of the properties on Lansdown Road are two or three-storey villas – Thorncliffe is very much the exception to the rule. And the scheme receives damning criticism from the Architects' Panel and Historic England. The agent said that residents' concerns have been addressed, but there are no further comments from the Architects' Panel or Historic England as to whether they support the new designs or not. The changes are marginal, so the previous commentary must still apply. This is the most important route into the town from the M5, and this scheme could be so much better.

As PT has said, affordable housing and vacant building credit are a concern – has read the report many times and finds it difficult to understand. This seems to be a huge missed opportunity on design and affordable housing. S106 contributions of £230k have been achieved for playspace, libraries and education, but more important than this is housing for people in our town to live in. The police authority has demanded more than the site is worth and taken away the developer's ability to provide affordable housing. We should be demanding affordable housing on this site. Is not comfortable with the scheme as it stands, and wonders if a decision should be deferred – it could be better.

SW: mostly echoes what other Members have said, though notes on Page 25 that one quarter of the accidents on the junction involve police vehicles, suggesting that Lansdown Road will be safer without the police headquarters situated there. Regarding the comments from the Architects' Panel and Historic England about the design, has looked on the planning portal, and is particularly struck by the coloration – the proposed buildings look like something out of *Blade Runner* – dark and dismal, and not a high quality design – though realises that the actual colour may be different from the drawing. This is a most significant gateway to the town, and the most important stretch of road along that gateway; it needs a design that will make people say "Wow! Look at that!". The site is ideal for housing, but is very, very disappointed at the lack of affordable housing. If 100% affordable could be achieved, would pull back on his argument about design, as this is an area where people can walk or catch a bus to town and be there in ten minutes – making it ideal for affordable housing.

The design of this proposal is appalling, as the Architects' Panel has said, and there should be some affordable housing. The site might have come with a heavy price tag, but these properties will have a heavy price tag too – they are just the sort of places where professional people will want to live.

Also, looking to the back of the site, there are no footpaths – just shared surfaces. For the corner properties this may be acceptable, and possibly OK for the two houses to the west, but for the houses along the main road would like to see a footpath. Residents and visitors will park on there and people will be forced to walk in the middle of the road – it happens in so many modern estates. Would like to see a proper footpath so that people don't need to walk in the road – although realises this isn't a reason to refuse.

MB: presumably this site is classified as employment land – why has this not been an issue? Regarding vacant building credit, what is the definition of 'abandoned'? A lay person's view would be that this is what has happened here. Notes no S106 contribution for the highways work on the junction – could this be included?

KH: agrees with all that Historic England and the Architects' Panel have said in their consultation reports, except the remarks about the building line in relation to Wilton House – in this, the officer's counter-argument is correct. This is a prominent site; it is right to get the best design. Agrees with

other Members that it is disappointing to get no affordable housing in the development, and considers SW's comments re. professional people to be pertinent here. Is pleased that the proposal isn't for retirement apartments, and also that it isn't just for huge expensive homes, which it could have been. Regrets the lack of any shared garden space for the residents of the flats; Lived in Thorncliffe for six months – it has well-tended, pleasant grounds. People living in flats need this, and it could have been achieved in the scheme. Notes that both the officers and the Architects' Panel commented that the terrace didn't need to curve – considers it would be more successful if it didn't. Doesn't consider any of these reasons are strong enough to outweigh the benefit of this development to the town. If Members vote to defer, is OK with this, but will not vote against it. Agrees with officers' recommendation.

MJC, in response:

- Has noted two main issues in Members' comments: affordable housing and design/layout;
- The affordable housing perspective is a difficult one; shares Members' frustrations. Would love to have seen 40% provision here, in line with CBC policy – the team takes this very seriously – but there is a compelling case why the scheme is acceptable with a nil provision. This is three-fold:
- **Viability:** the scheme was appraised to find out how much the developer has paid for the site. How much can the developer realistically afford? It was benchmarked against site as office development, and the right thing to do. However, the applicant challenged this, pointing out that conversions of offices to residential don't need planning permission – as seen at Eagle Tower - and no affordable housing is required in these cases. So this building could be converted to a greater number of apartments with no obligations for affordable housing. In the benchmarking exercise, the site came out marginally viable;
- We need to consider the context. The police aim is to raise capital receipt to fund Waterwells – to achieve improvements, efficiencies, and recoup some of the money. It will need this sale to generate about £6m for the police to achieve what they want, which is in the public interest; the viability report nowhere near that figure, and a viable scheme is needed for the police to be able to proceed with their plans;
- Regarding vacant building credit, this is a government incentive to encourage developers to develop brownfield land. It is based on the amount of floor space of the existing buildings, taken away from what is proposed - any net gain triggers affordable housing. In this case, there is no net gain. The additional floor space is zero, so we cannot secure affordable housing. This is Government guidance and a material consideration of significant weight; it is frustrating, but we cannot demand 40% affordable housing;
- Permitted development, the fall-back position, viability, vacant building credit – all combine in a compelling case, and carried significant weight in considering this application;
- **Design:** Members have referred to negative comments from the Architects' Panel, but officers have interpreted their comments differently, and do not consider them to be damning. On certain elements of concern, the case officer has worked with the developers, and the resulting revisions have not been taken back to the panel. Officers consider the changes quite minor, and therefore not necessary to re-consult the Architects' Panel. Officers felt the panel was broadly supportive of the scheme, saying it just needed some refinements; they consider they have now achieved these, and that the scheme is good;
- Historic England's comments are more challenging, and have been gone through point by point with the applicant, resulting in some changes – to the entrance, the landscaping, back ironwork detail. Historic England doesn't support the proposal and considers it harmful to the conservation area, but this has to be weighed against the public benefits which are quite significant. The current building is in a sorry state, and as such is harmful to the conservation area; the proposal will be an enhancement. Officers don't share Historic England's conclusions. It is ten years since the original concept statement for this site – it has been being considered and worked on for a long time;
- Would draw Members' attention to a recent appeal decision at Pate Court – a similarly sensitive site, where officers took the decision to refuse the application which they considered bland – they

felt the site deserved better. However, the appeal Inspector allowed the application, saying it was better than what was there before. This must be seen as a test case, and a very relevant context against which to assess the application;

- To MC, re parking provision, there are a lot of different opinions about what is reasonable. The NPPF says parking provision for new developments should be considered against local standards; the County Council compares it against average car ownership in the ward which in this case is 0.9 per dwelling – so one space per apartment is above the data census and in line with the NPPF. Officers have taken a common sense approach – there is no minimum or maximum requirement, it is not uncommon for couples to share a car, and the provision here is in line with national practice as set out in the NPPF;
- To CN, this site is allocated for housing in the current Cheltenham Plan, but doesn't know off hand what draft is assumed for it in terms of housing and affordable housing;
- Regarding S106 contributions, these are: £107k for primary education, £78k for secondary education, £12k for libraries, £20k for playspace;
- Regarding the highway safety review, the County Council was asked to give a view on the junction, and considered it to be doing well. A safety review is not therefore necessary for this planning application to proceed, though the County should be encouraged to carry on with its safety review, and an informative to do this might be sensible;
- To PB, regarding the quality of the proposal: if Members want to defer – which officers do not consider the right thing to do – officers need to hear what Members want the applicant to do. They have said the scheme is not as good as they would like it to be, but need to be more specific about how it could be made better;
- To MB's question about employment land, this is covered by the site being allocated for housing in the 2006 Local Plan; this change of use is OK, and the planning application is correct;
- Regarding the abandonment test, this is difficult to prove. In this case, the site is vacant but it has not been abandoned – there is a reason why it is vacant. With vacant building credit, there is a need to be careful people aren't abandoning sites and walking away just to to use vacant building credit. This site is a long-held policy aspiration, supported by CBC, and therefore not a target for vacant building credit;
- Regarding an S106 contribution for highways, none is required as the trip generation of the housing development will be less than the trip generation of the police HQ;
- Agrees with KH's comments about this application – there are more good things about it which outweigh the bad things. All planning applications are a balancing act; here officers feel the balance tips towards approval.

GB: KH also asked about community land, and SW about the footpaths.

MJC, in response:

- Regarding the footpaths, it is a matter of personal preference. There are many site like this, and the County has looked at the proposal from a safety aspect and considers the shared surface to be acceptable. Some people prefer shared surfaces;
- To KH, nothing is proposed for garden space for the flats. There is garden space to the rear of the houses, and the apartments have balconies – those facing Talbot Road being more interesting balconies.

GB: Councillor Harman also asked about asbestos removal in his speech; Members were assured on site that all asbestos would be safely removed. Notes several Members are still wishing to speak, and asks that only new issues are raised.

BF: has a comment; officers have answered his questions. This is a brownfield site, and under the process by which vacant building credit is worked out, as described by MJC, not many brownfield sites will generate affordable housing – which is a shame, showing that national government isn't caring about affordable housing. We don't want affordable housing stuck on the edge of town, involving

people in expensive transport costs. Ordinary people are being driven out; we need affordable housing for people to keep society going. In Cheltenham, has noticed two houses valued at £3.5m, but affordable housing is a real problem – not just for people on low income, but also for middle income, professional people.

CN: in an attempt to nail the red herring, has a specific question about the £6m price tag for this site – is this a normal commercial price? Vacant building credit stumps the whole issue. The report raises the question of the price of the land, with the suggestion that the reason why there is no affordable housing is because of the high price the developer has paid.

PT: has been told that the triangle on Talbot Road will be green, with paved surfaces elsewhere. Which will it be? There is no space to the front of the flats. Why are we accepting less than the best on this site? These buildings will be there for many years, as an illustration of what we thought was good for the people of Cheltenham. We should demand the absolute best we can possibly get – which we have not got in this scheme being considered tonight.

GB: no-one has specified why the design is not good.

PB: design is hugely subjective, and in a different situation this might be acceptable. MJC has given a very full response. Accepts that regarding affordable housing, we can't do much about the legislation, but there is not even 1% affordable provision – no attempt at all in this very significant scheme. Regarding the design, the report states that apartment blocks are spaced to replicate the spaces between villas on Lansdown Road, and the height and some aspects of the design also reflect Lansdown Road - doesn't not want to refuse this application but the architect could do better, as said by the Architects' Panel and Historic England. We want something to be proud of in ten years' time, and the opportunity is there to achieve this. Have Historic England and the Architects' Panel seen the final proposal?

AL: on balance, is in favour of the development but has concerns about the design, which could be improved by reducing the mass of the façade to Lansdown Road. Decreasing the height and pushing the buildings back would achieve this.

MJC, in response:

- The price of £6m is the net receipt the police wanted to gain from the development, and it is not for MJC to comment on this. This is an enabling development, like Pittville School, where part of the playing pitch has been developed to finance the new sports hall. The exercise to find residual land value normally involves the amount of money a developer will realistically pay for the piece of land, taking into account S106 contributions, development profit, building costs etc. Taking all this into account, the residual value is nowhere near £6m;
- Vacant building credit trumps all other considerations, but makes a lot of work and is not taken lightly. The district valuer came to talk to Members about it a few years ago. A refresher session could be added to the training list;
- To PT, regarding the space in the middle, the plans show this as a landscaped space, and there will be a landscape condition to ensure that this is delivered; all drawings are illustrative, but this will be a landscaped green space if approved;
- PB's comments are helpful about what Members would like to see as an improvement of the scheme;
- Officers have spent a lot of time working with the developer, regarding the heights, landscaping etc, to achieve what they consider an acceptable scheme, on balance. Is not sure, therefore, what a deferral would achieve. Officers have pushed the developers hard on the scheme, to the point where they have been quite frustrated. Suggests that Members should determine what is before them, as officers are unlikely to get any major concessions from the developers. The

recommendation is based on the proposal being an enhancement to the conservation area compared with what is there now.

CN: regarding the £6m for the site, the police have already had this capital receipt and spent it on other things. Has there been any contractual arrangement with the developer which may or may not have an impact on the capital receipt to the police?

MJC, in response:

- Is not privy to the contract between the police and the developer – this is not a planning consideration. It is only relevant regarding the work at Waterwells, which is in the public interest – we shouldn't get bogged down with anything else.

GB: we have had over an hour's worth of helpful discussion, and advice from MJC. Does PB want to propose deferral?

PB: yes, because there is a history of deferrals resulting in better schemes in 5-6 weeks' time. The applicants will have heard Members' comments regarding the front three blocks. Hopefully the final scheme will be more worthy of the setting, and have the approval of Historic England and the Architects' Panel.

Vote on PB's move to defer

7 in support
6 in objection
1 abstention

DEFER

Application Number:	17/00934/FUL		
Location:	7 Tryes Road		
Proposal:	Side extension and two-storey rear, stepped extension with internal alterations. Removal of existing garage.		
View:	Yes		
Officer Recommendation:	Permit		
Committee Decision:	Permit		
Letters of Rep:	3	Update Report:	None

MJC introduced this application for a two-storey rear and single-storey side extension, of overtly contemporary design. It is at Planning Committee at the request of Councillors Harman and Wilkinson, in view of the the impact it will have on the neighbouring property. Members saw the site on Planning View. The recommendation is to permit.

Public Speaking:

Mr Ward, neighbour, in objection

Lives with his family at No. 9, which is connected by a shared party wall. There are two key areas of concern with this proposal: firstly, the adverse impact on amenity; and secondly, the size of the proposal. It is bulky and intrusive; the contemporary design dominates original building. At 3.5m it will be oppressive, uninviting, claustrophobic, decreasing daylight and sunlight to his house. The light test has been done using drawings proven to be inaccurate, not using accurate measurements. The ground floor windows would fail 45° test on elevations plan, and the proposal will cause significant overshadowing to rear. By virtue of its size, the proposal will cause unacceptable harm to his garden. Material understatement of size of s The style adopted is not in keeping with the conservation area, which is predominantly 1930s semi-detached houses. Material zinc. Other houses in the area have added single-storey rear extensions in similar materials to the original; this is much bigger and clad in

zinc, which will be visible from the front. It should be rejected or moderated to be more in keeping neighbouring properties and conservation area.

Mrs Bish, applicant, in support

This is her family home, which she wants to extend and modernise to create modern flexible living space, to be enjoyed by her children and grandchildren. In designing the extension, has respected the location in conservation area, keeping key changes at the rear, using the most resilient materials and creating new spaces which take advantage of the natural benefits of the rear garden. Listened to planning officers' opinions and neighbours' concerns. Planning officer's tone of officer report and conclusion – own distinct design merits, not detract from principles in conservation area. Urge to support plans for updates home for self and family to enjoy.

Councillor Harman

How many members on view? Three occasions, Mr Ward passion as resilient. If on view, Mr Ward put to indicate scale and proximity. Case re overbearing strong – Tryes Road not long, not massive objections. 16 Tryes Road – opposite – 3rd paragraph – significantly larger than neighbours, out of context. 30 Painswick Road – Chair of SPJARA – closing para – reject or modify – less un-neighbourly. Members think very carefully. PB said in previous application – could do better. This could do better too. Mr Ward realises neighbour needs to make changes – possibility to look at again. Not impose on neighbours. Think very carefully about views being put forward by objectors.

Member debate:

MC: was on site visit, and Members were told a sample of zinc would be available at the meeting. This is an interesting proposal – which looks even more different because of the angle of the garden towards the neighbour – overlooking the redundant triangle of land. Is not sure what he feels about it, but can understand why the neighbours have said about it being overbearing.

SW: sadly was unable to attend planning view, which would have been particularly useful in this case. Feels it is still useful for him to comment on the size, mass and design of the proposal, and is reminded the ship containers which were temporarily used to rebuild shops in Christchurch, New Zealand, following the earthquake. This extension will look like a ship container on the conservatory, and be permanent. This is a conservation area, and the proposal doesn't fit in in any way, shape or form with the other buildings. If more traditional building materials were used, would be hard-pressed to make comments, but with the materials proposed, will find it difficult to support this application.

HM: one of the most important things in the planning system is for officers and members to be consistent in their decisions – is therefore quite surprised by the officer recommendation to permit. 6.6 Local Plan – states that the extension should not detract from the original building – fails to see how this doesn't do just that. This is a conservation area, and we therefore need to be more mindful of the effect the extension will have. Is reminded of No. 3 Church Street in Charlton Kings, where an application for an extension was refused because it was considered too modern and to detract from the original. If this proposal is permitted, we are not being consistent.

BF: zinc has been used in buildings for generations. It's true this is a modern design, but it is not unacceptable in 2017. Officers have helped refine the proposal, and is pleased to see a modern statement proposal rather than a bland pastiche. Will support the proposal, but is concerned about the challenge to the light test, however.

PB: these applications are always difficult, and clearly upsetting for the people involved. It is a shame that an amicable solution cannot be reached. Is reminded of recent applications at Sandy Lane, where the neighbours were eventually able to compromise. The pictures of this proposal are shocking – how much pre-app discussion with officers would be needed to reach a more acceptable

solution? Accepts the absolute right of the applicant to make her home more usable, but is not sure where to go with this, and wonders if deferral would be the best option

KH: is thinking much the same as BF on this. The design of the extension is unashamedly modern and it could be said that it doesn't fit in the surrounding area, but it is not for the Committee to deny the applicant what they want as long as it is in line with policy – which the officer reports says it is. Was on Planning View, and can understand why the neighbours find this modern design unpalatable. It will be viewed by the two immediate neighbours, but from the road, no-one else in particular will see it. Has great sympathy for the neighbours, agrees it will have a negative impact on their amenity, but not enough to reject the proposal. It's regrettable that the applicant wants to remove the old chimney stack which gives a nice historical symmetry to the row of semi-detached houses, but despite this, the application should be approved.

PT: cannot vote in support of this application. The extension to the back and sides is higher than the ridge height – it is an *ornicky* extension, a carbuncle which doesn't fit with the house at all. Isn't against modern design, but this is too much.

MJC, in response:

- Regarding the light test, the conventional 45° test was conducted on the two elements individually, and both complied. The house next door has a large window opening. The test was re-conducted and officers remain satisfied with the result;
- Regarding the design, is not surprised to hear Members' views. HM is quite right regarding the need to be consistent - this is something that officers take very seriously as a team – but we shouldn't be completely wedded to traditional architecture. Historic England's guidance is that we should consider size, mass, scale and bulk. If these are OK, the external appearance, the 'wallpaper' are less important. The original proposal was a lot larger than what is being presented today, and has been scaled down to a scheme which officers find acceptable. It would be easy to turn this into traditional extension– brick render, hipped roof etc - but this is not what we are considering today at committee;
- As BH and KH have said, this is the 21st century and we do not need to stick slavishly to traditional designs; this design is unashamedly contemporary, but it is respectful and causes no additional harm, so why should it not be permitted?
- Regarding the eaves height and breaks in the flat roofs, these tend to be taller and officers are content that the junction will be acceptable;
- This is an interesting proposal, and we will no doubt be seeing a lot more like it in the future as people think about how best to develop their houses.

PT: does the guttering continue between the extension and the house? Cannot see where the guttering goes behind the extension.

MJC, in response:

- Would expect there to be a leaded junction between the old and new, with water channelled to a new downpipe.

AH: we need to remember the difference between buildings and homes. Has a background in historic building surveying, and is particularly aware that homes are living, breathing, evolving entities. This extension is another phase in this building's history, and what makes it a home.

PB: asked officers whether they felt any further discussion would lead to a compromise, or whether they feel the have already gone as far as they can get with this one.

Vote on officer recommendation to permit

7 in support (including Chairman's casting vote)

6 in objection
2 abstentions
PERMIT

Application Number:	17/00936/FUL		
Location:	Cotswold BMW, Tewkesbury Road, Cheltenham		
Proposal:	Full planning application for erection of 2,856 sq.m food store (Use Class A1) and 223 sq.m of coffee shop retail and drive-thru (Use Class A1/A3) with associated landscaping, parking and infrastructure		
View:	Yes		
Officer Recommendation:	Permit		
Committee Decision:	Permit		
Letters of Rep:	8	Update Report:	None

EP introduced the application as above, for a foodstore and coffee shop, with access from the existing vehicular access on Tewkesbury Road and from Rutherford Way to the rear. There is an extant outline permission for shops, a pub and a gym, which is a realistic fall-back. Officers have considered the visual and retail impact, and Highways officers do not consider the increase in traffic will be significant. The recommendation is to approve, with conditions. It is at Planning Committee at the request of Councillor Clucas and the parish council, due to concerns about traffic generation and the impact on neighbours.

Public Speaking:

Mr Guy Wakefield, of Hunter Page Planning, in support

Thanked officers for all their work on this application, and the recommendation to permit, with robust conditions. Planning permission was granted on this site in 2016; a detailed Road Traffic Assessment has been prepared, to assess the impact on the retain centres, which concludes that the impact will be minimal, and the traffic generated by the retail food outlet and coffee shop less significant than the extant permission. Regarding hours of opening and lighting, there have been no objections from Highways or from environmental health officers. The scheme has been amended as a result of officer comments, to enhance the visual amenity, landscaping and trees. Support for iportal – the Lidl website received 374 votes, 77% in support of a new store at this site, and over 900 people have signed a petition in its favour. The application brings with it a number of benefits for the town, including economic investment, the creation of 60 permanent jobs in addition to construction jobs, the redevelopment of an important site on the gateway to the town, and well-designed landscaping. All this must tip the balance in favour of the proposal, and with conditions in place to protect neighbours' amenity and highways issues well covered, hopes that Members will support the officer recommendation to permit.

Councillor Clucas

There are a number of reasons to request this application be considered by Planning Committee: firstly the 24-hour customer access to some of the facilities; secondly the effect of the lighting on residents of Glynbridge Gardens; and thirdly, the effect of this additional development on air quality in the area. The agent has said the conditions are robust, but they could be more robust. If there is going to be 24-hour access to the site, given the problems in the area with boy racers and anti-social behaviour, this will provide a good opportunity for this to continue. The conditions can be further enhanced to include a mechanism by which the public cannot gather, race, or do hand-brake turns etc. If the store is not open 24 hours, this should be possible. The developer has agreed that the store won't be open 24 hours, but may try to achieve this in the future. This needs to be tackled now.

Lighting will impinge on the residents of Glynbridge Gardens unless they are installed and operated properly and with care. Would ask that this be done during the process of development, knowing the extent of what the lighting will be, where it will go up, when it will be on, and taking any opportunity to screen the neighbours and build this in to the development.

Regarding air quality, there is nothing from environmental health officers in the report which is disappointing. There are plans for 4000 houses in the area, as well as an extension of Gallagher Retail Park. Air quality is already a problem in the Kingsditch area, pervading the whole area – hence the disappointment that there is no comment on this in the report. Hopes future applications will ensure that mitigation measures are put in place, not only for the people living close by who suffer from the emissions and debris, but also for people further away from the immediate area.

Member debate:

CN: something definitely needs to be done about this site, and the ideas talked about are reasonable. Agrees with FC especially regarding the air quality. This is a rising concern at all levels and how we address it is a sixty-four thousand dollar question. His main question is to do with the sequential test and consideration of wider retail matters, in particular at North Place – that saga goes on, with no solution. As referred to in the react report from DPDS, at para 32.5 and para 4.33, development of another food store on Tewkesbury Road could make it less attractive to have a food store at North Place. Are we complicating the future of North Place if we allow this proposal to go ahead?

MC: there are two access points to the south of the site. Is the Rutherford Way access for the public or just for loading. Rutherford Way is used by local workers, parking cars and bikes willy-nilly – something needs to be done about this. Regarding traffic, there are no Highways objections, which raises a smile as the site is so close to the busiest roundabout in Cheltenham – sometimes has to queue half way up Princess Elizabeth Way at busy times – and the majority of traffic from this development will go via that roundabout. Cannot therefore set a lot of store by Highways comments. This proposal will have an additional impact on Tewkesbury Road, and we need to make a stand. S106 money is acquired for highways development and nothing gets done for years. Why do we need drive-thru coffee shops? It is ridiculous. Why are we encouraging it? This site needs to be developed in a sympathetic way. FC's comments are all valid - shares her concerns – and is disappointed that County Highways isn't doing its job properly.

BF: agrees with both FC and MC. The highways problem has not been addressed by County Highways. They have been involved in dialogue but submitted their reports late in the decision-making process. They may not consider this proposal significant, but 6,000 houses are to be built in this area in the next few years. Part of the mitigation for this should be dedicated bus lanes on Tewkesbury Road, as traffic waiting to get the new store will have to queue along the main road. There are other food stores on Tewkesbury Road but the access is not off the main road. The JCS highlights the need for dedicated bus lanes, but County Highways aren't engaging with Stagecoach and are foolish to ignore this issue. Has no objection to a Lidl store here, but the access should be off Rutherford Way. BMW used this, and the number of movements from BMW was a lot less than it will be from a supermarket, where the average stay will be 35-40 minutes – a constant flow of cars. Is amazed County Highways officers haven't spoken with the developer. This application should be refused or deferred until County Highways has the JCS Traffic Plan for Tewkesbury Road in an acceptable position. The JCS is in the final stages now, but this could scupper it if there is no clear passage on Tewkesbury Road, giving a legitimate reason to throw out Elms Park application and lose the essential housing it will bring. County Highways officers disregard the JCS because it is not current and therefore carries little weight, but this is nonsense. Further development is planned for Marks and Spencer and at Gallagher Retail Park, and we have to get this right; Tewkesbury Road should not be the way in. It would also solve part of the light pollution problem, with car headlights

directed into an industrial area rather than people's homes. The application should be deferred or refused. Gloucestershire Highways consultation response has been appalling on this application.

PB: supports the concept of this scheme and the uses, and isn't concerned about the effect on North Place, which could do a lot better than a supermarket. This proposal will have a much less detrimental effect on the town centre, and other aspects of the scheme, such as job creation etc, are all good. Is appalled by the design, however. The Architects' Panel describe it as a monolithic warehouse, and it is situated on a main road into Cheltenham, which welcomes people to the town. The only thing the developers have done to improve this is include some pathetic landscaping; the scheme needs substantial landscaping, screening it and the car park from traffic on Tewkesbury Road. The developments further down Tewkesbury Road – Aston Martin, Bentley, Sainsbury's – all benefit from trees between the site and road; this scheme is poorly thought out and should be strengthened. Agrees with BF regarding the traffic. Realises the building cannot be redesigned, but its impact can be reduced.

AH: notes the Starbucks drive-thru flow plan, with the entrance at the bottom and the exit in the middle. Is that right?

EP, in response:

- Drive-thru customers will enter the site on the north side, drive past the building, collect their drink, go back past the building on the left, then turn left into the drive-thru lane;
- To CN, regarding the sequential test, a detailed report has been done, as required by the NPPF for retail need in the town centre, and North Place needs to be considered in that process. The applicants have had difficulty finding out about the developer's intentions for the site and therefore cannot pass the sequential test. However, the current proposal is still preferable to what has been permitted in any event. The officer report has touched on the fact that a new food store on Tewkesbury Road might influence the future for North Place but does not consider it sufficient reason to refuse;
- Regarding highways issues, officers provided a very detailed response which is appended to the report in full. We have to remember the extant permission for the site for retail, pub and gym use, which has to be used as the viable fall-back position. This proposal will cause a slight increase in movements, but the highways officer states that this will be less than 1%. It would therefore be unreasonable to refuse on highways grounds with the extant permission as fall-back;
- To BF, regarding the Rutherford Way access, the proposal is that while the shop is open, this access will be available to shoppers and delivery vehicles. Lidl vehicles will only be able to use that access; customers can use it as well if they want;
- Regarding the wider highways implications, with Elms Park to be developed in due course, highways officers have looked at this. They have said in the transport assessment for Elms Park that a dedicated bus lane will be introduced on Tewkesbury Road, and there would be points where cars can cross it. We are in danger of throwing out the baby with the bathwater here, if all the traffic problems of the area are thrown at this application. It would be unreasonable to refuse on potential concerns about other schemes in the area which have no consent at this stage;
- To PB, regarding landscaping, following various discussions with the developer, the highways verge will be re-installed, offering nice quality space. There could be more landscaping, but what is proposed at present is more than is currently there and more than on indicative plans – officers consider it to be enough;
- Regarding the building design, the applicants submitted a pre-app, which was discussed with officers, resulting in the full application's lay-out of car park and design of buildings. It could be improved, but we have to bear in mind the context. It is a big building, but not disproportionate. There are numerous buildings of similar scale in the area. Understands Members' reservations, but these are not enough to warrant refusal of the application;

- There is no suggestion of 24-hour trading; deliveries to Lidl through the Rutherford Way access is the only reference to 24-hour use of the site. There is a condition to limit access to the site outside customer hours, and fencing to prevent anti-social behaviour and rat-running at night;
- Regarding lighting, there is a condition requiring a lighting scheme to be submitted, taking into account the distance from the neighbours.

PB: is the extant permission a detailed scheme or just an outline? Did the approved scheme have car park frontage on to Tewkesbury Road. Buildings facing the road are OK, but we are now looking at tarmac and cars. We should demand a much stronger landscaping scheme for the frontage.

BF: the extant permission allows access to Rutherford Way for customers but this doesn't; it only refers to goods deliveries from Rutherford Way – highways officers have not got their facts right. A 1% increase is wrong – this is a supermarket, and the amount of car movements will be far higher than a pub, a gym or a retail unit such as TKMaxx. Food shopping means a short stay. Highways officers must look at the implications of queueing in the bus lane, and should look at the proposal in the context of the JCS. What they say is wrong; the application should be refused on TP1.

CN: if the application is permitted, can we have a condition to address the landscaping issues to improve on what is proposed, especially on Tewkesbury Road?

PT: can we also condition access from Rutherford Way in the same way?

EP, in response:

- We cannot do that, as it isn't what the application is for; it would be unreasonable as there is already permission to access the site from Tewkesbury Road;
- The existing consent is an outline, but indicative plans were included which showed buildings further back in the site than the proposed supermarket and more car parking in front than is proposed here. This lay-out is an improvement, and officers consider it to be acceptable.

PB: an outline is an outline; when we come to the detail, surely we can address the situation?

EP, in response:

- It's true to lay-out isn't fixed, but officers have no particular concerns about what is indicated at the outline stage. It is all about context. Gallagher Retail Park is next door, where it is not unusual to have car-parking in front of buildings; officers consider this to be acceptable;
- Regarding a detailed landscaping scheme, a condition could be included requiring this to be submitted;
- Rutherford Way access is primarily for deliveries, but customers can use this access as well; highways officers considered this in their comments.

PT: wants to understand the plan for cars coming off Tewkesbury Road and coming back onto it – this is already confusing. This application may have taken the extant permission into account, but with traffic increases, things will change, especially when there are 6,000 more houses in the are. It is crazy – we should be able to control what happens on our streets.

SW: is with PT here. The extant permission has cars coming in from and out to Tewkesbury Road. There are two accesses to Rutherford Way but one is currently blocked off. Can we ask the developers to make both of these accesses viable? Most people shop at Lidl because they want to shop there and make a special trip, and access through controlled junction would feel safer and easier. Can we ask them to make the other Rutherford Way access viable and usable? People would prefer to use these, via a controlled junction.

EP, in response:

- Customers will have the option to use that exit if they wish. It is proposed to block the access as indicated by the red dots; to do otherwise would mean redesigning the whole scheme. As permission has already been given to use these accesses, it would be unreasonable to go back. If customers don't want to use these accesses, they can go through the top of the site, but if everyone goes through the top of the site, this will cause a knock-on impact elsewhere.

Vote on BF's move to defer

6 in support

8 in objection

MOTION NOT CARRIED

Vote on officer recommendation to permit, with additional landscaping condition to improve current proposal

9 in support

3 in objection

2 abstentions

PERMIT

Application Number: **17/01137/FUL**
Location: **15 Deep Street Prestbury Cheltenham**

WITHDRAWN

Application Number: **17/01179/FUL**
Location: **259 Gloucester Road, Cheltenham**
Proposal: **Erection of 6no. one bedroom units within an apartment block and a pair of semi-detached two bed houses on land adjacent to 259 Gloucester Road (revised scheme following refusal of planning permission ref. 17/00165/FUL)**
View: **Yes**
Officer Recommendation: **Permit**
Committee Decision: **Permit**
Letters of Rep: **5** Update Report: **None**

MP introduced the application as above, reminding Members that they refused a similar scheme in April. This proposal has been amended to address Members' concerns. Render, bricks and dark grey cladding has improved the transition between the apartment block and the houses in Libertus Court. It is at Committee at the request of Councillor Halliday, due to neighbours' concerns that the proposal will be overbearing and result in loss of amenity.

Public Speaking:

Mr Toby Coombes, of Coombes Everitt, in support

To provide context, there is extant consent for development of this site, with houses at the back and a large building at the front. This was approved at Planning Committee, but criticised by Members for its poor design. His clients' view is that they would like something better for this visually important site close to the railway station. The recommendation in March referred to the design in relation to the adjacent buildings. The developer has since worked with planning officers to understand this more

fully, and reviewed the locality carefully, noting the mix of contemporary and old, flat and pitched roofs etc, a great variety of styles with no clear theme for new buildings to aspire to. A contemporary approach was therefore felt to be appropriate, with the height lowered at the left hand side and set back. Various improvements regarding the stair well and number of openings etc have resulted in this proposed building which will be an improvement on the existing, and fit in well along Gloucester Road, as the photo montage shows. Officers consider this to be a positive revision. The proposal was previously supported, and with these further improvements, urges Members to support the officer recommendation and approve the proposal.

Member debate

PB: likes it!

PT: is not sure what there is to like. Cannot see the two semis, and would suggest the developer needs to go back to the drawing board to produce something more homely, attractive, and Gloucester Road-ish. This is a horrible idea – anything with a flat roof and modern design does not fit in and isn't fair on the residents.

BF: is concerned regarding the collection of rubbish and refuse from Libertus Road and R Road – UBICO won't be able to get a dustbin van down there, and residents will therefore have to bring the bins up.

MP, in response:

- Refuse and recycling proposals are unchanged from the previously approved scheme for the four units. Access has always been from Roman Road, with bin storage at the back.

Vote on officer recommendation to permit

12 in support

2 in objection

PERMIT

Application Number:	17/01210/FUL		
Location:	11 Bradley Road		
Proposal:	Erection of a new single dwelling		
View:	Yes		
Officer Recommendation:	Refuse		
Committee Decision:	Refuse		
Letters of Rep:	9	Update Report:	None

LW introduced the scheme for a contemporary dwelling built in the side garden of 11 Bradley Road, part of the footpath, and the garden of 29 Croft Gardens. It is at Committee at the request of Councillors Walklett and Bickerton. Officers consider it to be a contrived form of development, not suitable for the plot, out of character, and causing significant harm to the amenity of 28 Croft Gardens, overbearing and overshadowing the garden.

Public Speaking:

Mr Berry, applicant, in support

Has lived in Bradley Road for five years with his wife and two children; likes the area and being part of the community. In 2012, was granted permission to build a two-storey side extension on his house, but has since realised there is an opportunity to use the large space to the side of the house and the barely-used footpath to create an exciting new home, leaving the main house in its existing form. There are bungalows, three-storey flats, detached, semi-detached, many different styles in the area,

and this modern design will not look out of place. The vast majority of neighbours agree; five support, and only one objects, and there are conditions to cover their concerns, including frosted windows. Would have expected more opposition if the proposal was a problem, and the Parish Council has no objection. This is a sustainable location, with shops and public transport nearby, and this effective use of the site will take pressure off country sites. There are issues with footpath, but this is not a planning issue, and to be resolved.

Member debate:

MC: went on site visit and spent a lot of time looking at this site, and photos from the agent. Doesn't like the proposal – a bit of land from one house, a bit from another, re-siting the footpath, even though we are told this is nothing to do with planning. Doesn't like the design. All in all, there isn't a lot going for this proposal, and sees no reason to go against the officer recommendation.

GB: feels the LW's comment was most pertinent – this is a contrived scheme, and unacceptable.

SW: is on the right of way team - this is not a conflicting interest although if the application was to be permitted, could be looking at this at a future stage. When first saw the application, including the building over a public right of way, wondered why it was even brought to committee. If the footpath can't be moved, the scheme can't go ahead. Is also with officers on this. Is not an enormous fan of backland development at the best of times, but contrived is certainly the right word here. The proposal is trying to fit a quart into a pint pot and just doesn't work. Fully supports the officers.

Vote on officer recommendation to refuse

13 in support

1 in objection

REFUSE

Application Number:	17/01238/FUL		
Location:	2 Giffard Way		
Proposal:	Side and rear extension, new porch and bay window.		
View:	Yes		
Officer Recommendation:	Permit		
Committee Decision:	Refuse		
Letters of Rep:	1	Update Report:	None

HDJ introduced the application as above, at Committee at the request of Councillor Nelson, on account of the harm it will cause to neighbouring amenity through loss of light to the kitchen window. Officers consider there are multiple sources of natural light to the kitchen, and therefore the recommendation is to permit.

Public Speaking:

Mrs Small, neighbour, in objection

Is objecting to this application on account of the loss of light to her kitchen. Officers say there are multiple sources of light, but the light from the patio doors is blocked by a wall. This is a much-used kitchen, and will be gloomy. It is north facing, so not the brightest of spaces at the best of times. This scheme will result in loss of outlook and amenity she has enjoyed for 51 years. Looking at a brick wall 2.4m from her kitchen window is a horrifying prospect, and will result in a sense of claustrophobia. Has been advised the proposal doesn't comply with Cheltenham requirements.

Member debate:

TO: went on Planning View, and agrees that the kitchen area is dark, and light currently entering from the patio is deflected. If this application is permitted, it will infringe on the current light and result in a very dark room.

PT: will move to refuse this proposal, as the light to the kitchen will be compromised. The big block in the middle detracts from the light, and the new wall will be very close to the window and very, very oppressive. It will compromise the neighbour's enjoyment of her home.

CN: asked for this application to be brought to Committee; having visited the site was uncomfortable with officer advice, and wanted to see how other Members felt. Did not go on Planning View for this reason, so welcomes the comments from TO and PT which reinforce his own views. The loss of light is the predominant issue. There are four light sources to the kitchen, yet the first thing that struck him on entering the kitchen was that it was generally a dark room. The large mirror on the back wall is obviously there in an effort to make the most of what limited light there is. If the extension is allowed to go ahead, it would fail the light test on the last side window, only leaving the patio doors and chimney sun room, through which very limited lights comes in. The two side windows are north facing, the patio doors west facing. If the proposal goes ahead, it will have a significant effect on the amenity due to the impact on the light. It should be refused on Policy CP4 for this reason.

HM: agrees with all that has been said. The kitchen was extremely dark and that was on a sunny summer's day. What it would be like in Winter doesn't bear thinking about.

BF: wasn't on Planning View. Does the proposal pass the light test?

MJC, in response:

- This has been one of the most difficult light tests he has done. On Planning View, Members will have seen the different light sources: two windows facing the site, patio doors, and the roof light. The light entering the room is not dispersed as if it was open plan. For this reason, officers looked at a more detailed light test, conducted on the main kitchen window; a marginal fail was suggested on that window. The other light sources would not be compromised by the development next door. Officers were therefore satisfied that the impact won't be noticeable; evidence collected suggests that, although there will be an impact;
- If the kitchen window was the only light source and taken in isolation, the difference would be noticeable; but as it only marginally failed the light test, officers took an on-balance decision. A case could be made either way, but officers have to take a positive approach. Is not surprised Members have reacted as they have.

PT: it's obvious that MJC doesn't spend much time in the kitchen, bottling fruit, peeling potatoes, washing up, washing. Adding a wall will make the dark kitchen even darker. It is totally unreasonable to have a wall that close to the kitchen window and block the light out even further.

MC: officers have said it was a marginal decision. On a technical note: there are three other light sources in the room; would these be tested as well, to give a cumulative total? There is also reflective light in the room, from the mirror, but that could be removed.

MJC, in response:

- Regarding the light test, understands where Members are coming from. Officers made a judgment not to test the other openings. As part of the light test, they need to work out how much light a window gets now, and how much it will get post development. If that amount of light less than 80% of the original value, guidance says would be noticeable. The test on the side window showed 75%. On the other window, it would be 10% reduction – not appreciable to the naked eye. The patio doors were not tested – won't change enough;

- the on-balance recommendation to permit is made in that regard; if the extension was reduced in size and set in, it would tip the balance more. Officers' view is that it is acceptable; they cannot prove beyond all doubt that there will be no impact, but base their recommendation on the facts as they see them. They could argue the case either way.

GB: if the wall is built, the neighbour will need the kitchen light on permanently, and this will be a clear loss of amenity. Officers recommended on balance to grant permission, but taking in concerns about light in the room, this is enough to refuse the application.

PT: proposed CP4 as refusal reason.

Vote on officer recommendation to permit

- 1 in support
- 12 in objection
- 1 abstention

NOT CARRIED

Vote on PT's move to refuse on CP4

- 12 in support
- 1 in objection
- 1 abstention

REFUSE

Application Number:	17/01369/TPO		
Location:	37 Griffiths Avenue		
Proposal:	Horse Chestnut in front garden - complete removal		
View:	Yes		
Officer Recommendation:	Permit		
Committee Decision:	Permit		
Letters of Rep:	3	Update Report:	None

CC introduced the application to remove the whole horse chestnut tree, which takes up the whole front garden of the house. It has a TPO, so the recommendation is to permit, subject to a replacement tree of a more appropriate nature being planted in its place.

Public Speaking:

None.

Member debate:

BF: surely it would be unwise to plant a replacement tree in the same spot; the residents could end up with the same problem in 70 years.

AH: would like to make the case to keep the tree. It has been there substantially longer than the buildings, and is one of very few trees in the area. Cheltenham is known for its trees; they are part of the town's heritage. This is a healthy tree, and cannot agree with it being ripped away.

MC: doesn't like chopping down beautiful trees, and this has been there for ever. But has been on site and read the officer report; this tree has a few problems. The report talks about removing and replacing the tree, saying that it would have to be removed in 15 or so years anyway; if a tree is

planted in its place now, it will be reasonably mature in 15 years. Will be sad to see it go, as it is beautiful tree; wouldn't normally support its removal.

SW: is a great tree lover, and will be sad to see this tree removed, but it does carry disease. It was there before the houses, before the current residents moved in – so it could be said that if they didn't like the tree, they shouldn't have moved in. However, CC wouldn't recommend the removal of a tree without good cause. This tree is diseased and far too large for the site. Will vote for it to go, though reluctantly. Will be happier if something more suitable is planted in its place.

LS: the report states that the horse chestnut has leaf miner. Is no expert in lepidoptery but the issue is the health of the tree, and there isn't enough detail about this in the report. Is it likely to fall down, to fall on the house, will it recover from the leaf miner or not? Is it part of the eco system, or terminal for the tree? This is an important consideration, and is uncomfortable if a precedent is set to take trees down at the first sign of disease.

HM: supports SW. CBC is fortunate to have a professional, dedicated tree officer who does his best to support and preserve trees wherever he can. If he says it should go, it should go.

CC, in response:

- horse chestnut leaf miner is a perennial problem, causing the leaves of the tree to turn brown and crispy. It will look healthy and verdant in Spring and early Summer next year, but will quickly lose vitality. It will not get better. It won't fall down, and if left, could live for another 10-20 years, having no canker, decay or bleeding canker;
- the issue with the tree is mostly an amenity problem. It doesn't look nice in its current situation. If it was in the Promenade and the leaves were swept away in Autumn it could last longer, but in this case, the neighbours cannot be expected to do this, and the tree will therefore be colonised by the leaf miner moth again next Spring and every year after;
- the tree is older than the house, and one of the reasons why he has been brought this application to committee is to demonstrate the importance of how and where trees should be retained in new developments. If there had been one or two fewer units, this tree could have been kept;
- if a new tree is planted now, it should be of an appropriate size and contribute to the ecology of the area. A hawthorn would be ideal – flowers in the spring, popular with birds and insects, nice autumn colours;
- regarding the suggestion that if the home-owners don't like it, they shouldn't move in, that is fair comment, although in this case the occupier of the house isn't the owner;
- it is a shame to remove the tree; there are few trees in the area, and a new tree won't have such an impact, especially in the Spring; despite this, feels that the time is right to remove the tree;
- has looked at the comments of the Trees Officer when the site was developed, but these were thin on the ground.

GB: if Members agree to its removal, will there be a condition to replace it with a different species?

Vote on officer recommendation to permit

11 in support

1 in objection

2 abstentions

PERMIT

APPLICATION NO: 17/00337/FUL	OFFICER: Miss Michelle Payne
DATE REGISTERED: 17th February 2017	DATE OF EXPIRY: 18th August 2017
WARD: Park	PARISH: n/a
APPLICANT:	CALA Homes (Midlands) Ltd & The Police & Crime Commissioner
AGENT:	Hunter Page Planning Ltd
LOCATION:	Central Cheltenham Police Station, Talbot House, Lansdown Road
PROPOSAL:	Demolition of all existing buildings on site and erection of 67no. new homes, access, landscaping and other associated works at the former Police Headquarters, Lansdown Road

Update to Officer Report

1. OFFICER COMMENTS

- 1.1. Members will recall that this application was deferred at last month's committee meeting to enable further discussion and negotiation to take place with the applicant in respect of the design of the apartment blocks fronting Lansdown Road – this update should therefore be read in conjunction with the main officer report published in August.
- 1.2. During the Member debate, the elements of the design that were most criticised were the heights of the buildings and the spacing between them, picking up on comments made by the Architects Panel and Historic England.
- 1.3. Following the August meeting, in response to the comments made, officers have met with the applicant on two occasions to secure further revisions to the scheme, namely:
 - A significant reduction in the footprint of apartment block C which sits at the junction of Talbot Road and Lansdown Road, resulting in four of the apartments being reduced from 2 bed units to 1 bed units. This reduced footprint has enabled a 25% increase in the separation between the buildings, from 4 metres to 5 metres, and additional soft landscaping to be introduced.
 - A reduction in the extent of penthouse accommodation to all three blocks to provide for further improved visual separation between the buildings, resulting in the loss of one unit within block A (adjacent Wilton House).
- 1.4. Whilst the overall height of the buildings has not changed, officers consider the additional revisions secured following last month's committee meeting to have positively benefitted the scheme. The significant reduction in the level of penthouse accommodation proposed at fifth floor, particularly that to block C, together with the increased separation between the buildings has considerably reduced the massing of the Lansdown Road frontage and provides for a better transition between the new development and Holland (Wilton) House.
- 1.5. Overall the extent of residential floorspace has been reduced by 315 sq. m, and the number of residential units has been reduced by one. This will also enable the provision of an additional visitor car parking space.
- 1.6. The revised scheme has also been accompanied by additional information to further support the proposals. An extended street scene has been submitted to provide greater context and show the apartment blocks in relation to the neighbouring buildings on either side of the site. It is also anticipated that a materials board will be available at the

committee meeting to illustrate the quality of the external facing materials proposed in the development.

2. RECOMMENDATION

- 2.1. The recommendation remains to grant planning permission subject to the following conditions/informatives:

3. CONDITIONS

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

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

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

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

- 3 Tree protective fencing shall be installed in accordance with the specifications set out within BS 5837:2012. The fencing shall be erected, inspected and approved in writing by the Local Planning Authority prior to the commencement of any works on site (including demolition and site clearance) and shall remain in place until the completion of the construction process.

Reason: In the interests of local amenity, having regard to policies GE5 and GE6 of the Cheltenham Borough Local Plan (adopted 2006).

- 4 Prior to the commencement of development, including any works of demolition, a scheme for the control of noise, dust and dirt from works of construction and demolition at the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include controls on these nuisances from vehicles operating at, and accessing, the site. The approved scheme shall thereafter be adhered to throughout the demolition and construction period.

Reason: To reduce any potential impact on local residents, having regard to policy CP4 of the Cheltenham Borough Local Plan (adopted 2006). This information is required up front because the amenity of adjoining land users could otherwise be compromised at the beginning of construction.

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

- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and visitors;
- iii. provide for the loading and unloading of plant and materials;
- iv. provide for the storage of plant and materials used in constructing the development;
- v. provide for wheel washing facilities; and

vi. specify the intended hours of construction operations.

Reason: To reduce any potential impact on the public highway during construction, and to accommodate the efficient delivery of goods and supplies in accordance with paragraph 35 of the National Planning Policy Framework. This information is required up front because highway safety could otherwise be compromised at the beginning of construction.

- 6 Prior to the commencement of development, a detailed design and timetable of implementation for the surface water drainage strategy presented in the applicant's Flood Risk Assessment document shall be submitted to and approved in writing by the Local Planning Authority. The detail must demonstrate the technical viability of the drainage system 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 prior to first occupation of the development.

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.

- 7 Prior to the commencement of development, an exceedance flow routing plan for flows above the 1 in 100 years event with allowance for climate change shall be submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall identify exceedance flow routes through the development based on proposed topography with flows being directed to highways and areas of public open space. Flow routes through gardens and other areas in private ownership will not be permitted. The scheme shall subsequently be completed in accordance with the approved details prior to first occupation of the development.

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.

- 8 Prior to their installation, a scheme for the provision of fire hydrants (served by mains water supply) shall be submitted to and agreed in writing by the Local Planning Authority. No dwelling shall be occupied until the fire hydrant serving that property has been provided in accordance with the agreed scheme.

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

- 9 No external facing or roofing materials shall be applied unless in accordance with physical samples of the materials, which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to Policies CP3 and CP7 of the Cheltenham Borough Local Plan (adopted 2006).

- 10 The following elements of the scheme shall not be installed, implemented or carried out unless in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority:

- a. All windows and external doors (including heads, cills and reveals);
- b. Roof lights;

- c. All balconies (including balustrades and canopies);
- d. Flat roof to apartment blocks;
- e. Parapet detail to houses; and
- f. Rainwater goods.

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).

- 11 The vehicular accesses hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 43m distance in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

Reason: To reduce potential highway impact by ensuring that adequate visibility is provided and maintained, and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 32 and 35 of the National Planning Policy Framework.

- 12 Prior to first occupation of the development hereby permitted, the vehicular accesses shall be laid out and constructed in accordance with approved drawing no. 22095_00-010_01 K, with the area of the access roads within at least 10.0m of the carriageway edge of the public road surfaced in bound material. The vehicular accesses shall be maintained as such thereafter until and unless adopted as highway maintainable at public expense.

Reason: To reduce potential highway impact by ensuring 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 paragraphs 32 and 35 of the National Planning Policy Framework.

- 13 Prior to first occupation of the development hereby permitted, pedestrian improvements shall be made along Talbot Road to improve walking journeys in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the priority is given to pedestrian and cycle movements and that a safe and secure layout that minimises conflict can be created in accordance with paragraph 35 of the National Planning Policy Framework.

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

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

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- 15 Prior to first occupation of the dwellings hereby permitted, the carriageways (including surface water drainage/disposal, vehicular turning heads and street lighting) providing access from the nearest public highway to that dwelling shall be completed to at least binder course level and the footways to surface course level.

Reason: To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with paragraphs 32 and 35 of the National Planning Policy Framework.

- 16 Prior to first occupation of the development hereby permitted, vehicular parking and turning facilities shall be provided in full accordance with approved drawing no. 22095_00_010_01 K, and the 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 paragraphs 32 and 35 of the National Planning Policy Framework.

- 17 Prior to first occupation of the development hereby permitted, secure and covered cycle storage facilities for the apartment blocks for a minimum of 43no. cycles shall be made available in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The cycle storage shall thereafter be retained in accordance with the approved details.

Reason: To ensure the adequate provision and availability of cycle parking so as 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.

- 18 Prior to first occupation of the development hereby permitted, the existing vehicular access onto Lansdown Road shall be fully closed up with the adjacent footway reinstated to full height and with full height kerbing at the carriageway edge.

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 paragraphs 32 and 35 of the National Planning Policy Framework.

- 19 Prior to first occupation of the development hereby permitted, signage displaying entrance and exit only routes, directing vehicles to access the site via access 2 (in) and to egress the site via access 1 (out) shall be erected in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The signs shall be retained for those purposes thereafter.

Reason: To reduce potential highway impact by ensuring that a safe and secure access for all people is laid out that minimises the conflict between traffic and cyclists and pedestrians in accordance with paragraphs 32 and 35 of the National Planning Policy Framework.

- 20 Prior to first occupation of the development hereby permitted, the 'KEEP CLEAR' markings located on Talbot Road in front of access 1 (out) shall be refurbished or replaced.

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 paragraphs 32 and 35 of the National Planning Policy Framework.

- 21 Prior to first occupation of the development hereby permitted, 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, shall be submitted to and approved in writing by the Local Planning Authority. The approved SUDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding, having regard to policy UI3 of the Cheltenham Borough Local Plan (adopted 2006).

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

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

INFORMATIVES

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

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

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

- 2 The applicant/developer is advised that should asbestos containing materials be present on site, the demolition of the buildings will need to be undertaken in accordance with the legislation surrounding asbestos removal and the demolition of buildings containing asbestos, and the waste disposed of in a legally compliant manner.
- 3 The applicant/developer is advised that demolition and construction works should be kept within the following hours: 7:30am - 6:00pm Monday - Friday and 8:00am - 1:00pm Saturdays with no noisy work on a Sunday or Bank Holiday, and to be mindful of noise when deliveries arrive at the site.
- 4 The applicant/developer is advised that in order to discharge Condition 13 the Local Planning Authority will require a copy of a completed dedication agreement between the applicant and the local highway authority, or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

- 5 The applicant/developer should instruct the following GCC contractor to relocate the existing street lighting column including LED lantern, who can also carry out the electrical transfer on WPD's behalf.

Wayne Adams
W&N Adams
wandnadamsltd@aol.co.uk

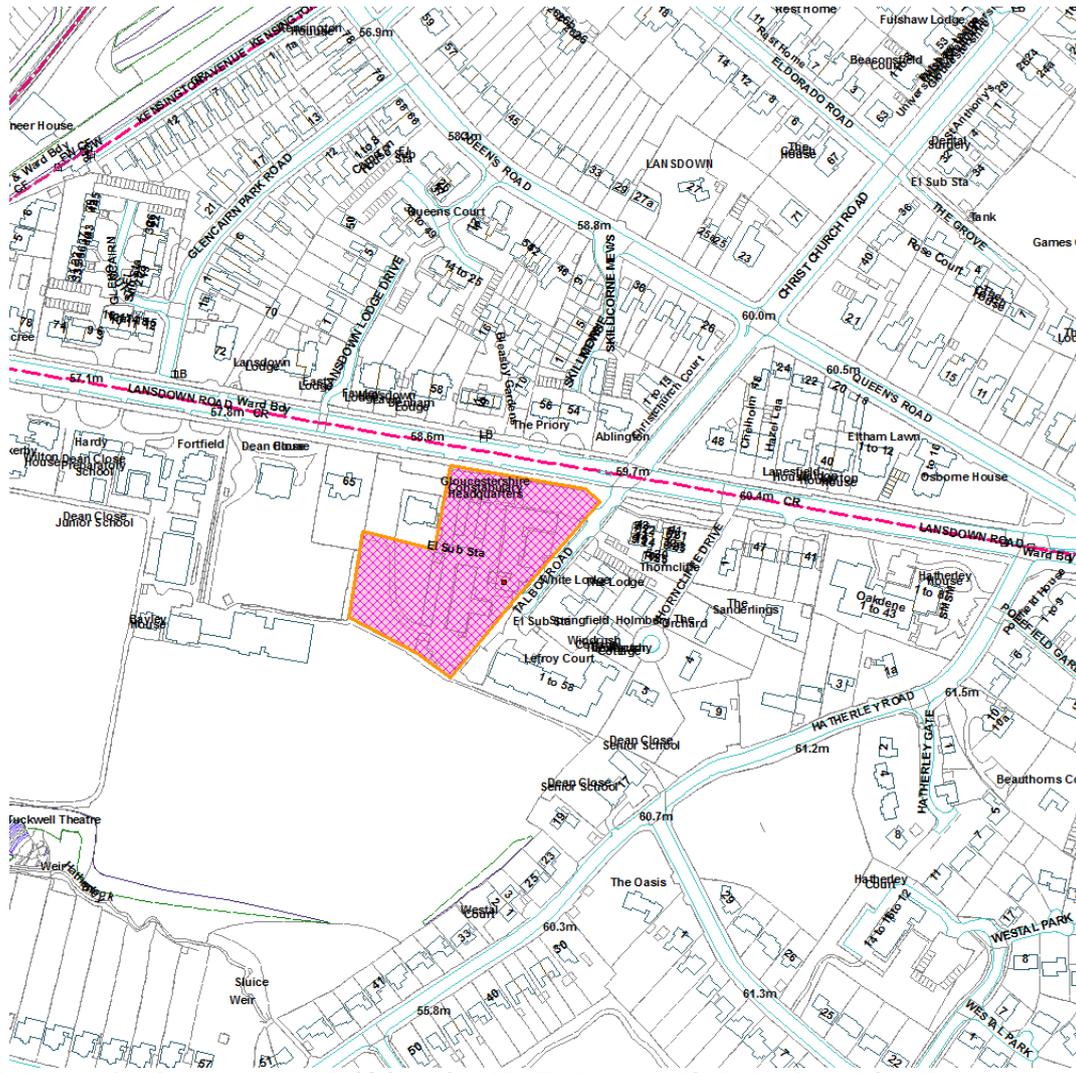
The applicant/developer should let the Street Lighting Team at GCC know once installation is complete, so that it can be inspected.

- 6 The applicant/developer will be expected to meet the full costs of supplying and installing the fire hydrants and associated infrastructure.
- 7 The proposed development will involve works to be carried out on the public highway and the applicant/developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with Gloucestershire County Council before commencing works.
- 8 The applicant/developer is advised to contact Amey Gloucestershire on 08000 514 514 to discuss whether the development will require traffic management measures on the public highway.
- 9 The applicant/developer is advised that a sound insulation scheme should be generated and adhered to for the construction of the apartment blocks A, B and C to protect all habitable rooms from noise generated by traffic to be expected from the 24 hour use of the police station. The sound insulation should achieve at least the levels set out in table 4 for living rooms and bedrooms in British Standard 8233: 2014 'Guidance on sound insulation and noise reduction for buildings'.

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APPLICATION NO: 17/00337/FUL	OFFICER: Miss Michelle Payne
DATE REGISTERED: 17th February 2017	DATE OF EXPIRY: 18th August 2017 (the determination period has been extended by agreement with the applicant)
WARD: Park	PARISH: n/a
APPLICANT:	CALA Homes (Midlands) Ltd & The Police & Crime Commissioner
AGENT:	Hunter Page Planning Ltd
LOCATION:	Central Cheltenham Police Station, Talbot House, Lansdown Road
PROPOSAL:	Demolition of all existing buildings on site and erection of 68no. new homes, access, landscaping and other associated works at the former Police Headquarters, Lansdown Road

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site comprises the majority of the former Gloucestershire Constabulary Headquarters site on the southern side of Lansdown Road (A40), at the junction with Talbot Road. The building in the north-western corner of the former headquarters site, Holland House formerly known as Wilton House, has been retained by the Constabulary as a Community Police Station.
- 1.2 Extensive pre-application discussions have taken place over the years in relation to the redevelopment of the site for housing. Most recently, discussions have taken place with Cala Homes (Midlands) Ltd since September 2016, culminating in this application for planning permission. The application is a joint application between Cala Homes and the Police and Crime Commissioner for Gloucestershire.
- 1.3 The application proposes the demolition of all existing buildings on site, and the construction of 68no. new residential units with associated infrastructure and parking. The scheme would also provide for an area of green open space within the site and landscaping throughout.
- 1.4 The housing comprises 43no. apartments (8no. one bed and 35no. two bed) within three Villa buildings fronting Lansdown Road, and 25no. townhouses (1no. three bed and 25no. five bed) on the rear portion of the site.
- 1.5 The application has been accompanied by the following detailed reports and statements:
 - Planning Statement
 - Design and Access Statement
 - Built Heritage Statement
 - Transport Statement
 - Flood Risk Assessment
 - Extended Phase 1 Habitat and Bat Emergence Survey
 - Tree Survey and Arboricultural Impact Assessment
 - Financial Viability Assessment
 - Statement of Community Involvement
- 1.6 The application is before planning committee at the request of Councillor Harman due to the level of concern amongst local residents.
- 1.7 Members will visit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area

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 5 Sustainable transport
CP 7 Design
PR 1 Land allocated for housing development
BE 3 Demolition in conservation areas
BE 4 Timing of demolition in conservation areas
BE 7 Parking on forecourts or front gardens in conservation areas
GE 5 Protection and replacement of trees
GE 6 Trees and development
EM 2 Safeguarding of employment land
HS 1 Housing development
HS 2 Housing density
HS 4 Affordable housing
RC 6 Play space in residential development
UI 1 Development in flood zones
UI 2 Development and flooding
UI 3 Sustainable Drainage Systems
TP 1 Development and highway safety

Supplementary Planning Guidance/Documents

Development on garden land and infill sites in Cheltenham (2009)
Dean Close & Hatherley Park Character Area Appraisal and Management Plan (2008)
Lansdown Character Area Appraisal and Management Plan (2008)
Affordable housing (2004)
Landscaping in new development (2004)
Sustainable buildings (2003)
Sustainable developments (2003)
Flooding and sustainable drainage systems (2003)
Planning obligations (2003)
Play space in residential development (2003)

National Guidance

National Planning Policy Framework (NPPF)
Planning Policy Guidance (NPPG)

4. CONSULTATION RESPONSES

Architects Panel

6th March 2017

Design Concept

The panel had no objection to the principle of the development and generally found the background information, site appraisal and contextual analysis presented was extremely thorough and convincing.

The overall design was of a high standard but the panel had reservations over certain aspects of the scheme as follows:

Design Detail

The architect's description of the buildings along Lansdown Road as villas in open space, similar to Wilton House and other villas in the area, was misleading because the spaces between the buildings are relatively narrow and do not follow the pattern of development suggested.

The D&A statement describes the three villas having equal status but the east end block is not as long as the others and also appears too close to Talbot Road. The panel thought this block could afford to be different and address Talbot Road in a more positive manner.

The architect described the elevations as following Regency proportions which the panel also found misleading since the design clearly doesn't reflect many key aspects of Regency design. The horizontal proportions of the first floor windows in particular do not help the composition. The panel believed the top floor also appeared far too high, not helped by the glass balustrading which might be better incorporated into a more solid parapet, but noticeably higher than some of the earlier elevation studies included in the D&A statement.

The panel generally felt the scheme looked like overdevelopment of the site. The "villas" are squeezed in along the Lansdown frontage and the town houses at the rear are too cramped resulting in very narrow gaps between the blocks. Reducing the number of houses would free up the whole site layout composition and provide the opportunity to enhance spaces at the end and around the buildings.

With regard to the choice of materials, the panel questioned the need for two different coloured bricks and would want to be convinced that the reconstituted ashlar proposed looked as good as the real thing.

Recommendation

Submit revised design proposals.

Historic England

9th March 2017

Thank you for your letter of 17 February 2017 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Summary

In its current form, we do not judge this development scheme to be a convincing response to its context, nor a bold attempt at creating an original design confident yet sensitive to its prominent location on a main westerly approach to the town. As such, the overall scale and plan form, the current design, and the intrusion of substantial car parking, will cause harm to Lansdown Conservation Area.

Significance

This application site involves the unoccupied Central Cheltenham Police Station on Lansdown Road, within the Lansdown Character Area of the Cheltenham Conservation Area. It is identified within this appraisal as a significant negative building/space on a large and visually prominent site on this westerly approach to the town. On visiting the site, Historic England reaffirm that the modern buildings, although prominent, have no architectural or townscape merit. What was apparent when walking the vicinity (and in line with the council's Character Area Appraisal) are the large numbers of Regency and early Victorian formally laid out villas of a consistent height (three storeys), the wide open linear street pattern permitting medium and long distance views, and an ambience of unspoilt elegance, grandeur and space. There is a variety of styles and construction materials which add variety to this street scene. This is of value when considering the application in line with the impact on the conservation area.

Impact

The proposal is for the demolition of all existing buildings on site and the erection of 68 no. new homes, in the form of three principal street-facing blocks, and two further terraces to the rear of the site. There is no in-principle objection to the redevelopment of this site, and indeed we acknowledge the opportunity of enhancing what is currently a detractive component of Lansdown Road and the wider conservation area. However we do raise a number of serious concerns.

We note within the Built Heritage Statement the reference to the three 'villa' blocks fronting Lansdown Road representing a modern interpretation of the prevalent form of town villas that line this road. Nevertheless the impact of these 5-storey villa blocks set forward of Wilton House, at a scale and height significantly greater than the prevailing form, will attract undue attention on a prominent axis within the conservation area, one which retains its sense of a relatively low-scale, wide-open verdant avenue. Whilst we acknowledge the scale of the current buildings within the site, for this scheme to succeed in respecting the conservation area, a suitable scale must be established deferential to the predominant form of Lansdown Road.

With respect to the design, this plot of land, combined with the scale of development available, on a key route into Cheltenham town and on the axis of a planned approach to Christ Church (Grade II* listed), requires a scheme of genuine boldness and originality. The design has the capability of responding to a range of surrounding styles, or has the opportunity to create an overtly contemporary solution very much of its time.

Added to this is concern regarding the extent of formalised parking fronting Lansdown Road. Although some precedent has been established elsewhere, much of it is of an incidental low-key nature. This proposal involves linear parking allocation lining the entire main elevation. With reference to the Soft Landscape Plan, the increase of formal screening will have the potential to change the organic character of boundary treatment that is characteristic of Lansdown Road.

Policy

When determining this application the local authority should pay particular attention to the Planning (Listed Buildings and Conservation Areas) Act 1990, section 72 (1) "with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area". In line with the National Planning Policy Framework 2012, planning authorities should look for opportunities for proposals within conservation areas and within the setting of heritage assets to enhance or better reveal their significance. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification (para. 132). Only proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably (para. 137). Additionally, the desirability of new development making a positive contribution to local character and distinctiveness should be encouraged (paras. 61 and 131).

Position

We consider this scheme to represent an over-intensive development uncharacteristic of the prevailing rhythm and urban grain of villas lining Lansdown Road, identified as a significant contribution to the conservation area ('properties are set back from the road within large plots creating a consistent building line which is sympathetic to the form of the historic properties', Lansdown Character Appraisal, p. 18, 5.15). Reducing the three dominant villas to two will preserve this pattern, will create meaningful views into the site, and afford a greater sense of relief and space characteristic of the historic villas; their overbearing presence as proposed will thereby be proportionately reduced. We believe the current layout will be predominantly viewed as a continuous stretch of development, rather than as individual villas. We also advise pushing the villas further back to align with Wilton House; this current stepping forward adds to the detrimentally assertive character of this road-fronting element.

Moreover, we are not persuaded that the design of the villas meaningfully represents an interpretation of Georgian classical architecture as the design narrative. The elevational proportions are not entirely followed-up (for example the hierarchy of windows and the

unaligned upper storey) and are not felt to be intelligible so as to provide a strong contextual design-response.

Recommendation

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 61, 131, 132 and 137 of the NPPF. We will be happy to engage further to discuss a reduced scheme.

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

GCC Highways Development Management

20th June 2017

I refer to the above planning application received on the 21st February 2017, submitted with application form, Planning Statement, Design and Access Statement parts 1, 2 & 3, Transport Statement parts 1, 2 & 3 and drawing refs. PL01, PL02 and 22095_00_010_01 Revision: K.

Location

Talbot Road is located to the east of the site and is approximately 5.5m in width and connects to Lansdown Road via a signalised crossroad junction on the north-east side of the site. Talbot Road features footways of approximately 2.0m in width on both sides of the road with street lighting and areas of intermittent grass verge sections running parallel. Talbot Road is a class 4 road subject to the sign posted 30mph speed limit.

Lansdown Road is largely a two-way single carriageway, with intermittent sections being three lane carriageway, varying in width from approximately 11.6m to 13.5m in width, and is a primary route into Cheltenham to the east and the wider highway network including the A40 and M5 to the west. A footway of approximately 3.0m width is provided on the southern side of the carriageway, with a segregated footway/cycleway of similar width on the northern side of the carriageway.

The signalised crossroad junction adjacent to the north-east of the site includes turning restrictions; prohibiting turning east onto Lansdown Road from Talbot Road, and turning eastward on to Lansdown Road from Christchurch Road.

Accessibility

All of the roads in the locality have footpaths to both sides of the highway. The site is sustainably located within acceptable walking and cycling distances to key local facilities and amenities which, together with the dedicated walking and off road cycling routes may encourage travel by foot and cycle.

Considering its location the development site is relatively well served by the existing high quality public bus services with the nearest bus stops located on Lansdown Road opposite the site on both sides.

These services provide links to Gloucester, Bishop's Cleeve, Hatherley and Oxford. Services 94, 94U provide peak hour services to and from Gloucester which provides future occupiers of the development the opportunity to commute to work in Gloucester by bus providing scope for a modal shift away from the private motor car.

Furthermore Cheltenham Spa train station is located approximately 600m north-west of the site. The station provides links to London, Birmingham, Bristol, Plymouth, Cardiff, Gloucester and Nottingham.

Access

The proposed development will be accessed from the 3 existing priority junction accesses previously used by the former Police station fronting Talbot Road. Access 1 is the northernmost existing access on Talbot Road and will provide an egress only point from the site as part of a one-way system in operation around apartment blocks A-C. The access is approximately 6.0m wide consisting of a shared surface area to the north of apartment blocks A-C.

Access 2 is the existing central access on Talbot Road and will comprise an entrance only point for the parking around apartment blocks A-C. The access is approximately 5.5m in width, narrowing to 4.8m in width approximately 9m in width. The area extending from access 2 is part of the shared surface loop feature around apartment blocks A-C, connecting to the egress only point (access 1).

Access 3 is the southernmost former access on Talbot Road, access 3 leads to the 25 of the dwellings. This access will also consist of a shared surface access 6.8m in width.

Visibility splays of 43m have been demonstrated on drawing ref. 22095_03_020_01 which would relate to a vehicle speed of 30 mph however no evidence of actual vehicle speeds on Talbot Road have been submitted as part of the application. Therefore in the absence of any other evidence the Highway Authority would revert to GCC's Annual Speed Monitoring Report (1998-2006) which shows that the 85th percentile wet weather speed of vehicles on a 30 mph highway to be 34 mph. This vehicle speed gives a visibility requirement of 54m in each direction. I am satisfied that this level of visibility can be achieved with land available.

Layout

Gloucestershire currently does not have parking standards, with parking assessed against the NPPF. A statement published in March 2015 stated that Local Planning Authorities should only impose local parking standards for residential and non-residential development where there is a clear and compelling justification that it is necessary to manage their local road network.

The 2011 Census data indicates that based on an average of 0.9 cars per dwelling, the proposed 68 dwelling development could expect car ownership to total 61 cars. In addition to the 0.2 spaces per dwelling required by MfGS for visitor parking, a total of 14 visitor spaces for the 68 dwelling development would also be required. When combining the expected car ownership levels and GCC's visitor space requirement (based on MfGS), the proposed site would be expected to provide at least 75 car parking spaces.

In total the proposed development will provide a total of 126 parking spaces for the 68 dwellings. Each dwelling, except the 1 bed dwellings have at least 2 car parking spaces plus garage provision. The development will provide the following parking provision:

- 1 space per apartment (43 spaces total);
- 2 spaces per dwelling (50 spaces total);
- 1.6m x 3m garage per dwelling (25 total), and;
- 8 visitor spaces - many visitors to the site can be accommodated for within the total site parking allocation.

As the amount of parking provided is higher than the average car ownership figures in the 2011 census data, based on the above, the parking provision is considered acceptable.

Each parking space complies with the recommended design guidance of 9.13 and 9.14 Manual for Gloucestershire Streets with each space measuring 2.4m x 4.8m in length with 6.0m of drivable surface in front of them for ease of access. The private garages also comply with the recommended design guidance of 9.22 Manual for Gloucestershire Streets

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with each single garage measuring a minimum of 6m x 3m, with minimum door width of 2.4m.

In addition the site will provide a minimum of 1 secure cycle storage space per dwelling.

Refuse vehicle tracking as shown on Drawing No. 22095_00_010_01 Revision: K demonstrates that an 11.6m refuse vehicle can safely service the apartment element of the site, utilising the one-way system surrounding apartment blocks A-C. The site layout also allows the refuse vehicle to enter the southernmost part of the site in a forward gear, manoeuvre and egress the site safely whilst being able to safely pass a large estate car and maintaining adequate inter-visibility with opposing vehicles.

Road Safety Audit

A Stage 1 Road Safety Audit (RSA) has been carried out where the auditor identified no safety issues. The only general observation that was made stated 'plans provided for the audit team's consideration, included a swept path analysis of a refuse vehicle circulating the apartment part of the development. This analysis currently shows a refuse vehicle requiring land currently occupied by a building. The designers should ensure that adequate room is available within the curtilage, if conflict between vehicles / infrastructure is to be avoided.' A revised drawing (ref. 22095_00_010_01 Revision K) has since been submitted demonstrating reasonable clearance from any vertical kerb-line structure, tree or formal parking space.

Vehicle Trip Generation

A manual traffic count survey was carried out on 26th November 2008, recording the number of turning movements occurring at each of the access/egress points within the former Police Headquarters. Although the historic traffic data for the existing site is from 2008 it is deemed to be the most accurate, as the existing use has ceased it would therefore be impossible to obtain an accurate up-to-date manual traffic count. In addition Police Headquarters are not well surveyed by TRICS (Trip Rate Information Computer System).

It is considered that there has been no material increase in trip generations from the site onto the existing highway since the traffic survey was previously carried out and is therefore deemed acceptable to use the turning movements from the survey in order to make a comparison to the expected vehicular movements from the proposed site.

The submitted Transport Statement has used the manual traffic count survey for the site previous use and TRICS data alongside the 2011 Census: Method of Travel to Work data to identify the likely level of additional vehicle movements associated with the proposed development. The data showed that in the network peak hours the residential development will generate approximately 51 fewer two-way vehicular trips during the AM peak (8:00-9:00) compared to the Police Headquarters and 66 fewer two-way vehicular trips in the PM peak (17:00-18:00) based on weekday average trip generations.

Analysing the 3 existing access points on Talbot Road, accesses 1 and 3 will incur a net reduction of 83% (-88 trips) and 14% (-5 trips) respectively, whilst access 2 will incur a net increase of 14% (+2 trips), however this is considered to be the result of the egress only access onto Lansdown Road being stopped up.

Theoretical traffic generated from the proposed development has been distributed onto the local highway network based on 2011 Travel to Work Census data for Medium Super Output Area Cheltenham 011. The turning count demonstrated that in the worst case scenario the proposed site would produce a maximum of 20 two-way vehicle movements along any one route (Lansdown Road west) equating to 59.7% of the vehicular trips generated by the site, therefore as the impact is negligible the cumulative impacts of the development are not considered severe and it would be deemed unreasonable to require additional work.

It has been demonstrated that the proposed residential development overall will generate significantly fewer vehicle movements than the former Police Headquarters, with the proposed site producing 51 fewer trips during the AM peak period; a reduction of 60%, and 66 fewer trips during the PM peak period; a reduction of 67%. The net difference for average weekday trips demonstrates that the proposed site produces 585 fewer trips than the former Police Headquarters; an average daily reduction of 64%.

Personal Injury Collisions

The road safety analysis has been assessed for the past five year period available (1st December 2011 - 30th November 2016). There has been no personal injury collisions recorded within the vicinity of the development site within this time period.

However, it is noted that nine collisions took place at the Talbot Road/Christchurch Road/Lansdown Road cross roads junction within the past 5 years. Only 1 serious accident took place within the 5-year study period (01/11/2012 - 30/11/2016). The accident took place in Year 1 and involved a police vehicle exiting Talbot Road colliding into the side of a motorcyclist heading west along Lansdown Road.

Of the collisions recorded at the Talbot Road/Christchurch Road/Lansdown Road cross roads, all involved driver and/ or pedestrian error. It is noted that 22% of collisions involved police cars associated with the former site use, the proposed site is expected to improve safety on the local highway network due to the closure of the Lansdown Road access, therefore removing the accident risk of vehicles pulling out of the site directly on to the Lansdown Road carriageway.

It is therefore reasonable to conclude that there is not an excessive amount of personal injury collisions on the wider network and that those collisions that do occur are spread. As there is no evidence that there is an existing highway safety problem it is reasonable to conclude that the additional traffic from the development will not have a material impact on general road safety in the area.

Construction Traffic

Concerns have been raised regarding the construction phase of the development, should planning permission be granted, construction traffic and the impacts of this are an inevitable consequence of engineering works and cannot be avoided, however the submission of a Construction Method Statement, together with any potential planning conditions which the LPA may deem necessary in terms of works restrictions will mitigate the impact. Largely, the planning system does not consider the impact of the construction phase of a development, except for to ensure that authorities look to mitigate the impact as far as possible.

Recommendation

The National Planning Policy Framework (NPPF) states at paragraph 32 that "development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe". The Highway Authority considers that this development will not have a severe impact on the local highway network. The NPPF also states that "safe and suitable access to the site can be achieved for all people", and that "opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure." It is considered that the development proposals will meet these criteria.

The Highway Authority recommends that no highway objection be raised subject to the following conditions being attached to any permission granted:

Condition #1 Access - Visibility

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The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 43m distance in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

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

Condition #2 Access - Construction

Prior to work commencing on site the vehicular accesses shall be laid out and constructed in accordance with the submitted 22095_00_010_01 Revision: K with the area of the access roads within at least 10.0m of the carriageway edge of the public road surfaced in bound material, and shall be maintained as such thereafter until and unless adopted as highway maintainable at public expense.

Reason: - To reduce potential highway impact by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with paragraphs 32 and 35 of the NPPF.

Condition #3 Internal Layout

No building on the development shall be occupied until the carriageways (including surface water drainage/disposal, vehicular turning heads and street lighting) providing access from the nearest public highway to that dwelling have been completed to at least binder course level and the footways to surface course level.

Reason: - To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with paragraphs 32 and 35 of the NPPF.

Condition #4 Parking & Turning

The buildings hereby permitted shall not be occupied until the vehicular parking and turning facilities have been provided in accordance with the submitted plan 22095_00_010_01 Revision: K, and those facilities shall be maintained available for those purposes thereafter.

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

Condition #5 Cycle Storage

The development hereby permitted shall not be occupied until details of secure and covered cycle storage facilities for a minimum of 68 no. bicycles has been made available in accordance with details to be submitted to and approved in writing by the LPA.

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

Condition #6 Fire Hydrants

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

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

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Condition #7 Stopping up of an access

The development hereby permitted shall not be occupied until the access onto Lansdown Road has been fully closed up with the adjacent footway reinstated to full height and with full height kerbing at the carriageway edge.

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

Condition #8 Access & Egress Signage

The development hereby permitted shall not be occupied until details of signage displaying entrance and exit only shall be erected directing vehicles to access the site via access 2 (in) and to egress the site via access 1 (out) has been made available in accordance with details to be submitted to and approved in writing by the LPA, and those facilities shall be maintained available for those purposes thereafter.

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

Condition #9 'KEEP CLEAR' Markings

Prior to the development hereby permitted being occupied, the 'KEEP CLEAR' markings located on Talbot Road in front of access 1 (out) shall be refurbished or replaced.

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

Condition #10 Pedestrian Crossing Improvements

Prior to works commencing on the development hereby permitted, details of the proposed pedestrian improvements to be made along Talbot Road to improve walking journeys shall be submitted to and agreed in writing by the Local Planning Authority, the works shall then be constructed in accordance with the approved plans and made available for public use prior to the first occupation of the dwellings hereby permitted.

Reason: - To ensure that the priority is given to pedestrian and cycle movements and that a safe and secure layout that minimises conflict can be created in accordance with Paragraph 35 of the NPPF.

Condition #11 Construction Method Statement

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

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

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

Condition #12 Residential Travel Plan

No works shall commence on the development hereby permitted until a Travel Plan has been submitted to and agreed in writing by the Local Planning Authority, setting out:

- i. objectives and targets for promoting sustainable travel,
- ii. appointment and funding of a travel plan coordinator,
- iii. details of an annual monitoring and review process,
- iv. means of funding of the travel plan, and;
- v. an implementation timetable including the responsible body for each action.

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

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

Condition #13 Estate Roads - Maintenance

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

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

Informatives:

Note I: The developer will be expected to meet the full costs of supplying and installing the fire hydrants and associated infrastructure.

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

Note III: You are advised to contact Amey Gloucestershire 08000 514 514 to discuss whether your development will require traffic management measures on the public highway.

Note IV: The proposed development will require the relocation of a street lighting column and the Applicant/Developer is required to obtain the permission of the GCC Street Lighting department before commencing any works.

Note V: The applicant is advised that to discharge Condition #13 that the Local Planning Authority requires a copy of a completed dedication agreement between the applicant and the local highway authority or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

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)

2nd March 2017

I have reviewed the above planning application in relation to surface water drainage and Flood Risk Assessment (FRA).

The site is within the Environment Agency's Flood Zone 1 and at low risk from fluvial flooding. There is however a higher risk from surface water flooding on the site which the FRA acknowledges.

The applicant has properly considered the SuDS hierarchy and it is acknowledged that infiltration will not be viable as a drainage strategy on the site due to the underlying mudstone and overlying sand and gravels. Earlier infiltration testing in 2008 on the site evidenced the lack of infiltration to the required standard for surface water drainage.

As there is no locally available watercourse the applicant proposes to utilise a network of surface water sewers attenuated through 2 geocellular tanks and discharged through a flow control to the Severn Trent surface water sewer in Lansdown Road. Attenuation has been calculated to accommodate the 1 in 100 year storm plus 40% additional runoff volume for climate change. There is currently no indication from the applicant that Severn Trent Water has agreed to this connection or to the proposed discharge rate of 17.92 l/s. However, this rate is a 40% reduction to the pre-developed existing discharge rate and is acceptable to the Lead Local Flood Authority (LLFA).

The FRA refers to two soakaways in the southwest of the site although there is no other reference to the extent of the site they are draining and it does not appear that they will be utilised in the proposed development.

From the location of the soakaways and the topography described in the FRA surface flows are to the south west of the site. The application does not appear to include exceedance flow routes for storms in excess of the 1 in 100 year event plus climate change (S9 Non-statutory technical standards for sustainable drainage systems).

Whilst the LLFA agrees in principle to the proposed drainage strategy the LLFA objects to the current surface water drainage proposals due to a lack of exceedance flow routing and as the proposed discharge is to the main sewer as the only drainage option, the lack of indication of agreement from Severn Trent to the discharge rate and connection.

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.

GCC Local Flood Authority (LLFA) – revised comments

24th May 2017

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Further to my previous comments on the above planning application dated 2.3.17, I have received additional information in relation to the proposed surface water drainage strategy as follows.

- Drainage Strategy - Drawing No. 22095_02_010_04 dated 19.4.16 depicting exceedance flow routes.
- Severn Trent letter dated 16.5.16 including conditional comments approving connection of the surface water runoff to the Water Company sewer in Lansdown Road.

In view of this additional information the Lead Local Flood Authority (LLFA) withdraws its objection the application and recommends that any approval includes the following conditions.

Condition:

No development shall commence on site until a detailed design and timetable of implementation for the surface water drainage strategy presented in the applicant's Flood Risk Assessment document has been submitted to and approved in writing by the Local Planning Authority. The detail must demonstrate the technical viability of the drainage system 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/occupied.

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:

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. 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:

Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 years 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 gardens and other areas in private ownership will not be permitted. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied.

Reason: To ensure 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.

Social Housing

24th March 2017

Level of Affordable Housing Provision

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

This application will comprise of 68 residential units. Therefore at 40% we will be seeking 28 affordable housing units (Fixed Equity - 20% discount market rate)

Viability

- Firstly we would request that viability to be tested on 20% discount of the fixed equity market housing on 40% (28 units).
- If this is not viable then secondly we would ask viability to be tested on 20% of completion of 14 units.
- If the site is not considered viable we would expect to capture the following within the s106:
 - An overage clause to capture any market improvement value between the time of the viability validation and before completion of the site. The overage clause will seek to secure payments which would provide the equivalent on site affordable housing value via a commuted sum provision, should market conditions improve and the viability of the scheme allow such payment. Any payment would be subject to the ceiling of the equivalent cost to the developer of providing a policy compliant affordable housing contribution.
- The s.106 agreement will also include triggers for repeat viability appraisals, if the development hasn't started and completed with reasonable timeframes from when planning permission was given.

Car Parking

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

Service Charge

Service charges should be kept minimal this can be achieved through the design and we would be happy to refer you to RPs for further input if necessary.

Full Planning Application

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

Environmental Health

13th March 2017

In relation to application 17/00337/FUL for the former Central Cheltenham Police Station, Talbot House, Lansdown Road, Cheltenham, Gloucestershire, GL51 6QT please can the following conditions be added from the Environmental Protection team:

The proposed development includes blocks A, B and C to front on to a busy main road in and out of Cheltenham as well as directly next to the existing and operational police station, this has the potential to adversely impact upon the planned new residential units.

Condition:

A sound insulation scheme shall be generated and adhered to for the construction of blocks A, B and C to protect all habitable rooms in these blocks from noise generated by traffic noise to be expected from the 24 hour use of the police station.

The sound insulation scheme shall achieve at least the levels as set by table 4 for living rooms and bedrooms in British Standard 8233: 2014 'Guidance on sound insulation and noise reduction for buildings'. This information will need to be further supported by the results of acoustic testing provided to the LPA prior to the residential units being occupied.

The insulation and scheme shall be implemented before the development is occupied and thereafter shall be retained and maintained in a good working order for so long as the site remains in use.

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

This proposal includes an amount of demolition of existing buildings, this will inevitably lead to some emissions of noise and dust which have a potential to affect nearby properties. I must therefore recommend that if permission is granted a condition is attached along the following lines:

Condition:

The developer shall have a scheme for the control of noise and dust from works of construction and demolition at the site. The plan should also include controls on these nuisances from vehicles operating at and accessing the site from the highway. Such a plan is to be submitted to and approved by the Local Planning Authority before work commences on site.

Reason: To protect local residents

Advisory:

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

Informative:

Should a survey of the existing building (prior to any work beginning) indicate the presence of any asbestos containing materials, the demolition of the building will need to be undertaken in accordance with the legislation surrounding asbestos removal and the demolition of buildings containing asbestos and the waste disposed of in a legally compliant manner.

Tree Officer

9th March 2017

The CBC Tree Section is generally content with submitted drawings which indicate intended tree removals as well as tree planting mitigation.

Most trees within this site are to be removed. However, several existing trees are retained along the front of the Lansdown Rd boundary but, internally, most trees are earmarked for

removal. Most of these internal trees are of relatively low quality and as such their removal and replacement is acceptable.

The majority of CBC Tree Section points of concern of 29.6.16 have been addressed with 1-2 exceptions:

- 1) No Method Statement (MS) for the removal of the front boundary wall has been submitted. This should be submitted and agreed prior to the commencement of any works (including demolition) on site. Most feeding roots of the large street trees outside the site exist under this wall and within the site. As such this MS should also contain a Tree Protection Plan of all retained trees (as per para 4.14 of the BS Tree Survey/AIA document) within the site as well as a method statement for the removal of the hard surface parking area facing onto Lansdown Rd. Para 5.17 of this document states that a pre-commencement site meeting should take place. This site meeting needs to involve CBC Trees Officer so as to help ensure Tree protection is as described.
- 2) Any existing hard surface should be removed with due care and a no-dig surface installed. However it would be preferable if the existing hard surface was retained throughout. Clarifications are necessary for construction methods in this area.
- 3) Point 2 of previous trees officer comment suggested that proposed tree planting is too large. Such large trees would be 5 metres+ high. Whilst this would provide instant landscaping, such large trees may struggle to establish. It would be preferable to plant smaller trees (14-16's-3.5metre) and spend any saved costs on improved aftercare and maintenance. There are 2 existing self-sown holm oak at the existing entrance. It is pleasing that these trees can be retained. However there is a proposal to plant a 3rd very large holm oak adjacent. The planting pit of this tree will likely necessitate the removal of the other existing oaks and as such this proposed 20-25cms girth tree should be reduced to a 10-12 selected standard size.
- 4) It is noted that there is a proposal to plant 13 *Tilia cordata* 'Streetwise' in front of the town houses at the rear of this site. These trees are not appropriate as they will become too large, shed honeydew onto cars beneath, block views and general could become a nuisance to adjacent occupiers. This species should be changed to a smaller species- eg *Cornus mas*, *magnolia* species, *Prunus* species etc.
- 5) The BS survey/AIA shows Trees T44, 45 + 46 'can be removed subject to agreement with neighbours'. These trees are outside the boundary of this site and as such any proposal to remove these trees must be subject to a routine Conservation Area Tree Removal Notification (Section 211 Notice).

Severn Trent Water Ltd

2nd March 2017

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

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

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

Gloucestershire Centre for Environmental Records

1st March 2017

Report available to view on line.

Strategic Land Use Team

22nd February 2017

The relevant policy document for consideration in regard to this application is the adopted Cheltenham Borough Local Plan Second Review 2006; Material Considerations include National Planning Policy Framework (NPPF), national Planning Practice Guidance (PPG) and the Tewkesbury, Cheltenham and Gloucester Joint Core Strategy Submission Document November 2014.

The NPPF seeks to achieve sustainable development, and whilst it seeks to boost the supply of housing (para 47) it also aims to support sustainable economic growth (para 19). The presumption in favour of sustainable development places the development plan as the starting point for decision making (paragraph 12).

The adopted Cheltenham Borough Local Plan Second Review 2006 constitutes the 'Development Plan' for the purpose of this application and should be read as a whole according to the degree of consistency of its policies with the Framework.

The proposed site is within an area which is allocated for housing development in the 2006 Local Plan (policy PR 1). Since the adoption of that plan the northwest corner of the site has been renovated and is in use as an office. Consequently that part of the site is excluded from the current scheme. It is considered that the current application is in conformity with policy PR 1.

The emerging Cheltenham Plan (Part One) has not yet reached submission stage so carries limited weight in planning decisions. However, it also contains the application site as an allocation for housing.

In conclusion, the Planning Policy Team are of the view that the principal of the re-development of the site for residential dwellings would be in conformity with the Development Plan, particularly policy PR 1. The proposed development would be consistent with the presumption in favour of sustainable development in paragraph 14 and the core Planning Principles in paragraph 17 of National Planning Policy Framework.

Joint Waste Team

17th February 2017

All individual properties on this development would have to present their waste and recycling receptacles at the nearest adopted highway which would likely be on Talbot Road, unless the Ubico vehicles are able to use the development road shaded in salmon colour which would mean that it would need to be constructed to take the weight of a 26 tonne refuse vehicle.

It mentions bin storage areas in the key, but I can't find them on the plan? Therefore I would suggest that all bin storage areas for the communal blocks are located at the entrance to Talbot Road.

The other pavements around this site have to be wide enough to accommodate the waste and recycling receptacles when presented on collection day and not pose any obstructions to pedestrians.

With this many properties being built, there will be a phased approach and so the developer has to take account of the need for waste and recycling collections from residents having moved onto the site to take place whilst building is still underway.

5. PUBLICITY AND REPRESENTATIONS

- 5.1 Letters of notification were sent out to 158 properties in close proximity to the site. In addition, site notices were posted adjacent to the site, and an advert published in the Gloucestershire Echo.
- 5.2 In response to the publicity, 11 representations have been received, which have been given due consideration. The comments have been circulated in full to Members but the concerns principally relate to traffic and highway safety matters.

6. OFFICER COMMENTS

6.1 Determining Issues

6.1.1 The main considerations when determining this application for planning permission relate to the principle of development; design and layout; impact on the conservation area; impact on neighbouring amenity; parking and highway safety; trees and landscaping; and affordable housing and other planning obligations.

6.2 The site and its context

6.2.1 The application site is located on the south side of the Lansdown Road (A40) on the westerly approach to the town. The site is wholly situated within the Central Conservation Area and straddles the boundary between the Lansdown Character Area, and the Dean Close and Hatherley Park Character Area.

6.2.2 The site is irregular in shape, some 1.06 hectares, and comprises three main buildings, which are 1960's modern purpose-built buildings, up to 5 storeys in height. The buildings are located within the Lansdown Character Area part of the site which is identified in the Townscape Analysis Map as being a 'significant negative building/site'. At paragraph 5.4, the Character Appraisal states that the site is "*a large and visually prominent site*" and that the "*modern buildings, although prominent, have no architectural or townscape merit. The site is constantly active and generates significant amounts of traffic.*"

6.2.3 The external space within the site is largely hard surfaced, with limited pockets of soft landscaping and several mature trees. Vehicular access is provided from Talbot Road to the east, with pedestrian access available from Lansdown Road. Extensive car parking is provided throughout the site.

6.2.4 The site is bound by residential properties on Lansdown Road and Talbot Road to the north and east, with Dean Close School grounds abutting the site to the south and west. There are a number of grade II listed, and locally indexed buildings in the vicinity of the site; indeed, the late 19C building retained by the Constabulary to the northwest is locally indexed for being a "*Well designed villa, characteristic of the later stages of the development of the Lansdown estate.*"

6.2.5 A public combined water sewer crosses the site which is proposed to be diverted.

6.3 Principle of development

6.3.1 Paragraph 49 of the NPPF advises that when determining applications for housing they *“should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites”*; as it stands, the Council is currently unable to demonstrate such a five year supply.

6.3.2 Where housing policies are not considered to be up-to-date, the NPPF is quite clear that development proposals should be approved without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF policies as a whole, or specific NPPF policies indicate that development should be restricted.

6.3.3 In this instance, the application site is located within the built up area of Cheltenham in a highly sustainable location, and is allocated for housing development in Policy PR1 of the adopted Cheltenham Borough Local Plan Second Review 2006 which constitutes the 'Development Plan' for the purpose of this application. The site is also allocated for housing in the emerging Cheltenham Plan (Part One).

6.3.4 Local Plan Policy HS1 states that housing development will be permitted on land allocated for residential development.

6.3.5 Therefore the principle of developing the site for housing accords with the Development Plan, and the NPPF, subject to a number of material considerations set out below.

6.3.6 In addition to the above, there is no objection in principle to the wholesale demolition of the existing buildings on site. Indeed, Historic England acknowledge that the existing buildings *“have no architectural or townscape merit”* and recognise *“the opportunity of enhancing what is currently a detractive component of Lansdown Road and the wider conservation area”*.

6.4 Design and layout

6.4.1 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.

6.4.2 In addition, the NPPF sets out at paragraph 56 that *“Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”*. With particular regard to development in the historic environment, paragraph 131 advises that decisions on planning applications should take account of *“the desirability of new development making a positive contribution to local character and distinctiveness”*.

6.4.3 The proposed site layout has evolved as a result of the extensive pre-application discussions, and has been influenced by a 'Concept Statement' dated August 2008; this concept statement provided informal officer advice but established some important development principles and objectives for the site.

6.4.4 Whilst a comprehensive design approach has been taken across the site, for the purposes of this section of the report, the development proposals have been broken down into two distinct elements; the apartment blocks fronting Lansdown Road, and the housing to the rear.

Apartment blocks

6.4.5 The principle of three 'Villa' blocks fronting Lansdown Road was established in the 2008 concept statement in order to reflect the existing character along this stretch of the road, and has since formed part of the pre-application discussions.

6.4.6 The three apartment blocks proposed would be consistent in height, providing accommodation over five floors, and are comparable to the height of the existing buildings on site, and the neighbouring Thorncliffe Flats which is also five storeys.

6.4.7 The buildings are contemporary in their appearance, faced in reconstituted Ashlar stone, two types of buff brick, and grey vertical standing seam cladding; with flat roofs. Blocks A and B are identical whilst Block C differs due to the irregular shape of the site. The Architects' Panel on reviewing the original submission recognised that this end block *"could afford to be different"* but suggested that it could *"address Talbot Road in a more positive manner"*. In response to this, large curved, glazed balconies have been introduced which help to address the corner in a more satisfactory manner and provide visual interest. The overall height of the building, and window proportions, has also been amended to address concerns raised by the Architects Panel.

6.4.8 Historic England has raised concern in relation to the apartment blocks, suggesting that the number of villas fronting Lansdown Road should be reduced to two, so as to avoid the development being viewed as a continuous mass; however, our Conservation Officer was closely involved in the pre-application discussions, and considered *"the design of the three 'villas' at the front to be particularly successful in addressing the constraints and character of the site and its immediate context"*. The Urban Design Manager also felt the *"massing and siting of the three frontage apartment blocks seems to work well"*. Additionally, as previously noted, the 2008 concept statement suggests three villa buildings to the Lansdown Road frontage. Officers are confident that the 4m gap between the buildings, together with the 3.8m set back from the principal elevations of the side wings to the buildings, and recessed upper floor will ensure that the apartments read as three separate buildings.

6.4.9 Historic England also advises that the apartment buildings should be set further back into the site in line with Holland (formerly Wilton) House. However, officers strongly disagree with this suggestion as Holland House is an anomaly within an otherwise consistent building line, and it would be incorrect for the new development to relate to this single building and depart from the predominant building line. Members will note this on planning view.

6.4.10 Car parking for the apartment blocks would be located to the front and rear of the buildings. Where frontage parking is proposed, it would be located behind, and largely screened by, new hedging and tree planting. Additionally, it should be noted that the extent of frontage car parking would be much reduced from that previously associated with its former use.

Housing to rear

6.4.11 The housing to the rear is generally considered to be successful and well thought-out. Officers are not entirely convinced by the curved terrace, and how it relates to surrounding development, but recognise the applicant's desire to retain such a terrace within the development. The houses would be three storeys in height and subservient in nature to the frontage development, thereby achieving an important sense of hierarchy within the site, albeit not within the terraces themselves.

6.4.12 The houses are more traditional in form than the apartment blocks but are subtly contemporary in their appearance. A similar palette of facing materials is proposed with coursed reconstituted Ashlar stone to the principal elevations, and buff brick to the side and rear elevations. The roofs are pitched or hipped, with a parapet detail to the front and side elevations.

6.4.13 At pre-application stage, the Conservation Officer raised concern in relation to the quality of the housing to the rear suggesting that the terraces appeared *“bland, repetitive and uninspiring”*. In order to address this concern, after some negotiation, metalwork balconies, including some with canopies, inspired by the historic terraces within the town, and Juliet balconies have been introduced to provide variety within the terraces and to help enliven the street scene.

6.4.14 Each dwelling would benefit from an enclosed rear garden and an integral garage, and two additional frontage car parking spaces per unit. Visitor parking spaces would also be provided within the site.

6.5 Impact on conservation area

6.5.1 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

6.5.2 Historic England has asserted that, in relation to the frontage development, *“the overall scale and plan form, the current design, and the intrusion of substantial car parking, will cause harm to Lansdown Conservation Area”*. They have not, however, specified whether they consider the harm to be ‘substantial or ‘less than substantial’.

6.5.3 In assessing whether a proposal causes substantial harm, paragraph 017 of the NPPG states that this *“will be a judgment for the decision taker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases”*.

6.5.4 The Conservation Officer identified at pre-application stage that the proposed redevelopment scheme, as a whole, would lead to ‘less than substantial’ harm to the conservation area, but specifically at the rear of the site. The demolition of the existing buildings and the proposed frontage development was positively endorsed, and the distinction between the front and rear of the site is important when attributing weight to the level of harm that is being identified.

6.5.5 Paragraph 134 of the NPPF advises that where less than substantial harm is identified, *“this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.”*

6.5.6 Paragraph 020 of the NPPG provides guidance as to what is meant by the term ‘public benefits’. It suggests that public benefits should be *“of a nature or scale to be of benefit to the public at large and should not just be a private benefit”*. However, it also highlights that benefits do not have to be *“accessible to the public in order to be genuine public benefits”*. Heritage benefits may include sustaining or enhancing the significance of a heritage asset and the contribution of its setting; reducing or removing risks to a heritage asset; or securing the optimum viable use of a heritage asset in support of its long term conservation.

6.5.7 In this case, the proposed redevelopment would secure the removal of the existing ‘significant negative’ buildings on site which, in itself, offers significant heritage gains to the Lansdown Road frontage. Therefore whilst it may be felt that some parts of the scheme are more successful than others, when viewed as a whole, the scheme would certainly preserve the conservation area, if not enhance it.

6.5.8 In this respect, a recent appeal decision at Pate Court is quite pertinent, in that the Inspector concluded that the development would not harm the character and appearance of the area but *“would, on the contrary, at least preserve if not enhance the character and appearance of the Central Cheltenham Conservation Area”*, and in doing so, would

comply with national policy set out in Section 12 of the NPPF. This appeal decision was made in light of a strong objection from the Local Planning Authority.

6.6 Impact on neighbouring amenity

6.6.1 Local plan policy CP4 (safe and sustainable living) requires all new development to avoid causing unacceptable harm to the amenity of adjoining land users and 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.

6.6.2 Additionally, one of the core planning principles set out within paragraph 17 of the NPPF is to *“always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”*.

6.6.3 The scheme has been carefully considered to ensure that there would not be any unacceptable impact on existing neighbouring amenity. The development will not result in any significant overlooking or loss of privacy, outlook or daylight to neighbouring dwellings.

6.7 Parking and highway safety

6.7.1 Local plan policy TP1 (development and highway safety) seeks to prevent development that would endanger highway safety.

6.7.2 The development proposals for the site have been fully considered by the GCC Highways Development Management Team and their detailed response, in Section 4 above, covers a wide range of issues including, but not limited to, access arrangements, layout and parking provision, vehicle trip generation, and personal injury collisions. The response concludes that the Highway Authority raises no highway objection subject to a number of conditions.

6.7.3 It should be noted that the suggested condition requiring the implementation of a Residential Travel Plan has not been attached, as officers do not consider it necessary in order to grant planning permission. Paragraph 36 of the NPPF sets out that *“All developments which generate significant amounts of movement should be required to provide a Travel Plan”*. In this regard, planning practice guidance advises that *“Local Planning Authorities must make a judgement as to whether a proposed development would generate significant amounts of movement on a case by case basis...In determining whether a Travel Plan will be needed...local planning authorities should take into account the following considerations:*

- *the Travel Plan policies (if any) of the Local Plan;*
- *the scale of the proposed development and its potential for additional trip generation (smaller applications with limited impacts may not need a Travel Plan);*
- *existing intensity of transport use and the availability of public transport;*
- *proximity to nearby environmental designations or sensitive areas;*
- *impact on other priorities/strategies (such as promoting walking and cycling);*
- *the cumulative impacts of multiple developments within a particular area;*
- *whether there are particular types of impacts around which to focus the Travel Plan (e.g. minimising traffic generated at peak times); and*
- *relevant national policies, including the decision to abolish maximum parking standards for both residential and non-residential development”*.

6.7.4 In this instance, it has been determined that the proposed residential development would generate significantly fewer vehicle movements than the former Police Headquarters; producing 51 fewer trips during the AM peak period (a 60% reduction) and 66 fewer trips during the PM peak period (a 67% reduction) with a net average of 585 fewer weekday trips (a 64% reduction). Moreover, the application site is in a highly

sustainable location, on the main A40, in close proximity to Cheltenham Spa train station, and the town centre. A shared use footway for pedestrians and cyclists is available into the town centre along Lansdown Road.

6.7.5 In addition to the above, only cycle parking for the apartment blocks has been conditioned, as each of the individual houses can reasonably provide cycle storage within their garages or rear gardens.

6.8 Trees and landscaping

6.8.1 Local plan policy GE5 (protection and replacement of trees) seeks to resist the unnecessary felling of trees on private land. In addition, policy GE6 (trees and development) advises that the planting of new trees and measures adequate to ensure the protection of trees during construction works may be required in conjunction with development.

6.8.2 The Trees Officer has reviewed the application and generally supports the proposals which indicate intended tree removals as well as tree planting mitigation. Whilst many of the trees within the site are to be removed, most of them are of relatively low quality, and as such their removal and replacement is considered to be acceptable.

6.8.3 The application is accompanied by detailed, high quality, hard and soft landscaping proposals to include the provision of an area of green open space within the housing to the rear, and the planting of 49no. trees throughout the wider site.

6.8.4 Revisions to the tree planting scheme have been made during the course of the application to reduce the size of the proposed trees. As originally submitted, the Trees Officer considered the tree planting to be too large, suggesting that *“Whilst this would provide instant landscaping, such large trees may struggle to establish. It would be preferable to plant smaller trees...and spend any saved costs on improved aftercare and maintenance”*.

6.8.5 In addition, further information has been provided in relation to the 13no. *Tilia cordata* ‘Streetwise’ trees which the Trees Officer originally considered to be inappropriate *“as they will become too large, shed honeydew onto cars beneath, block views and generally could become a nuisance to adjacent occupiers”*. The applicant’s Landscape Consultant has confirmed that this particular species does not drop honeydew as they are not susceptible to aphids.

6.9 Affordable housing and other planning obligations

6.9.1 Local plan policy HS4 (affordable housing) seeks the provision of 40% affordable housing in all new residential developments of 15 or more dwellings. Note 1 to the policy advises that the proportion of affordable housing *“may vary to take account of the exceptional circumstances relating to a site”*. This application is for 68 dwellings and therefore policy HS4 is triggered. Additionally, for a development of this nature, contributions to education, libraries and play space will also normally be sought. In response to this policy, the applicant has set out that the proposal cannot deliver affordable housing due to viability concerns; this has been fully scrutinised and the conclusions are set out below.

6.9.2 The NPPF at paragraph 173 advises that in order to ensure viability, *“the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable”*.

6.9.3 Additionally, planning practice guidance sets out that *“where planning obligations or other costs are being introduced...decisions must be underpinned by an understanding of viability, ensuring realistic decisions are made to support development and promote economic growth. Where the viability of a development is in question, local planning authorities should look to be flexible in applying policy requirements wherever possible”*.

6.9.4 The viability of the scheme was independently assessed at pre-application stage by the District Valuer Service (DVS), the specialist property arm of the Valuation Office Agency (VOA) which provides independent valuation and professional property advice to bodies across the public sector; the conclusion at that time was that the scheme was not viable based on a policy compliant scheme, i.e. 40% at a mix of 75:25 rented to intermediate housing.

6.9.5 During the course of this application, an updated confidential Financial Viability Assessment was submitted by BNP Paribas Real Estate on behalf of the applicant; the report concluded that *“With the provision of 0% affordable housing the Development currently generates deficit against the Site’s benchmark land value.”* Again the report was independently assessed by the DVS, with the site value for benchmarking purposes based on the existing office accommodation.

6.9.6 As a result of the conclusions drawn at pre-application stage, the Housing Enabling Officer requested that the assessment was based on a 20% discount of the fixed equity market housing on 40% of the units (27 units). The outcome of the assessment was that the scheme was viable (i.e. the residual land value - what the developer could afford to pay for the site - was greater than the benchmark value). However due to the fixed equity values coming back so high this would not have been an affordable product.

6.9.7 Subsequently, the applicant requested that the viability be retested, with the site value being benchmarked based on a residential conversion of the existing building under permitted development rights to provide 92no. residential flats; this is a valid alternative scenario. The outcome of this revised assessment was that the scheme would only be marginally viable; this was because the value of the site for conversion to residential is greater than as offices.

6.9.8 In response, the applicant queried some of the assumptions made by the DVS in their revised assessment. The applicant is firmly of the view that the site is not viable and in challenging some assumptions sought to change the conclusion of the report. Notwithstanding this position, given the context of what the police were seeking to achieve through the sale of the site (see 6.9.8), it was clear that ongoing viability work was not going to find common ground. Therefore whilst matters relating to viability have not been exhausted, the likely outcome would have been that some element of affordable housing could be provided if the scheme was considered in isolation, ignoring the requirements of the police as landowner.

6.9.9 From the outset of the recent pre-application discussions, the need for Gloucestershire Constabulary to achieve £6m from the sale of the Lansdown Road site was made clear. The Constabulary have confirmed that the capital receipts from the sale of Lansdown Road have repaid temporary borrowing taken out to part fund the provision of the new centralised custody suite for Gloucestershire at Waterwells, and centralised investigative and safeguarding teams for Gloucestershire at Prism House, adjacent to the custody suite and the Force HQ. The Constabulary have confirmed that the re-provision has enabled them to deliver significant operational benefits that are in the public interest (see appendix 1).

6.9.10 It was clear from the viability work carried out that at no point would a residual land value (RLV) of £6m be reached; the viability exercise was therefore not abortive as it helped prove this point.

6.9.11 Officers are satisfied that the needs of the Constabulary to reinvest the capital receipts in the provision of their core County-wide functions on one site trigger the 'exceptional circumstances' clause of policy HS4, as referred to in Note 1. The provision of high-quality police services is very much in the public interest and it is the sale of this land that has enabled to the Constabulary to invest so substantially in these services. In this respect, the development has similar attributes to an enabling development; the capital receipt is facilitating something else that brings with it distinct public benefits. It is therefore considered that the proposed development is compliant with policy HS4 in that exceptional circumstances do exist to consider a lesser (or no) provision.

6.9.12 Notwithstanding the above viability considerations, a report has more recently been submitted on behalf of the applicant that sets out the case for 'vacant building credit'. The following paragraph of the NPPG, paragraph 021, explains what the vacant building credit (VBC) is:

National policy provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace.

6.9.13 Paragraphs 022 and 023 below go on to explain the process for determining the vacant building credit, and when the vacant building credit applies.

Where there is an overall increase in floorspace in the proposed development, the local planning authority should calculate the amount of affordable housing contributions required from the development as set out in their Local Plan. A 'credit' should then be applied which is the equivalent of the gross floorspace of any relevant vacant buildings being brought back into use or demolished as part of the scheme and deducted from the overall affordable housing contribution calculation. This will apply in calculating either the number of affordable housing units to be provided within the development or where an equivalent financial contribution is being provided.

The existing floorspace of a vacant building should be credited against the floorspace of the new development. For example, where a building with a gross floorspace of 8,000 square metre building is demolished as part of a proposed development with a gross floorspace of 10,000 square metres, any affordable housing contribution should be a fifth of what would normally be sought.

(Paragraph 022)

The vacant building credit applies where the building has not been abandoned.

The policy is intended to incentivise brownfield development, including the reuse or redevelopment of empty and redundant buildings. In considering how the vacant building credit should apply to a particular development, local planning authorities should have regard to the intention of national policy.

In doing so, it may be appropriate for authorities to consider:

- *Whether the building has been made vacant for the sole purposes of re-development.*
- *Whether the building is covered by an extant or recently expired planning permission for the same or substantially the same development.*

6.9.14 In this case, the site has become vacant through the re-provision of the Constabulary's core County-wide functions on one central site and accordingly does not fall within the 'abandoned' category; VBC is therefore applicable.

6.9.15 The resultant floorspace of the proposed development is 8,238 sqm, 101 sqm less than the 8,339 sqm of existing floorspace, and therefore when applying VBC to this application, no affordable housing provision can reasonably be sought.

6.9.16 The applicant has agreed to all other applicable contributions including education, libraries and play space.

6.9.17 To summarise, officers have spent a considerable amount of time working with the developer and the DVS to understand the viability implications of these proposals. This work has established that, in isolation, the development would likely have delivered some affordable housing provision although this would have been somewhat removed from the full 40%. Given the length of time dedicated to these discussions, officers took the decision to stop this work because of the important context around the site. The Police have understandably made their position very clear; at risk they have invested a significant amount of money into new and improved County-wide policing and the capital receipt for the sale of this site will be used to repay this expenditure. Officers are satisfied that this context can be considered as exceptional circumstances to justify no affordable housing being delivered on the site because of the public interest of delivering quality policing. Furthermore, and trumping the viability discussions, when the vacant building credit is applied to the site (as an incentive to developing brownfield land) it is apparent that provision of no affordable housing is the right conclusion and that a compelling case has been presented by the applicant.

6.10 Other considerations

6.10.1 Local plan policy UI2 (development and flooding) advises that development will only be permitted where it would, in the case of redevelopment, reduce the quantity or rate of surface water run-off. Additionally, local plan policy UI3 (sustainable drainage systems) requires the incorporation of Sustainable Drainage Systems in new developments; *"Where this is not practicable developers will be required to demonstrate fully why the development cannot incorporate sustainable drainage systems and how the development manages surface water drainage"*.

6.10.2 The application site is located within Flood Zone 1 and at low risk from fluvial flooding; however, the site is identified as being at a higher risk from surface water flooding in the Flood Risk Assessment (FRA) which accompanies the application.

6.10.3 The application has also been accompanied by a surface water drainage strategy which, together with the FRA, has been fully reviewed by the Lead Local Flood Authority (LLFA) who state that *"The applicant has properly considered the SuDS hierarchy and it is acknowledged that infiltration will not be viable as a drainage strategy...Earlier infiltration testing in 2008 on the site evidenced the lack of infiltration to the required standard for surface water drainage"*. It is therefore proposed *"to utilise a network of surface water sewers attenuated through 2 geocellular tanks and discharged through a flow control to the Severn Trent surface water sewer in Lansdown Road"*.

6.10.4 Following receipt of additional information in relation to the proposed surface water drainage strategy, namely, a drawing depicting exceedance flow rates, and a letter from Severn Trent including conditional comments approving connection of the surface water runoff to the Water Company sewer in Lansdown Road, the LLFA has withdrawn its initial objection to the application subject to the inclusion of conditions should planning permission be granted.

7. CONCLUSION AND RECOMMENDATION

- 7.1 This application has been submitted following extensive pre-application discussions and negotiation with the developer to lift the overall quality of scheme and secure a development worthy of its prominent, sensitive location within the Conservation Area.
- 7.2 Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.3 The application site is allocated for housing in the local plan and therefore the principle of developing the site for housing is in accordance with the Development Plan and the NPPF.
- 7.4 In addition, there is no objection in principle to the wholesale demolition of the existing buildings on site which have no architectural or townscape merit, subject to a suitable scheme for redevelopment.
- 7.5 The proposed site layout has been influenced by a 'Concept Statement' dated August 2008; this concept statement provided informal officer advice but established some important development principles and objectives for the site. A comprehensive, high quality, contemporary design approach has been taken across the site and the layout is generally considered to be successful and well thought-out.
- 7.6 Whilst it has been identified that, on balance, the proposed development would lead to less than substantial harm to the conservation area, having carefully evaluated the policy context and guidance set out with the NPPF, officers are satisfied that this harm would be outweighed by the public benefits of the proposal. The proposed redevelopment would secure the removal of the existing 'significant negative' buildings on site which, in itself, offers significant heritage gains to the Lansdown Road frontage. Therefore whilst it may be felt that some parts of the scheme are more successful than others, when viewed as a whole, the scheme would certainly preserve the conservation area, if not enhance it.
- 7.7 The scheme has been carefully considered to ensure that there would not be any unacceptable impact on existing neighbouring amenity. The development will not result in any significant overlooking or loss of privacy, outlook or daylight to neighbouring dwellings.
- 7.8 Officers acknowledge the significant concerns raised by local residents in relation to highway safety but the Highways Authority, having fully considered the proposals, raises no highway objection. The proposed residential development would generate significantly fewer vehicle movements than the former Police Headquarters.
- 7.9 The application is accompanied by high quality, hard and soft landscaping proposals to include the provision of an area of green open space within the housing to the rear, and the planting of 49no. trees throughout the wider site. The Trees Officer has reviewed the application and generally supports the proposals.
- 7.10 A considerable amount of time has been spent working with the developer and the DVS to understand the viability implications of these proposals. This work established that, in isolation, the development would likely have delivered some affordable housing provision although this would have been somewhat removed from the 40% policy requirement. Officers took the decision to stop this work because of the important context around the site. The Police have made their position very clear; at risk they have invested a significant amount of money into new and improved County-wide policing and the capital receipt for the sale of this site will be used to repay this expenditure. Officers are satisfied that this context can be considered as exceptional circumstances to justify no affordable housing being delivered on the site because of the public interest of delivering quality

policing. Furthermore, and trumping the viability discussions, when the vacant building credit is applied to the site (as an incentive to developing brownfield land) it is apparent that provision of no affordable housing is the right conclusion and that a compelling case has been presented by the applicant.

- 7.11 Overall, officers recognise the significant potential enhancement to the locality given what already exists on the site, and the neighbouring care home; the housing needs within the borough; and the requirements of the Police and Crime Commissioner. The recommendation therefore is to grant planning permission subject to the following conditions:

8. CONDITIONS

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

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

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

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

- 3 Tree protective fencing shall be installed in accordance with the specifications set out within BS 5837:2012. The fencing shall be erected, inspected and approved in writing by the Local Planning Authority prior to the commencement of any works on site (including demolition and site clearance) and shall remain in place until the completion of the construction process.

Reason: In the interests of local amenity, having regard to policies GE5 and GE6 of the Cheltenham Borough Local Plan (adopted 2006).

- 4 Prior to the commencement of development, including any works of demolition, a scheme for the control of noise, dust and dirt from works of construction and demolition at the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include controls on these nuisances from vehicles operating at, and accessing, the site. The approved scheme shall thereafter be adhered to throughout the demolition and construction period.

Reason: To reduce any potential impact on local residents, having regard to policy CP4 of the Cheltenham Borough Local Plan (adopted 2006). This information is required up front because the amenity of adjoining land users could otherwise be compromised at the beginning of construction.

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

- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and visitors;
- iii. provide for the loading and unloading of plant and materials;
- iv. provide for the storage of plant and materials used in constructing the development;

- v. provide for wheel washing facilities; and
- vi. specify the intended hours of construction operations.

Reason: To reduce any potential impact on the public highway during construction, and to accommodate the efficient delivery of goods and supplies in accordance with paragraph 35 of the National Planning Policy Framework. This information is required up front because highway safety could otherwise be compromised at the beginning of construction.

- 6 Prior to the commencement of development, a detailed design and timetable of implementation for the surface water drainage strategy presented in the applicant's Flood Risk Assessment document shall be submitted to and approved in writing by the Local Planning Authority. The detail must demonstrate the technical viability of the drainage system 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 prior to first occupation of the development.

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.

- 7 Prior to the commencement of development, an exceedance flow routing plan for flows above the 1 in 100 years event with allowance for climate change shall be submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall identify exceedance flow routes through the development based on proposed topography with flows being directed to highways and areas of public open space. Flow routes through gardens and other areas in private ownership will not be permitted. The scheme shall subsequently be completed in accordance with the approved details prior to first occupation of the development.

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.

- 8 Prior to their installation, a scheme for the provision of fire hydrants (served by mains water supply) shall be submitted to and agreed in writing by the Local Planning Authority. No dwelling shall be occupied until the fire hydrant serving that property has been provided in accordance with the agreed scheme.

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

- 9 No external facing or roofing materials shall be applied unless in accordance with physical samples of the materials, which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the character and appearance of the area, having regard to Policies CP3 and CP7 of the Cheltenham Borough Local Plan (adopted 2006).

- 10 The following elements of the scheme shall not be installed, implemented or carried out unless in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority:

- a. All windows and external doors (including heads, cills and reveals);

- b. Roof lights;
- c. All balconies (including balustrades and canopies);
- d. Flat roof to apartment blocks;
- e. Parapet detail to houses; and
- f. Rainwater goods.

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).

- 11 The vehicular accesses hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 43m distance in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

Reason: To reduce potential highway impact by ensuring that adequate visibility is provided and maintained, and to ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with paragraphs 32 and 35 of the National Planning Policy Framework.

- 12 Prior to first occupation of the development hereby permitted, the vehicular accesses shall be laid out and constructed in accordance with approved drawing no. 22095_00-010_01 K, with the area of the access roads within at least 10.0m of the carriageway edge of the public road surfaced in bound material. The vehicular accesses shall be maintained as such thereafter until and unless adopted as highway maintainable at public expense.

Reason: To reduce potential highway impact by ensuring 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 paragraphs 32 and 35 of the National Planning Policy Framework.

- 13 Prior to first occupation of the development hereby permitted, pedestrian improvements shall be made along Talbot Road to improve walking journeys in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the priority is given to pedestrian and cycle movements and that a safe and secure layout that minimises conflict can be created in accordance with paragraph 35 of the National Planning Policy Framework.

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

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

- 15 Prior to first occupation of the dwellings hereby permitted, the carriageways (including surface water drainage/disposal, vehicular turning heads and street lighting) providing access from the nearest public highway to that dwelling shall be completed to at least binder course level and the footways to surface course level.

Reason: To minimise hazards and inconvenience for users of the development by ensuring that there is a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians in accordance with paragraphs 32 and 35 of the National Planning Policy Framework.

- 16 Prior to first occupation of the development hereby permitted, vehicular parking and turning facilities shall be provided in full accordance with approved drawing no. 22095_00_010_01 K, and the 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 paragraphs 32 and 35 of the National Planning Policy Framework.

- 17 Prior to first occupation of the development hereby permitted, secure and covered cycle storage facilities for the apartment blocks for a minimum of 43no. cycles shall be made available in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The cycle storage shall thereafter be retained in accordance with the approved details.

Reason: To ensure the adequate provision and availability of cycle parking so as 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.

- 18 Prior to first occupation of the development hereby permitted, the existing vehicular access onto Lansdown Road shall be fully closed up with the adjacent footway reinstated to full height and with full height kerbing at the carriageway edge.

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 paragraphs 32 and 35 of the National Planning Policy Framework.

- 19 Prior to first occupation of the development hereby permitted, signage displaying entrance and exit only routes, directing vehicles to access the site via access 2 (in) and to egress the site via access 1 (out) shall be erected in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. The signs shall be retained for those purposes thereafter.

Reason: To reduce potential highway impact by ensuring that a safe and secure access for all people is laid out that minimises the conflict between traffic and cyclists and pedestrians in accordance with paragraphs 32 and 35 of the National Planning Policy Framework.

- 20 Prior to first occupation of the development hereby permitted, the 'KEEP CLEAR' markings located on Talbot Road in front of access 1 (out) shall be refurbished or replaced.

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 paragraphs 32 and 35 of the National Planning Policy Framework.

- 21 Prior to first occupation of the development hereby permitted, 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, shall be submitted to and approved in writing by the Local Planning Authority. The approved SUDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding, having regard to policy UI3 of the Cheltenham Borough Local Plan (adopted 2006).

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

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

INFORMATIVES

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

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

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

- 2 The applicant/developer is advised that should asbestos containing materials be present on site, the demolition of the buildings will need to be undertaken in accordance with the legislation surrounding asbestos removal and the demolition of buildings containing asbestos, and the waste disposed of in a legally compliant manner.
- 3 The applicant/developer is advised that demolition and construction works should be kept within the following hours: 7:30am - 6:00pm Monday - Friday and 8:00am - 1:00pm Saturdays with no noisy work on a Sunday or Bank Holiday, and to be mindful of noise when deliveries arrive at the site.
- 4 The applicant/developer is advised that in order to discharge Condition 13 the Local Planning Authority will require a copy of a completed dedication agreement between the applicant and the local highway authority, or the constitution and details of a Private

Page 68

Management and Maintenance Company confirming funding, management and maintenance regimes.

- 5 The applicant/developer should instruct the following GCC contractor to relocate the existing street lighting column including LED lantern, who can also carry out the electrical transfer on WPD's behalf.

Wayne Adams
W&N Adams
wandnadamsltd@aol.co.uk

The applicant/developer should let the Street Lighting Team at GCC know once installation is complete, so that it can be inspected.

- 6 The applicant/developer will be expected to meet the full costs of supplying and installing the fire hydrants and associated infrastructure.
- 7 The proposed development will involve works to be carried out on the public highway and the applicant/developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with Gloucestershire County Council before commencing works.
- 8 The applicant/developer is advised to contact Amey Gloucestershire on 08000 514 514 to discuss whether the development will require traffic management measures on the public highway.
- 9 The applicant/developer is advised that a sound insulation scheme should be generated and adhered to for the construction of the apartment blocks A, B and C to protect all habitable rooms from noise generated by traffic to be expected from the 24 hour use of the police station. The sound insulation should achieve at least the levels set out in table 4 for living rooms and bedrooms in British Standard 8233: 2014 'Guidance on sound insulation and noise reduction for buildings'.



Gloucestershire Constabulary
 County Police Headquarters,
 No. 1 Waterwells, Waterwells Drive,
 Quedgeley, Gloucester, GL2 2AN
 Tel: 101 www.gloucestershire.police.uk.



Dan Forrester
 Area Land Director
 CALA Homes Midlands Limited
 Cala House
 Arleston Way
 Solihull
 West Midlands
 B90 4LH

25th July 2017

Dear Dan

Former Lansdown Road Police HQ site, Cheltenham

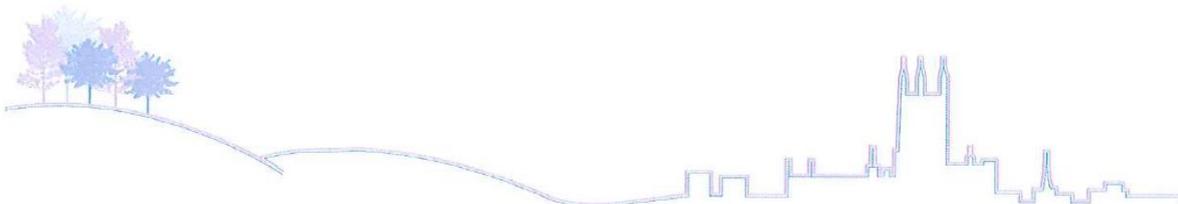
I understand that to assist with CALA Homes' planning application for residential redevelopment of the above site you require an update to our Operational Statement dated March 2015 as provided to Cheltenham Borough Council with the Police and Crime Commissioner's pre-application consultation submission.

I can confirm that there was a custody suite at Lansdown Road and that some of our criminal investigation teams were based at this site. Our re-provision has allowed us to centralise our custody suite for Gloucestershire at Waterwells (at a cost of £13m) and to centralise our investigative and safeguarding teams for Gloucestershire at Prism House, adjacent to the custody suite and the force HQ (at a cost of £3m). We have invested £16m so that our core County-wide functions are on one central site, in buildings which are fit for purpose and in an optimum location. The Police and Crime Commissioner has invested substantial funding into this project, which has enabled us to deliver significant operational benefits that are in the public interest.

I can confirm that £6m of the costs for the above developments is being funded from the sale of Lansdown Road to CALA Homes and temporary borrowing was taken out to fund the expenditure on these buildings. This can be seen in our statutory accounts for 2015/16. This loan has now been repaid using the capital receipts from the sale of Lansdown Road. The balance of the funding for these buildings was from reserves.

If we had not received the funds from the sale of the Lansdown Road site the PCC would have had to take out borrowing to fund the above developments. This would have added costs to the revenue budget at a time when significant savings are required to balance the budget. The Constabulary has identified £35m savings over the last seven years (on a budget of £100m per year) and currently is projecting a savings requirement for £6m for the three years to 2020/21.

I must stress that the funding from the sale of the Lansdown Road site has enabled us to complete this work and achieve the operational benefits from a centralised custody and centralised investigative and safeguarding teams.



The capital receipt from the sale of the Lansdown Road site has therefore been used to advance the PCC's programme of improving the Constabulary's physical assets elsewhere in Cheltenham and Gloucestershire to assist with delivering policing in a more efficient and cost effective manner in the public interest.

Please let me know if you require any further information.

Regards



Peter Skelton
Chief Finance Officer

APPLICATION NO: 17/00337/FUL		OFFICER: Miss Michelle Payne	
DATE REGISTERED: 17th February 2017		DATE OF EXPIRY : 19th May 2017	
WARD: Park		PARISH:	
APPLICANT:	CALA Homes (Midlands) Ltd & The Police & Crime Commissioner		
LOCATION:	Central Cheltenham Police Station Talbot House Lansdown Road		
PROPOSAL:	Demolition of all existing buildings on site and erection of 68no. new homes, access, landscaping and other associated works at the former Police Headquarters, Lansdown Road		

REPRESENTATIONS

Number of contributors	11
Number of objections	9
Number of representations	2
Number of supporting	0

Holmbury
 Thorncliffe Drive
 Cheltenham
 GL51 6PY

Comments: 28th February 2017
 Letter attached.

Flat 4
 Lansdown Lawn
 62 Lansdown Road
 Cheltenham
 Gloucestershire
 GL51 6QB

Comments: 20th February 2017
 Bearing in mind this is a conservation area and the majority of buildings in the road date from the 1800s surely some effort could be made to at least put a similar facade on the blocks of flats which will face the road.

This has been done successfully by the Queens Hotel and on the corner of London Road and Priory Street. Why can't it be done here?

There is no point in the council talking about Regency Cheltenham when they let builders put up things which look like concrete blocks

5 Thorncliffe Flats
 Lansdown Road
 Cheltenham
 Gloucestershire
 GL51 6PZ

Comments: 1st March 2017

Page 72

I submit the following comments on the above planning application:

I believe the impact of the undoubted increase in traffic has been underestimated.

- 1) I have a concern regarding the private access roads for Thorncliffe Flats. These could be used by motorists wishing to avoid the traffic lights at the junction of Talbot Road and Lansdown Road by 'cutting through' between Talbot Road and Thorncliffe Drive. This would result in a danger for Thorncliffe Flats residents who cross these access roads to use their garages and other open car parking.
- 2) The signage at the junction of Talbot Road and Lansdown Road is not sufficiently clear. Motorists frequently attempt to turn right across oncoming traffic. This danger will increase and I would suggest the 'No Right Turn' sign is made more prominent.
- 3) I would further suggest a right filter arrow on the lights on Christchurch Road to ensure traffic emerging from Talbot Road can safely turn left or go straight on without any danger.

Springfield
Talbot Road
Cheltenham
Gloucestershire
GL51 6QA

Comments: 10th March 2017

We have received Tracey Crews' letter about the above development and would like to make the following comments:

1. We consider that the proposed development looks acceptable and that architecturally it should fit in quite well with the buildings in this area. We are pleased to see the landscaping, with new trees.
2. We have very real concerns about the effect which such a large development of 68 new homes will have on traffic in this area, and in particular on Talbot Road. We do not believe that the volume of traffic "will be no greater than it has been from the Police HQ". Sixty eight homes are likely to generate far more than 68 vehicles, including private vehicles (of which many dwellings may have more than one) and delivery vehicles. This is a narrow road, and we anticipate severe congestion at times. We are also concerned about access for emergency vehicles. We would like to make a request now that the yellow lines should be kept in this road. Strong consideration should be given to widening Talbot Road on the side near the proposed development since it is already difficult for larger vehicles to pass on this narrow road. We anticipate chaos if these current access plans are allowed to go ahead.
3. We wonder why all the access to this development has been put in Talbot Road. There is currently an entrance/exit on Lansdown Road which we feel should be kept. The argument that it would lead onto a busy road does not make sense since there are already many other properties along Lansdown Road with similar access.
4. The junction of Talbot Road and Lansdown Road is currently lethal and we have been asking for years to have something done to make it safer. We take our lives in our hands every time we drive out of Talbot Road because
 - a) vehicles very frequently go across on the red light
 - b) vehicles turning from Christchurch Road towards Gloucester do not give way to those crossing from Talbot Road
 - c) pedestrians do not always understand the correct colour code of the traffic lights and
 - d) cyclists often risk life and limb by crossing in front of cars exiting from Talbot Road.

Page 73

There have been several accidents here, and it is only a matter of time before there is a really serious one.

We ask you to give these comments and those of other residents in Talbot Road your very serious consideration.

38 Lefroy Court
Talbot Road
Cheltenham
Gloucestershire
GL51 6QA

Comments: 6th March 2017

Letter attached.

37 Lefroy Court
Talbot Road
Cheltenham
Gloucestershire
GL51 6QA

Comments: 24th February 2017

Traffic - potentially additional 100 car and cycle movements using Talbot Road - a cul-de-sac - morning and evening.

Queuing traffic on Talbot Road leading to impatience and dangerous light jumping

Junction lights - No Right Turn is already frequently ignored and could be worse if more traffic. Inadequate time for people to cross and need to cross Christchurch Road to reach bus stop - across traffic correctly crossing from Talbot Road.

Parking - Parking on the development unlikely to be adequate for number of cars thus leading to potential for illegal and dangerous parking on surrounding roads.

Privacy - potential for any windows on east aspect of development infringing privacy of dwellings in Talbot Road particularly those at west end of Lefroy Court.

21 Lefroy Court
Talbot Road
Cheltenham
Gloucestershire
GL51 6QA

Comments: 17th March 2017

Letter attached.

19 Lefroy Court
Talbot Road
Cheltenham
Gloucestershire
GL51 6QA

Comments: 3rd March 2017

Letter attached.

28 Lefroy Court
Talbot Road
Cheltenham
Gloucestershire
GL51 6QA

Comments: 27th February 2017

Letter attached.

9 Lefroy Court
Talbot Road
Cheltenham
Gloucestershire
GL51 6QA

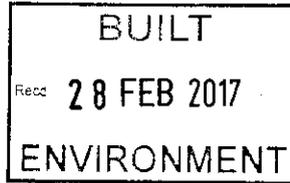
Comments: 3rd March 2017

Letter attached.

46 Lefroy Court
Talbot Road
Cheltenham
Gloucestershire
GL51 6QA

Comments: 8th March 2017

Letter attached.



Holmbury
Thornccliffe Drive
Cheltenham
GL51 6PY

February 21st 2017

Cheltenham Borough Council

Planning: Environmental & Regulatory Services

P.O. BOX 12

Municipal Offices

Promenade

Cheltenham

GL50 1PP

Dear Miss Michelle Payne, Planning Officer

Your Ref: 17/00337/FUL

Proposal: Demolition of all existing buildings on site and erection of 68no. new homes, access, landscaping and other associated works at the former Police Headquarters, Lansdown Road at Central Cheltenham Police Station Talbot House Lansdown Road.

I submit the following comments on the above planning application:

1. 68 homes are planned for the site. Cala Homes have said there would be less traffic on the Lansdown Road than when the police used the site. I cannot agree. There will be an increase of traffic on Lansdown Road and Talbot Drive. These are homes with many working people. There will be 'surges' of traffic leaving the site in the morning and returning in the evening, as well as a flow of traffic during the day. Since the only access on to the Police Station site will be on Talbot Road, this small, narrow road will have a huge increase in traffic.
2. The traffic lights at the junction of Talbot Road, Christ church road and Lansdown are already dangerous. The two 'no right turn' signs are not outstanding and some cars ignore them, causing danger to pedestrians.
3. Recently, [REDACTED] of 2 Thornccliffe Drive submitted an application on behalf of Thornccliffe Drive residents for a yellow lines 'Keep Clear' box to be located on Lansdown at the entrance to Thornccliffe Drive. It is difficult leaving Thornccliffe drive whether turning left or right. This box was rejected, in spite of what is for us a dangerous situation. When the new homes are built, there will be even more difficulty / danger for us and I would suggest that permission should be given for this 'Keep Clear' box.

4. The nearest 'shop' to the new homes site is the Tesco store opposite the railway station. At present, delivery lorries park on Queen's Road just where the road/bridge bend. It is narrow. Pedestrians are crossing the road from the shop/buses and it is a dangerous situation for all concerned. It will be even more dangerous when the new homes are built on the old Police Station site, and on Taylor's Yard.

Yours sincerely

A large black rectangular redaction box covering the signature and name of the sender.

Copies To : Miss Michelle Payne, Planning Officer Cheltenham Borough Council; Max Wilkinson Councillor; Tim Harman Councillor, Councillor Max Wilkinson.

38 LEFROY COURT
TALBOT ROAD
CHELTENHAM GLOS GL51 6QA



Ms Tracey Crews
Director of Planning
Cheltenham Borough Council
P O Box 12
Municipal Offices
Promenade Cheltenham
Glos GL50 1PP

2nd March 2017

Dear Ms Crews

Your reference: 17/00337/FUL

Thank you for your letter dated 17th February concerning the proposed development at the old Police Headquarters site in Lansdown Road.

Our main concerns are (1) the junction of Talbot Road with Lansdown Road and (2) the single access road for the town houses at the rear of the site.

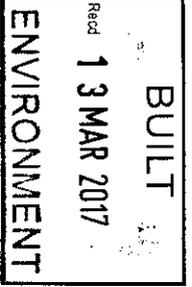
The Talbot/Lansdown road junction has long been in need of attention and with the additional traffic, the controls need to be improved greatly for safety reasons.

We live on the front corner of the first floor of Lefroy Court overlooking the rear of the Police HQ site. The electrically controlled gates of Lefroy Court are at right angles, and extremely close, to the present access and even with the improved visibility promised, there will be tailbacks – hopefully no accidents. We know very well the volume of traffic there has been in the past and cannot agree that this will decrease with the proposed number of town houses. The rear “carpark” of the Police HQ site was mainly used for vans, the Police cars used the access on to Talbot Road at the junction with Lansdown Road.

Yours faithfully

A large black rectangular redaction box covering the signature and name of the sender.

21. Letroy Court.



Re, development of
old Police Station.

by Carla Thomas.

When I came to live in
Letroy Court 7 years ago

I had my car but now I
have given up driving
and become a pedestrian.

I use the green man button
crossing at the junction in

Lansdown Rd very often.

I feel that great attention
needs to be given to the
traffic lights at the

Talbot Rd, Lansdown Rd,

Christchurch Road
junction.

②.

When extra traffic is generated into Talbot Road at certain times of the day there may be a 'backing up' problem at the lights and beyond.

please give this observation very careful consideration

I apologize for my handwriting

21 Lefrog Court.

02/03/17.

Page 80

Ref: 17/00337/FUL.

19 LeFroy Court
Yalbor Road
Cheltenham
GL51 6QA.

Miss. M. Payne,
Planning Officer
Cheltenham Borough
Council
P.O. Box 12.
Municipal Offices
Cheltenham. GL50.1PP.

Tel: [REDACTED]



Dear Miss Payne

Re: Demolition of former Police Headquarters, Yalbor Rd.

Thank you for your letter re the above, and I list below the concerns I have about the development.

- 1) Traffic problems as all three entrances & exits ~~are~~^{are} off Yalbor Rd.
- 2) Also problems at the junction into Lansdown Road (traffic & traffic lights.)
- 3) Large number of properties on the site, which I think should be reduced.

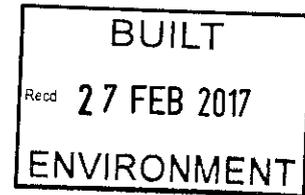
A copy of this letter is being sent to Councillor Jim Harman.

Yours sincerely

[REDACTED]

24th February 2017

The Planning Officer,
Cheltenham Borough Council
P.O. Box 12,
Municipal Offices,
Promenade,
Cheltenham. GL50 1PP



Dear Michelle Payne,

PLANNING APPLICATION REF. NO. 17/00337/FUL

Whilst basically being in favour of the CALA Homes proposed development of the former Police H.Q. site in Lansdown Road, I have some concern about two issues.

1. TRAFFIC. A meeting was recently held at Lefroy Court when CALA Homes representatives came to discuss their plans with all residents here. I am concerned that their estimation of daily movements of vehicles accessing this high density residential development is somewhat lower than a more likely outcome. It would be in their interest to give a low estimation in order to avoid any responsibility or cost towards the necessity for any alteration to the road layout due to an increase in the number of vehicles turning right off Lansdown Road into Talbot Road.

2. CYCLISTS using the footpath along the south side of Lansdown Road. There is no dedicated cycle track on this side of the road, but cyclists frequently ride on the pedestrian walkway. CALA Homes plan to make 3 openings in their fence fronting on to Lansdown Road, for use by pedestrians and cyclists. This will only encourage more cyclists to put pedestrians in danger. I find it alarming when a cyclist suddenly overtakes me without warning, as has happened several times.

I hope these points are considered valid and will be taken into account when the Planning Committee are looking at the CALA Homes plan.

Yours truly,

c.c. Cllr. Tim Harman

24/2/17

9 LEFROY COURT
TALBOT ROAD
CHELTENHAM
GLOS.
GL51 6QA

BUILT
Recd - 1 MAR 2017
ENVIRONMENT

Dear Sir,

Planning Application Ref. 17/00337/FUL
Former Police HQ, Lansdown Rd.

Dear Sir,

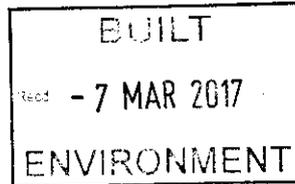
My comments are as follows:

1. a) Talbot Road will be the only access to the whole site. During demolition this will involve many heavy vehicles, some carrying rubble, turning into and out of the building site, causing considerable wear and degradation on this road. The developers need to be responsible for the good repair and cleanliness of this road during building operations and at its completion, taking into consideration that this road is also the only access to Lefroy Court, much used not only by vehicles but also by many pedestrians using nearby bus-stops.
(* or at least make a considerable contribution towards)
- b) Perhaps there is a case/opportunity for widening Talbot Road, considering the volume of traffic that will be using it both during building and after completion.
2. It is important that dust from demolition is not allowed to drift onto Lefroy Court since our building will just have been redecorated.

Yours faithfully

cc Councillor Tim Harman

46 Lefroy Court
Talbot Road
Cheltenham
3 March 2017



Chief Planning Officer
Municipal Offices
Cheltenham

Re CALA HOMES DEVELOPMENT LANSDOWN POLICE STATION

Dear Sir.

I wish to express my concern at the proposed development of the former Police Headquarters Lansdown Road Cheltenham.

The increased traffic at the junction of Lansdown Road and Talbot Road Will In my opinion cause this to be a serious hazard to both vehicles and pedestrians.

Talbot Road being a small no through road ,and all vehicles on the site of The new development must all enter and exit via this junction.

At present all traffic travelling towards the town and wishing to turn right at the Traffic lights into Talbot road from Lansdown Road have to negotiate two lanes Of oncoming traffic.

On the outward journey the offside lane turns right into Christchurch Road Whist the inside lane continues its outward journey.

The traffic turning into Christchurch road blocks the view of traffic turning into Talbot Road, whilst the inside lane continues to leave at some speed.

This has the potential to make a very dangerous junction with the increased Traffic entering and leaving the site, as all traffic must use the Talbot Road . Would you please consider making some Urgent Alterations to this junction For the safety of Pedestrians and traffic.

Thank You

 (Resident of Lefroy Court)

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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
PROPOSAL:	Alterations and extensions to provide first floor accommodation

RECOMMENDATION: Permit



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

1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This application 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. Grounds levels within the site vary slightly.
- 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 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.
- 1.5 Members may recall that the application was deferred from the July committee agenda to allow for errors in the drawings to be addressed.

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 revised plans in June. Again, the comments received have been circulated in full to Members; however, no additional concerns were raised. It was not considered necessary to re-consult on the latest revisions as the overall scheme has not changed.

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. The most recent revisions show the existing eaves height to be unchanged and a 376mm increase in ridge height to an overall height of 5.64m; the increase in ridge height was previously reported to be 500mm. The 3no. dormers to the front of the property have also been notably reduced in size during the course of the application 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. The latest revisions also correctly show the overhanging eaves detail on the existing bungalow.

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 during the course of the application. 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.

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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

Re 41 Asquith Road
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 ariel. 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

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

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.

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.

37 Asquith Road
Cheltenham
Gloucestershire
GL53 7EJ

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

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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 .

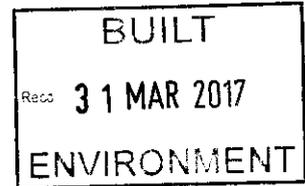
We look forward to hearing from you .

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



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)

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.** ^{not} [REDACTED]

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 .

[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

Page 101

Naunton Bank,
57, 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 den 2 - ref. why we were not consulted, or have not since been consulted re 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 or 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.

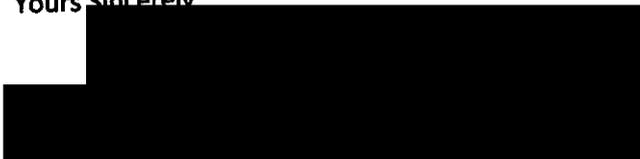
Having looked at the plans it's clearly is a conversion from a bungalow into a two story house. This property and the neighbouring bungalow were built in the 1970's on land sold by the late owner of Naunton Bank, 37 Asquith road. Permission was granted for only two bungalows due to the impact on the 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

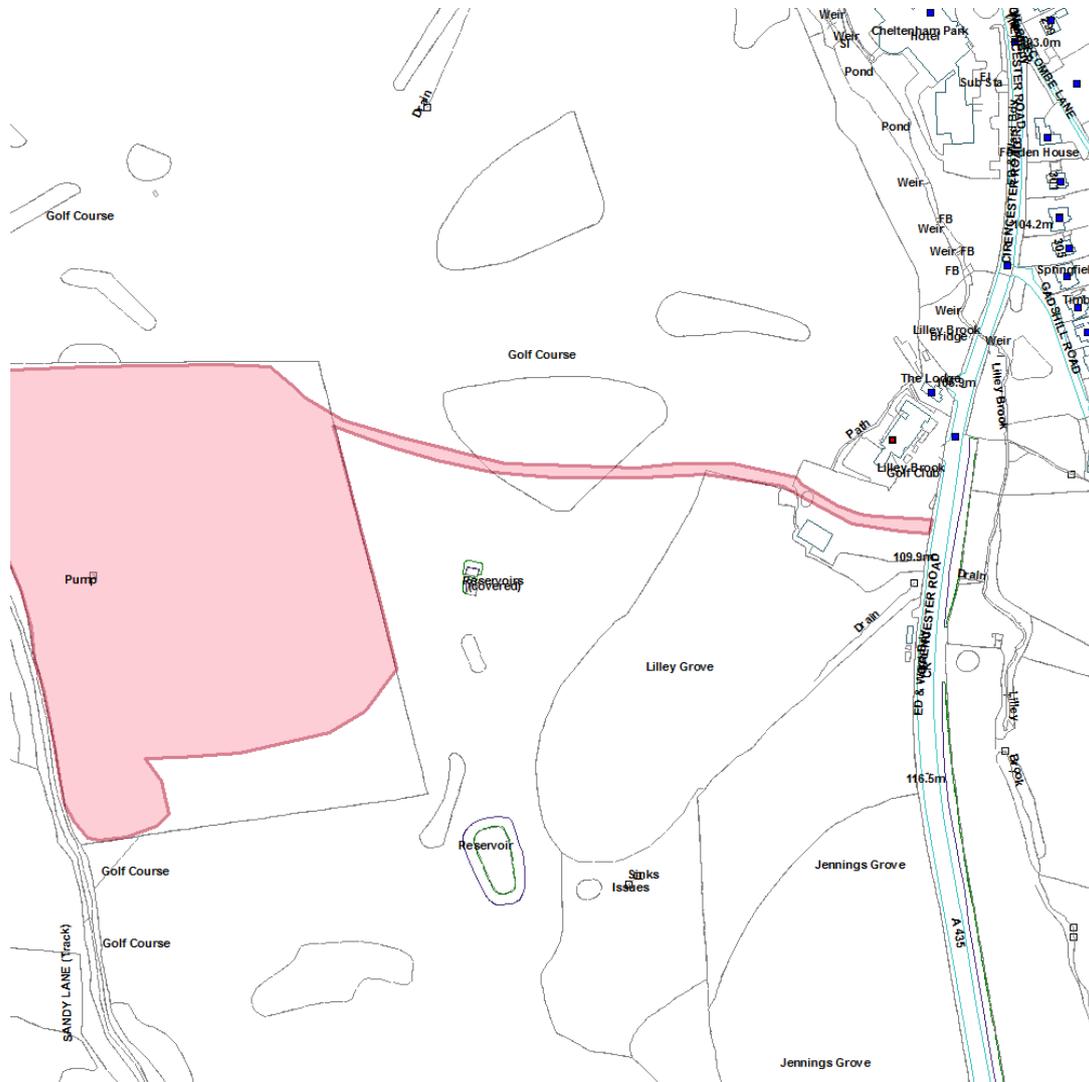
Yours Sincerely



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APPLICATION NO: 17/00659/FUL	OFFICER: Mr Martin Chandler
DATE REGISTERED: 31st March 2017	DATE OF EXPIRY: 30th June 2017
WARD: Charlton Park	PARISH:
APPLICANT:	Lilley Brook Golf Club
AGENT:	Grass Roots Planning Ltd
LOCATION:	Lilleybrook Golf Club, 313 Cirencester Road, Charlton Kings
PROPOSAL:	Engineering works to re-profile and re-contour the existing practice facility to create a mini 9-hole golf course by importing 100,000 cubic metres of inert fill material (re-submission following refusal of planning application ref. 16/00383/FUL)

RECOMMENDATION: Permit



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 This application proposes engineering works to re-profile and re-contour the existing practice facility at Lilleybrook Golf Club to create a mini 9-hole golf course. It is proposed that this will be achieved by importing 100,000 cubic metres of inert fill material to the site.
- 1.2 Members will recall that an identical application was refused by planning committee in December 2016 for the following reasons:
- 1.3 *There is the potential for Roman burials, and prehistoric and Anglo-Saxon remains, to be present within the development area that could be adversely affected by the development. In the absence of an archaeological field evaluation it has not been possible to fully assess the archaeological resource within the area or understand the archaeological implications of the proposed development. In the absence of such information, the proposal fails to accord with national guidance set out within the NPPF at paragraph 128.*
- 1.4 *No legal agreement has been completed to secure the completion of the works, and therefore the provision of the academy course, within a reasonable timescale. In the absence of such an agreement, there would be no requirement for the applicant to complete the works in their entirety, therefore opening up the possibility that only the importation of the fill material would occur. The implication of this would be that ultimately a waste 'disposal' operation would have been carried out; one that should have been considered by the County Council as the waste planning authority. An agreement is therefore necessary to make the development acceptable in planning terms in accordance with national guidance set out within the NPPF at paragraphs 203 and 204.*
- 1.5 The applicant has now undertaken the relevant archaeological work and has also made progress in relation to the necessary Section 106 agreement. They are therefore seeking planning permission for the works, having addressed the previous reasons given for refusal.
- 1.6 The application is before committee due to the sites history and at the request of Cllr Baker.
- 1.7 Members may recall that at the previous committee meeting, the debate considered and exhausted various matters, with flooding being a particular concern of some members. This report will therefore focus on the matters that were raised at committee as well as the two refusal reasons.
- 1.8 Officers would advise that the previous decision has to be a material consideration of significant weight when assessing the merits of this application. It would be unreasonable to introduce new reasons for refusal without being able to demonstrate a significant change in circumstances.
- 1.9 Members will visit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Ancient Woodland
Area of Outstanding Natural Beauty
Airport safeguarding over 15m
Airport Safeguarding All Developments
Smoke Control Order

Relevant Planning History:

00/00679/FUL 23rd October 2000 PER

Erection of 27m high lightweight lattice mast and antennae within chainlink fence, adjoining equipment cabin and ancillaries on land adjoining the 15th tee

02/00468/FUL 23rd May 2002 PER

Erection of 30m high telecommunications lattice mast with 8 no. panel and 3 no. dish antennae attached, following removal of existing 27m high mast; installation of equipment cabin and ancillary development

15/00328/FUL 21st April 2015 WDN

Regrading of existing practice facility using approximately 50,000 cubic metres of inert landfill material. Works to include additional tree planting and areas of native shrub and wild flower planting. Reinforcement of unrestricted byway (Sandy Lane) to accommodate material delivery requirements

16/00383/FUL 16th December 2016 REF

Engineering works to re-profile and re-contour the existing practice facility to create a mini 9-hole golf course by importing 100,000 cubic metres of inert fill material

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development
CP 3 Sustainable environment
CP 4 Safe and sustainable living
GE 5 Protection and replacement of trees
GE 6 Trees and development
CO 1 Landscape character
CO 2 Development within or affecting the AONB
CO 14 Development abutting the countryside
NE 1 Habitats of legally protected species
RC 11 Recreation and sport in the countryside
RC 12 Golf courses
UI 2 Development and flooding
UI 3 Sustainable Drainage Systems
TP 1 Development and highway safety

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

County Archaeology

18th April 2017

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

I note that this planning application is supported by a report on an archaeological field evaluation compiled by Worcestershire Archaeology (dated March 2017). Eleven trial-trenches were investigated, revealing a previously unknown later prehistoric or Roman ditch (in Trench 9) as well as several undated features including a pit and a ditch (in Trenches 1 and 9). The archaeological evaluation also established that the archaeological features were covered by a thick deposit of colluvium washed down from higher ground.

The report concludes that the evidence indicates the presence of an agricultural field system of later prehistoric or Roman date. No evidence was found to indicate that the land had been used for burial during the Roman period (as previously indicated by the County Historic Environment Record), and it is thought that the discovery of a Roman burial in 1939 in this locality lay to the north of the proposed development area.

I note that the applicant's Planning Statement (March 2017) confirms that the development will not involve any excavation of existing ground levels. While some ground impacts may arise from the use of plant and machinery it is my view that these will not have any impacts on the archaeological remains, since these are deeply buried below colluvium.

Therefore, I advise that I have no objection to the proposed development, and I recommend that no further archaeological investigation or recording should be required in connection with this scheme.

I have no further observations.

GCC Local Flood Authority (LLFA)

23rd May 2017

I refer to the above application, your request for advice from the Lead Local Flood Authority (LLFA) on the applicant's proposals for the management of surface water and my previous responses regarding the applicant's previous application number 16/00383/FUL.

I note the applicant's flood risk assessment and drainage strategy dated 7th November 2016 and their assessment of the required attenuation volume. The applicant has acknowledged the need to manage the flows from the upper catchment and to include this in their mitigation proposals. They have stated that the attenuation volumes will be made sufficient to accommodate flows from the development site and the upper catchment comprising a total of 10.2 Ha. The applicant has also agreed to include an allowance of 40% for an increase in rainfall intensity arising from the effects of climate change. The applicant has agreed to restrict the discharge rate to the pre development equivalent. The applicant has also agreed to incorporate a bund along the west facing boundary to prevent the risk of the development diverting surface water into Sandy Lane.

The Environment Agency has indicated that it has no objections in principle to the applicant's proposed point of surface water discharge subject to the applicant obtaining a permit for Flood Risk Activities if this is deemed a requirement. The applicant should also ensure any requisite Land Drainage Act consent is obtained from the Principal Engineer, Civils and Flood Risk Management, Cheltenham BC.

The strategy documents provide only a conceptual plan with indicative information of the location and scale of the bund, swale, basin and outfall. The LLFA will require further information to clarify the detailed design of the bund, swale, basin, control device connection and outfall structures to the existing ditch/watercourse.

On the basis of the information provided the LLFA is satisfied that the proposals are broadly compliant with the requirements for a viable sustainable drainage system however, the applicant has not yet provided the design details and therefore, if the LPA is minded to

approve the application, it is recommended that the following condition be included in the approval;

Condition: Development shall not begin until drainage design details of the proposed bund, swale, basin, control device, connecting channel and outfall structure have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied.

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

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.

Tree Officer

25th April 2017

CBC tree Section has no further comment notwithstanding than that of 18/4/16 (previous application), in that there are no alterations to this application which have an impact on trees.

Minerals And Waste Policy Gloucestershire

26th May 2017

It is understood that Cheltenham Borough Council is in receipt of a planning proposal to re-contour an existing practice facility to create a mini 9-hole golf course through the importation of 100,000 m³ of inert fill material at Lilleybrook Golf Club, Cheltenham. The planning application is a re-submission of a previous scheme that was determined by Cheltenham Borough Council back in 2016.

The comments provided below are aimed at assisting Cheltenham Borough Council in their future handling of the proposal and are largely focused on ensuring that the right matters are being looked at and appropriate information has been made available to decision takers as they come forward with a reasoned and sound local conclusion.

A review of the applicant's accompanying planning statement describes the proposal as engineering works, which will utilise the importation of the equivalent of 100,000m³ of soils and free draining material. The applicant has provided a narrative to explain that the inert fill material will be of a waste origin although 'recovered' and deemed to be fit for use by virtue of its chemical composition, granular size and drainage characteristics.

Deciding whether the proposal includes 'waste' material should be fundamental to the application's consideration - it is the key factor to resolving whether waste-related local planning policies should be applied under the subsequent analysis of the local development plan. A good starting point in this respect is the DEFRA / EA Guidance: - Decide if a material is waste or not: general guide | <https://www.gov.uk/government/publications/legal->

definition-of-waste-guidance/decide-if-a-material-is-waste-or-not#decide-if-your-material-is-waste. Specific attention will probably need to be given to section 5 - When waste ceases to be waste, as this looks to relate to the circumstances advised by the applicant. Whether 'end-of-waste' status has been achieved for the infill material planned to be used, will be an important judgement. 'End-of-waste' status can be assessed through EA Guidance: - Turn your waste into a new non-waste product or material | <https://www.gov.uk/guidance/turn-your-waste-into-a-new-non-waste-product-or-material>. In the case of excavated materials this guidance refers to The Definition of Waste: Development Industry Code of Practice | <http://www.claire.co.uk/projects-and-initiatives/dow-cop/28-framework-and-guidance/111-dow-cop-main-document>. It is anticipated that the applicant will need to present clear, robust and demonstrable evidence that appropriately accords with the respective elements of the Code of Practice set out by CL:AIRE. It is strongly advised that particular advice is sought from the Environment Agency (EA) on the application of their guidance before a local view is taken as to the 'waste' status of the imported material.

If it is concluded that the proposal does not involve the importation and handling of a 'waste' material, the County Council in its capacity as the Waste Planning Authority (WPA) has little more to comment on. However, it is noted that the applicant's supporting statement has made reference to those parts of the local development plan applicable to waste matters. It is advised that weight afforded to the policies referred to will need to be very carefully considered as they do not strictly apply in a development plan context. They represent somewhat of a limited material consideration primarily to demonstrate how the use of a material from a waste origin may be beneficial in contributing to the delivery of waste diversion through facilitating inert waste recycling - an important element of the waste hierarchy. This will only form part of the wider planning balance, which must be heavily concentrated on site-specific matters such as (but not exclusively covering): - sufficient safeguards to avoid unacceptable impacts on the amenity of nearby residents and businesses, more general public health concerns and the protection of the natural environment.

Alternatively, if it is decided that the proposal contains a 'waste' element, officers would urge further discussion with the County Council in its capacity as the Waste Planning Authority and in particular its Development Management service. The size and scale of the proposal would appear to run close to the recommended advisory threshold of a 'county matter' as set out in government advice contained in a CLG letter to Chief Planning Officers: - Large-scale Landscaping Development Using Waste. Having said this and irrespective of the eventual determining authority, the current presentation of the application would still benefit from a very careful review. In particular the approach to what are relevant development plan policies / material considerations will need to be re-assessed that they are currently heavily focused on engineering works rather than waste management. Furthermore, the applicant's current interpretation of WCS Core Policy 4 (see paragraph 6.21 of the supporting statement) is not shared by officers of the WPA and this will have a bearing on what are deemed applicable policies of the local development plan. This may also impact on the subsequent assessment of necessary supporting evidence. WCS Core Policy 4 does indeed note the value of using inert waste in a 'recovery' capacity for engineering purposes but only in respect to existing waste management sites and mineral operations. It does not have a wider application such as the current proposal, despite such activities being mentioned in the supporting text under WCS paragraph 4.43.

I hope this representation is useful to you in your further consideration of the application.

If you have any further queries regarding the officer comments set out above, please do not hesitate to contact me.

Parish Council
22nd May 2017
Objection

We previously commented on the earlier refused scheme 16/00383/FUL and also on revisions made in December 2016. As before we are formally reviewing the plans as they have potential impact on our parish.

We note that in April 2017 the Land Drainage Officer was concerned with the lack of drainage design details of the proposed bund, swale, basin, control device, connecting channel and outfall structure. In our view these are serious matters and the application should not be permitted without all this in place, as otherwise the risk of flooding remains.

The Officer also states that 'it is important these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality'. In our view it is crucial that all technical elements of the plan are agreed and conditioned in any permission. As an example of an issue needing clarification, there is nothing specific on how the volume of water in the swale would be assessed.

We are surprised that a comprehensive geotechnical survey has not been carried out. Without such technical analysis and subsequent mitigation, it's possible that there is a risk of ground slippage. Filling on the hillside could trigger the movement of slip circles in the ground, with the potential for upwards heave and new springs being formed, as far as several hundred metres downhill of the fill. Although Ordnance Survey shows no presence of springs, these do exist and there are flows of underground water which need to be taken into account.

Detail is lacking on plans for downstream drainage and these need to be in place. Also binding conditions must be made for the on-going maintenance of the scheme.

The Charlton Kings Flood Action Group (CKFAG) has commented in detail and we support their concerns and are clear that robust flood reduction mechanisms have to be in place before any scheme begins.

As this can be considered a 'major development' it's our understanding that this means that the Borough Council has the right to insist that the scheme results in an improvement to existing drainage mechanisms, not just maintaining the status quo.

Finally, we note from the website that the application is presently due to have a delegated decision. We request that it goes before the Planning Committee, as it has before, due to its potentially seriously damaging impact not just on residents in our parish but further downstream across Cheltenham.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	140
Total comments received	10
Number of objections	6
Number of supporting	4
General comment	0

5.1 In response to the 140 neighbours that were written to, 10 letters of representation have been received. Six of these object to the application, and four are supportive. The comments in objection to the application refer to:

- Flooding concerns

- The nature of the material being brought onto the site
- Inappropriate waste disposal activity
- Impact on AONB
- Geological concerns and landslip risk

5.2 The comments in support generally relate to the social benefits of the scheme.

5.3 These matters will be discussed below.

6. OFFICER COMMENTS

6.1 Determining Issues

6.1.1 Given the history of the site, the two key areas for consideration at this stage are the two reasons previously given for refusal, namely archaeological considerations and the successful completion of a Section 106 legal agreement that requires the completion of the work. That said, in light of the previous committee discussion, and the nature of the objections submitted, it would be naïve not to give further consideration to flooding, waste disposal, geological issues, and potential impact on the AONB.

6.1.2 For convenience, the previous officer report it appended to this report.

6.2 Archaeology

6.2.1 Members will note from the consultation response set out at section 4 above, that the applicant has now conducted the work required of them by the County Council and nothing has been found. The County recommended that no further work be undertaken so this previous refusal reason has been satisfactorily addressed.

6.3 Need for a S106 agreement

6.3.1 This was a relatively technical reason for refusal, essentially protecting the Authority's ability to enter into an agreement if the applicant had proceeded to appeal rather than resubmitting. Work is progressing with the necessary legal agreement now so there is no need to refuse the proposal on this ground either.

6.4 Flooding considerations

6.4.1 Members will recall that this issue was discussed at length at the previous committee meeting with a representative of the LLFA in attendance to answer specific concerns. The minutes of the previous meeting are appended to this report.

6.4.2 The previous application was not refused on flooding matters and this has to play an important bearing in the assessment of this application. Members will be aware that it can constitute unreasonable behaviour to introduce new refusal reasons for an identical application unless the authority can clearly demonstrate a material change in circumstances. That said, given the strength of feeling on the matter, the issue has again been heavily scrutinised.

6.4.3 The LLFA remain satisfied with the proposal, and whilst the absolute specifics of the SUDs scheme have not been fully resolved, this is entirely appropriate for a scheme of this nature; indeed the vast majority of SUDs schemes are fully worked up post the determination of a planning application.

- 6.4.4** Importantly, the concept is considered to be entirely appropriate and is fully endorsed by the LLFA. The LLFA is acutely aware of the surface water run-off situation in this part of the borough and have required a lot from the applicant in terms of justifying their proposals.
- 6.4.5** When considering flooding issues, there are probably two key issues to explore: 1) the SUDs scheme itself, 2) how to secure its implementation, given previous concerns in relation to suggested conditions by the LLFA.
- 6.4.6** Members may also recall that there was some debate previously in relation to the requirements of local plan policy. This report will also consider this matter.
- 6.4.7** What does the SUDs scheme consist of?
- 6.4.8** The scheme consists of a bund to the western boundary of the application site to contain run-off, a swale to the northern boundary to collect run-off and an attenuation pond to store water and then release it into the existing water course to the north of the site at a controlled rate via an outlet.
- 6.4.9** Members will be aware that a SUDs scheme is designed to mimic natural drainage and is often used in an urban capacity to reduce surface water run-off. The existing situation already provides a green field and natural drainage and allows for a better infiltration rate than hardstanding. That said, no one denies that run-off at this point in the town is fast because of its location at the foot of the Cotswold scarp.
- 6.4.10** In light of this, the LLFA have worked hard with the applicant to ensure that the SUDs scheme is as effective as possible and this has been done in two ways. Firstly, the applicant has accepted the LLFAs argument that due to the nature of the proposed development, and the likely soil compaction, this infiltration rate may reduce meaning surface water will run-off the site more quickly. The SUDs scheme has therefore been designed with lower infiltration rates in mind to ensure that its capacity is suitable. Furthermore, the applicant has built in additional storage capacity of the attenuation pond, providing a further 20% beyond what is technically required.
- 6.4.11** Officers remain satisfied that the SUDs scheme being proposed as a result of this application is robust and will deliver a betterment to the current surface water run off rate.
- 6.4.12** There has been some debate in relation to the integrity of the flood risk assessment that has accompanied the application as it refers to a catchment area of the West Midlands rather than the South West but given the concessions in relation to infiltration rates and increases in capacity, officers consider that this point has been suitably addressed.
- 6.4.13** How to secure its implementation
- 6.4.14** The LLFA have recommended the following condition if planning permission is granted:
- 6.4.15** *Development shall not begin until drainage design details of the proposed bund, swale, basin, control device, connecting channel and outfall structure have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied.*
- Reason: To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.*
- 6.4.16** This is a standard approach to the delivery of SUDs schemes as it ensures that the detailed specifics of a scheme are fully agreed prior to the commencement of development. This

approach is taken because the detailed design of a scheme is a costly exercise and developers, understandably, require a degree of confidence before they commit to such technical costs. It is a practice that takes place nationwide.

- 6.4.17** The condition secures all of the technical details and will be agreed with the LLFA before this authority gives the go-ahead.
- 6.4.18** Beyond simple implementation though, other questions have been raised of the scheme, one of which relates to the impact on surface water run-off during construction.
- 6.4.19** Mindful of recent flash-flood events in the town which may have been contributed to by construction sites, officers consider this to be an understandable concern and have discussed this matter with the applicant. In response, the applicant proposes to implement the SUDs scheme as essentially the first phase of the development. This will require the importation of some material (to build the bund etc.) but this is considered to be important difference between what members are considering on this occasion, and what they considered last time. This phasing would be secured by a suitably worded condition.
- 6.4.20** Another concern relates to what may happen if the scheme gets blocked and therefore potentially fails. This matter has been discussed with the LLFA who have suggested that a maintenance condition should also be attached should permission be granted. Ultimately, if the outlet does get blocked, this is the land-owners responsibility but if nothing else, a maintenance condition flags up the importance of this issue.

6.4.21 Summary

- 6.4.22** Officers understand the strength of feeling of neighbouring residents and are taking the flooding implications of this scheme very seriously. The proposals have been scrutinised and are considered to go above and beyond what is realistically and technically expected of the development. Capacity of the attenuation pond exceeds what the evidence suggests it needs to (by 20%) and the scheme has been designed with lower infiltration rates despite what superficially will remain a green field post development.
- 6.4.23** The SUDs scheme is entirely compliant with local plan policy.

6.5 Other considerations

- 6.5.1** There was some discussion at the previous meeting (and it has been raised again during the consultation exercise) regarding the material that will be used for the development and whether this authority are the correct determining authority. Officers stand by the advice that was previously given in the original report. Cheltenham Borough Council is the correct determining authority, so long as the development is implemented and completed in the manner proposed. It is for this reason that a Section 106 is necessary. In terms of the nature of the material and where it comes from, there are numerous permitting regimes that the applicant will need to comply with. To ensure that we know what is being proposed, it is recommended that a condition is used to secure the submission of a Material Management Plan that will detail the specification of the material being used.
- 6.5.2** The committee also discussed the merits of a geological survey although they did not require this through the decision that it arrived at. That said, again, it is a relevant matter but one that can satisfactorily be dealt with by way of condition. The applicant has confirmed that the detailed design work for a scheme of this nature is typically undertaking post approval. This work will consist of construction controls and testing requirements to ensure that material is placed in a stable manner. Officers recommend that should planning permission be granted, a condition requiring this information to be submitted prior to the

commencement of development would be entirely reasonable; it would most likely form part of a more detailed Material Management Plan referenced above.

7. CONCLUSION AND RECOMMENDATION

- 7.1** To conclude, following the refusal of the previous application, the applicant has provided the necessary information to overcome the two technical refusal reasons. Beyond that though, they have also reengaged with officers to discuss the SUDs scheme in greater detail and have committed to delivering this aspect of the proposal first. The SUDs scheme is suitable for the development proposed and the LLFA are entirely comfortable with it. It exceeds its technical requirements and whilst the specific details are to be agreed post-decision, the concept is fully compliant with local plan policy.
- 7.2** The development, once complete, will have neutral impact on the AONB as the site will be restored to a landscaped form and in all other respects, the development was found to be acceptable last time the committee considered the proposal. Nothing has changed to suggest that different conclusions should be arrived at.
- 7.3** It is recommended that planning permission be granted subject to a Section 106 agreement to secure the completion of the development and the suggested conditions.

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APPLICATION NO: 17/00659/FUL		OFFICER: Mr Martin Chandler	
DATE REGISTERED: 31st March 2017		DATE OF EXPIRY : 30th June 2017	
WARD: Charlton Park		PARISH:	
APPLICANT:	Lilley Brook Golf Club		
LOCATION:	Lilleybrook Golf Club, 313 Cirencester Road, Charlton Kings		
PROPOSAL:	Engineering works to re-profile and re-contour the existing practice facility to create a mini 9-hole golf course by importing 100,000 cubic metres of inert fill material (re-submission following refusal of planning application ref. 16/00383/FUL)		

REPRESENTATIONS

Number of contributors	10
Number of objections	6
Number of representations	0
Number of supporting	4

10 Hartley Close
 Cheltenham
 Gloucestershire
 GL53 9DN

Comments: 2nd May 2017
 Planning Application 17/00659/FUL

I believe the application fails to demonstrate the "proven public interest" required to satisfy Gloucestershire CC Waste Core Strategy WCS14 for major waste development "within or affecting" Cotswold AONB & seek that it be refused.

Public access to many short "pay & play" courses for occasional golfer use (with tuition if required), are available within a few miles radius of the town, Shipton GC & National Star Centre Golf being just two examples in the close vicinity of Lilley Brook GC.

LBGC, is just one of many promoters of healthy outdoor activities undertaken in the area & the import of this huge amount of material cannot be claimed to have significant benefit in this respect("Sustainable development NPPF - Social - 6.51).

Windfall fees derived from the proposed exercise would appear to represent the primary means of "sustaining" the club from competitive pressure until the next request for an "improvement" is formalised.(S.Dev. NPPF Economic - 6.51) A further "waste development" was mooted at the club on Monday 28th September 2015 which LBGC may wish to explain?

Such an approach does not seem to be consistent for a "viable sustainable" business, without detriment to the other users of the local environment(S.Dev. NPPF Environment - 6.51)

When other local clubs are flourishing perhaps the high cost of entry at LBGC presents more of a threat to the club than the benefit claimed for an as yet untested "academy"?

Existing Practice Ground

Long established; Lilley Brook Golf Club, via their website, present the facility as, "an excellent practice ground"; " with a specific short game area"; "a putting green & bunker" & "it has 3 further greens and distance specific flags to aim at".

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It is not possible or clear, from this application, to establish what significant improvement the deposit of 100,000 cubic metres of waste material will bring to bear on the golf terrain or enhancement of a golfers skills set. The applications 3 section drawings, two on the perimeter & the other across the central area give no indication of how each hole contributes to an "improvement". Localised leveling of tees & greens could well prove as effective without the import of such huge amounts of material?

Whilst the :-

Proposed 9 hole "short course"

It is suggested will attract "more occasional" golfers beyond existing members & junior's but does not make clear whether this will be a new enterprise, along the lines of say "pay & play facilities to create a revenue stream?

The proposed course layout beginning & ending on LBGC western boundary when all facilities, changing, monitoring, parking & toilets are located on it's eastern flank is surely counter intuitive? "Occasional golfers" & casual users, once aware, will have an incentive to avoid club scrutiny using Sandy Lane for parking & all other aspects? It is unclear therefore how the LBGC can guarantee no further infrastructure (6.10) would be required, in time, to monitor these aspects & prevent "nuisance" usage?

Should the planning committee be minded to approve this application, may I suggest provision be made within the approval, that this layout is reversed, to encourage access from the existing facilities & that Gloucester Highways are asked to report on the traffic implications in Sandy Lane, for local residents & the many users with regard to the current layout proposal before such approval is granted?

Families, cyclists, walkers, horse riders, birdwatchers etc. are established users of the Sandy Lane access to the hill & given the top section has no footpath increased traffic & congestion would undoubtedly be detrimental.

Deliveries/landscaping

Whilst specific advice has been offered with regard to waste deliveries, no timetable has been presented for the subsequent landscaping of the area with noise & dust implications. This leaves a "door" open for further, minor material requests & a "work in progress" to the detriment of all in the locality. The method of policing specific vehicle visits is yet to be presented & the committees attention to such plans would be appreciated.

Other objections

I am mindful of the flood concerns expressed by others in respect of this proposal & trust the committee will continue to give them due scrutiny. To claim the site is not at risk of flooding is elementary to all given it's position high above surrounding property however using Southfield Brook as a "sump" for run off has already brought flooding for the Sandy Lane properties at the Highland road junction.

Given the proposal affects the west side of LBGC, concentration of run off will equally be on this flank with predictable concerns. Appreciating the slope/fall is from south to north, in direct contradiction of the flood assessment, it raises considerable concern overall in the veracity of the assessment

I urge the committee to refuse the application in it's current form.

53 Sandy Lane
Charlton Kings
Cheltenham
Gloucestershire
GL53 9DG

Comments: 1st May 2017

Waste and Minerals Policy Implications of Planning Application

There are a number of matters in this development plan that CBC have not yet examined to the required standards.

It is my understanding from contact with the GCC experts responsible for applying the WCS that they will be commenting on this latest version of the application and that the CBC treatment of this plan as a non waste development is undergoing a more rigorous review at County Level.

1) MISLEADING DEVELOPER STATEMENTS ON NATIONAL WASTE POLICY AND LANDFILL POLICY

The developer's claim that the narrative of the National Waste Management Plan supported the proposal is misleading.

The developer's planning statement selectively quotes from the Gloucestershire Waste Core Strategy (WCS) of November 2012 and the National Waste Management Plan for England (NWMP) of December 2013.

(https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/265810/pb14100-waste-management-plan-20131213.pdf)

On Page 10 of the Developer's application, the developer asserts from the NWMP that

"within this document , page 13 states that "inert waste was be (sic) recovered or recycled wherever possible. "

The developer also claims that the NWMP "sets a more permissive approach to the use of inert waste as a recyclable landscaping..." .

Had the developer quoted the section of the SWMP on page 13 in full, then the planning officer and planning committee would have read the following statement :-

"inert waste can and should be recovered whenever possible. However, the disposal of inert waste in or on land i.e. landfill, remains a valid way of restoring quarries and worn out mineral workings where this is a planning requirement."

The last sentence provides the only acceptable exception that should be applied to the use of inert waste as landfill, which is for use in quarries or mineral workings and ,only then, where the use of the material is a planning requirement.

The developer also failed to quote from the NWMP the section that follows the p 13 section on the disposal of inert waste on p 14 and discusses disposal landfill which reads as follows

Disposal

"Landfill or incineration without energy recovery should usually be the last resort Landfill tax is the key driver to divert waste from landfill.."

2) MISLEADING CLAIM THAT THE PROPOSED DEVELOPMENT IS CONSISTENT WITH THE GCC WASTE CORE STRATEGY (WCS)

The developer's claim that the proposal was in line with the WCS is also untrue and reflects a fundamental misunderstanding of the policy objectives and measures.

The assertion that the proposal helps meet the objective of WCS4 is erroneous. This GCC WCS specifically calls for 85,000 tonnes per year of inert waste to be diverted away from landfill and recycled and recovered. It is untrue to claim that the planned development is recycling or recovering material when its only use at the development site is as landfill.

For the argument that the activity is a recovery operation to be favourably applied, the WCS makes clear that any proposal to recover inert waste of this scale should only be approved for operations in Zone C.

As this site is within the AONB and therefore not in zone C the council should not be able to approve this major development without there being very valid and exceptional reasons provided as to why the WCS3 should be set aside. To do so must require county support.

The Cotswolds conservation board asked the same question which remains unanswered they said:-

The Board considers the importation of 100,000 cubic metres of inert landfill material into the nationally protected AONB to be a form of "major development" and therefore paragraphs 115 and 116 of the NPPF are relevant in this case. Accordingly the Board considers the proposal does not meet the exceptional circumstances tests of Paragraph 116. The landscaping proposals, at the scale of 100,000 cubic metres, seems to be a figure derived at based on a waste operation rather than what is actually needed (if at all) to re-profile the golf course? The Board continues to question whether the predominant purpose of the development actually involves profiting from waste disposal rather than engineering for the benefit of the golf course. The Board also questions, given the location in the "sensitive" AONB landscape (as stated within the EIA guidelines), whether this proposal has been screened for the need for an EIA. The proposal will result in a substantial level of HGV movements which will erode the rural road network and result in the importation of waste into the AONB. Although in landscape terms the scheme offers restoration of the landscape, the short term harm and wider impacts of this development on the environment of the AONB, have not been adequately assessed.

3) ENVIRONMENTAL POLICY RELATING TO WASTE RECOVERY PLANS AND PERMITS HAS NOT BEEN APPLIED OR ADHERED TO

The developer has, contrary to planning guidance, not treated this development as a major development or referenced the Environmental Agency policy guidance on Waste Recovery Plans and Permits (<https://www.gov.uk/guidance/waste-recovery-plans-and-permits>) published in October 2017.

This guidance reflects and applies the tests set in European Community Policy for defining waste disposal or waste recovery operations.

It is not clear whether the experts advising the planning committee would have been aware of this policy at the time the matter was last considered in late 2016.

This Planning Guidance sets very clear criteria to determine whether a waste development proposal represents a "recovery" or "disposal" operation.

Based on the criteria set out in that paper, the developer's claim that this is a recovery operation does not satisfy the UK Government test or European Community criteria required to satisfy the developer's claim that this is a waste recovery operation

To qualify as a waste recovery operation this government paper requires that the developer must show it intends to carry out a waste recovery operation and specifies that -

...Your plan must show that if you could not use a waste material you would do the work to get the same outcome using non-waste materials.

It also requires the developer demonstrates that

...You could provide evidence to show that if you carried out the work with non waste you would benefit from a net financial gain.

and

...If you would have used non waste for your work, without any net financial benefit, you could provide:

evidence that you have secured the funding you need to cover the cost of the work using non waste details of your expected costs in your waste recovery plan.

and

You could provide evidence that you're obliged to carry out the work

The developer has not provided this evidence. It is also noted that the guidance states that developer is also required show evidence that

... the waste material used will directly replace non-waste material

...the development will only use the amount of waste needed to carry out the function that would otherwise be provided by non waste

If after considering all this policy framework the CBC is inclined to favourably consider the developer's argument that this is not a Landfill operation, CBC should ask why the proposed landscaping requires such a huge amount of material to achieve the landscaping objective, and whether the developer could achieve the same outcome with earth moving and slope strengthening using the material onsite without importing any waste.

It would seem that self-evident that the Cotswold AONB Representative's view is correct that this option has not been considered by the developer because the operation would result in a cost to the developer and not generate revenue to be earned by turning the field into an untaxed waste disposal site.

4) PREVIOUS MINERALS AND WASTE POLICY CONSULTANT ADVICE HAS BEEN MISUNDERSTOOD

The Minerals and Waste policy team guidance on the last version of this proposal appears to me to have been misinterpreted or misunderstood because the planning officer notes stated:-

..the County Waste and Minerals Team have commented on the application and have confirmed that the proposal should not be classified as a 'waste' application on the assumption that prior-processed, recycled materials will make up the vast majority of the material to be used and that all imported material will have been subject to some form of processing activity with no further processing allowed to take place on site.

My reading of the expert advice was that it did not classify the operation as non waste. Instead it recommended rigorous review of the claims that the material to be used were not waste,

highlighted the planning committee should exercise great care in reviewing the application against policies to assist them evaluate the proposal, and did not confirm the proposal could be classified as a waste operation and did not use any narrative to this effect. CBC did not do this.

5) SEQUENTIAL APPROACH TO MAJOR WASTE DEVELOPMENTS HAS NOT BEEN APPLIED

Waste is not considered a water compatible development and the sequential approach to any development in a Flood Risk Zone 2 or 3 should, therefore, be applied .

(para 7.3.2 Strategic Flood Risk Assessment for Minerals and Waste Development Framework Level 1 - FINAL September 2008)

RECOMMENDATION

CBC and experts advising the CBC should refer to the relevant policy framework that this paper draws its attention to and should ask the developer to provide the requisite information mandated by local and national policy to

- Help CBC and its consultants to properly consider whether this proposed development is a waste recovery or waste disposal site
- In either instance, apply the sequential test to this development proposal
- Consider whether a placement of a waste disposal or recovery site in an AONB and Flood risk zone 2 is consistent with National and Local Planning guidance
- Establish whether the exception test would justify the development being approved on a location outside the strategic zone allocated by GCC for this proposed waste landfill development.

Comments: 1st May 2017

FLOOD RISK ANALYSIS OF THIS PROPOSED DEVELOPMENT HAS BEEN EXTREMELY SUPERFICIAL AND REFLECTS POORLY ON THE EXPERIENCE OF THE CBC PLANNING COMMITTEE WHO ADMITTED AT THE REVIEW OF THIS PLAN THAT THEY REQUIRE MORE TRAINING ON THIS COMPLEX SUBJECT AREA.

THE FLOOD RISK ASSESSMENT PLANS AND DRAINAGE PLANS CURRENTLY TO HAND ARE NOT A SAFE BASIS FOR APPROVAL AND THE LLFA HAS ALSO HIGHLIGHTED THEIR CONTINUING LACK OF DETAIL

The CBC have not in the last meeting properly reviewed the Flood Risk Assessment and the application should have been refused at the last meeting because it lacked the details called for by the LLFA, and did not provide any reduction in flood risk as called for by many different national and local policy and flood risk management plans.

There is a host of very good reasons for rejecting the current development plan due to the inadequacy of the Flood risk analysis and drainage plans submitted, and failure for the plan to comply with National and County Plans and guidance for major development proposals.

THE PROPOSED PLAN DOES NOT YET COMPLY WITH NPPF PLANNING GUIDANCE PARAGRAPH 102 RELATING TO DRAINAGE REQUIREMENTS

The LLFA has highlighted the shortcomings in the developments design detail and disclosure and has specifically called for more information on the proposed engineering of the SUDS structure and details of drainage plans to downstream water management of Peak Flows from the developer's property and from the development site to downstream drainage.

Page 123

The FRA does not follow the Sustainable Drainage Systems Non Statutory technical standards Paragraph S1 and S2 which focus specifically on the details required to demonstrate that peak flow controls, including SUDs structure and downstream drainage are properly designed to avoid the structure increasing flood risk outside the development.

THE PROPOSED PLAN DOESN'T YET COMPLY WITH NPPF PLANNING GUIDANCE PARAGRAPH 100

The Proposed Plan does not yet comply with NPPF Planning guidance Paragraph 100 which requires FRAs to demonstrate that the development will be safe for the lifetime of the development.

The developer has not indicated what the proposed lifetime of his major development will be.

The current plan is highly unsafe and unfit for purpose and not compliant with planning requirements because no detail has been given about what surface water flood risk management controls will be put in place before the development is started or during the construction phase.

Here the LLFA advice has been helpful, but was not applied.

The LLFA stated :-

"Development shall not begin until drainage design details of the proposed swale, basin, control device, connecting channel and outfall structure have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be completed in accordance with the approved details before the development is first brought into use/occupied. Reason: To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

THE PROPOSED PLAN AND CBC HAVE NOT SATISFIED THE NATIONAL AND COUNTY REQUIREMENTS FOR MAJOR DEVELOPMENT DRAINAGE PLANS TO REDUCE FLOOD RISK

NPPF Guidance "Flood risk and coastal change" calls for planners and developers to seek opportunities to reduce the overall level of flood risk has not been applied

Paragraph: 050 Reference ID: 7-050-20140306 of this guidance specifically calls for planners to seek opportunities to reduce overall levels of flood risk. It is not clear why has the CBC not identified this development as a golden opportunity to reduce flood risk across a very considerable area.

Paragraph: 038 Reference ID: 7-038-20140306 states

The developer's site-specific flood risk assessment should demonstrate that the site will be safe and that people will not be exposed to hazardous flooding from any source.

The development location is a hazardous flood zone prone to frequent surface water flooding. The absence of the downstream drainage plan renders the FRA currently provided by the developer unfit for purpose and fails this NPPF guidance.

THE PLAN DOES NOT APPLY KEY FLOOD RISK STRATEGIES OR GOVERNANCE PROTOCOLS OF THE GCC COUNTY

CBC planning practice relating to this proposal does not have applied three of the six key strategic objectives for the Local GCC Flood Risk Management Strategy

The six key strategic objectives for the Local Strategy are:

1. Improve our understanding of local flood risk.

CBC planning committee have failed to properly recognise that the development is a Flood Zone 2 site with very high surface water flooding risk history that urgently needs to be reduced to safeguard neighbours and the community. CBC has also failed to demonstrate any understanding of the scale and gravity of surface water flood risk present at this development site.

2. Put in place plans to manage these risks.

CBC have so far not applied any national and local policy, guidance, or planning powers to call for this developer to reduce the surface water flows and flood risk associated with this Major Waste Disposal Development proposal.

This is exactly the type of development where the risk profile, flood history and scale and nature of the Development absolutely justifies the use of national and county planning policy and GCC strategy to conditioning any FRA plan and planning approval to demonstrate a material reduction in surface water flood risk post development.

As this is a major development proposal, it is extraordinary that the CBC appears reluctant to apply available policy to require the developer to reduce the surface flood volumes from the site.

3. Avoid inappropriate development and ensure new development does not increase flooding elsewhere.

CBC and have failed to ensure the development does not increase flood risk downstream, despite the LLFA advising them to focus on this matter.

The current SUDs plans radically changes the drainage from the development site and do not demonstrate how drainage from the SUDS unit will be controlled and attenuated to avoid increasing surface water flooding downstream and off the development property.

THE CBC HAVE NOT APPLIED LOCAL PLAN POLICY UI2 AND NOT EXPLAINED ITS REASONS FOR IGNORING THE PLAN

The Local Plan policy UI2 requires new development to reduce quantities or rate of surface water run-off.

So far, this policy has not been applied and no reasons have been given as why this should be an exception to policy

THE CBC HAVE NOT APPLIED THE SUSTAINABILITY PRINCIPLES OF POLICY INF 2 AND INF3 OF THE JCS

Approval would be inconsistent with Policy INF 2 of the well documented Joint Core Strategy stated below which states major development should not be located in Flood Zone 2: -

The development site lies within Flood Zone 2, no reduction in flood risk has been called for and the sequential test should have but has not been applied.

GCC JCS Policy INF3: Flood Risk Management

1. Development proposals must avoid areas at risk of flooding, in accordance with a risk- based sequential approach. Proposals must not increase the level of risk to the safety of occupiers of a site, the local community or the wider environment either on the site or elsewhere. For sites of

strategic scale, the cumulative impact of the proposed development on flood risk in relation to existing settlements, communities or allocated sites must be assessed and effectively mitigated.

2. Minimising the risk of flooding and providing resilience to flooding, taking into account climate change, will be achieved by:

i. Requiring new development to, where possible, contribute to a reduction in existing flood risk

ii. Applying a sequential test for assessment of applications for development giving priority to land in Flood Zone 1, and, if no suitable land can be found in Flood Zone 1, applying the exception test

The present unsatisfactory situation if not addressed create significant potential CBC Exposure to Legal Risk, which puts local financial resources at undue risk

Approval without applying the above strategies and imposing a requirement to reduce risk in an area with elevated surface water flood risk characteristics, would be negligent and a non-compliant application of planning procedure. It would also expose the CBC to significant legal risk arising from future flooding claims arising from this decision not to apply the requirement to reduce flood risk in major developments.

CBC HAVE NOT APPLIED THE SEQUENTIAL TEST TO THIS MAJOR DEVELOPMENT PLAN

CBC and other expert advisors have also so far failed to apply the sequential test that it should given that the site is a Flood Risk 2 zone and proposes re-development of the site into a waste disposal area with subsequent 9 hole golf course "cap".

THE CBC HAS NOT APPLIED THE BEST AVAILABLE INFORMATION TO EVALUATE THE FLOOD RISK ASSOCIATED WITH THIS PLAN AND HAVE NOT ALLOCATED THE CORRECT FLOOD RISK CLASSIFICATION TO THIS DEVELOPMENT OF FLOOD RISK ZONE 2

The LLFA and CBC have not used the best available local information for evaluating this plan.

The LLFA stated, "The site is situated in Flood Zone 1 according to the flood maps for planning provided by the Environment Agency and this would indicate that the site is at very low risk of flooding from fluvial sources. " It completely omits reference to Surface Water flooding or Pluvial Flooding.

The developer, LLFA and planning committee should have consulted the Cheltenham Strategic Flood Risk Map "Tile B4" showing detailed location specific flood information for this location. This resource is held on the Cheltenham Borough Council Website.

This shows clearly that the development site has Flood Zone 2 Markers and that many properties and locations below the development site have suffered from flooding of the main river and roads that are flooded by surface water run off from the developers land

They and the developer's flood risk consultant should have referenced the very detailed Cheltenham Flood Zone Map that clearly shows the development site has Zone 2 Classification of Flood Risk, supported by film and documentary evidence of significant flooding on and from the site.

. (https://www.cheltenham.gov.uk/downloads/file/776/cheltenhams_flood_zone_map)

CBC HAS FAILED TO ENGAGE WITH THE LOCAL COMMUNITY WHO HAVE VOICED CONSIDERABLE CONCERNS ABOUT THE FLOOD RISK PRESENT ON THIS DEVELOPMENT SITE

CBC has failed to engage with the local community on this matter.

To date the CBC planning committee has not demonstrated any inclination to follow the spirit or letter of the policy stated in Section 3 of the GCC strategy that is to engage with the public and community groups such as the Charlton Kings Flood action Group (CKFAG). The CKFAG have consistently highlighted that this development possesses considerable flood risk dangers that are not yet being properly or professionally addressed by the developer or the planning process. The CBC have not acknowledged, answered, or addressed any of these concerns properly.

THE SUDS PLAN DOES NOT PROVIDE ANY DETAIL OF DOWNSTREAM DRAINAGE IMPACTS ARISING FROM THE DIRECTION OF SURFACE WATER THROUGH ONE DISCHARGE MECHANISM

GCC Policy has not yet been properly applied because the Developer has not provided any detailed drainage plans from the SUDS mechanism.

Table 2.1 on page 9 of the GCC Strategy mandates the County and its Planning Authorities as detailed below

Ensure the design, construction, operation and maintenance of Sustainable Drainage Systems in new developments and redevelopments meet national standards.
New developments will have surface water drainage which meets national standards; ensuring adequate drainage provision is in place.

Seek earlier consultation with developers to ensure they are cognisant of drainage requirements at an early stage of site master planning.

DRAINAGE MATTERS SHOULD NOT BE LEFT FOR THE CBC TO DECIDE AND REGULATE AFTER APPROVAL HAS BEEN GIVEN AND IN THE ABSENCE OF PRIOR PUBLIC SCRUTINY AND COMMENT.

Drainage will be considered at an earlier stage of the development process, helping to ensure a more optimal drainage strategy for development sites

Contrary to requirements, the developer's FRA does not provide any detail of the developer's plans for management of the drainage from the structure on his property onto off-development sites.

As the FRA documentation is incomplete, the plan should be rejected until all the required information has been presented for public and expert scrutiny

The SUDs design has been confirmed by the LLFA as broadly compliant with the requirements of a viable SUDS. This requirement provides no betterment at all.

The LLFA has highlighted that the developer did not supply the requested downstream drainage details. This omission was not picked up or properly challenged at the last CBC planning meeting.

The LLFA rightly cautioned CBC that the SUDS structure does not ensure that flood risk will not increase elsewhere because the changes to the drainage downstream from the development site has not been detailed.

The SUDS mechanism currently proposed by the developer has a potentially massive impact on the direction and impact of surface water flows below the structure. Instead of surfaces water draining out from along the lower development boundary of circa 250 yards, all the run off will discharge from one pipe.

It is crucial that planners, drainage officers, LLFA, CKFAG and neighbours can see how this now significantly concentrated volume of water is intended to be discharged to downstream drainage and to satisfy itself that this WILL NOT be discharged directly without adequate control to Sandy Lane, its sewers and culverts and the Chelt River main river tributary running on the development site border without further attenuation as there is no evidence that these water courses have capacity for the now concentrated outflow.

The drainage officer recommendation that provision of this information should be a condition of approval and that details be submitted post approval. This recommendation should be set aside.

Given the proven flood risk features of this site and its dangerous history, the public.

The LLFA and drainage officer should require the developer to submit details of this plan demonstrating to the public and planning process that this altered drainage plan will at least meet minimum planning conditions that flooding not be increased elsewhere before any decision is made by the CBC or County.

THE PLANS PROVIDE NO DETAIL OF WHAT FLOOD RISK AND SURFACE WATER CONTROLS WILL BE PROVIDED TO COMPLY WITH THE NPPF DURING THE 18 MONTH CONSTRUCTION PERIOD OF THE PROPOSED DEVELOPMENT WHEN THE NEIGHBOURHOOD AND COMMUNITY WILL BE POTENTIALLY EXPOSED TO SUBSTANTIALLY INCREASED SURFACE WATER RUN OFF RISKS FROM THE SITE THAT HAS NO TOPSOIL OR VEGETATIVE ATTENUATION OR COVER.

Lifetime Safety of the Proposed Development of the site and has not been considered at all

The PPG for Flood Risk and Coastal Change states that the Council and Waste and Mineral's authorities must satisfy themselves, using the sequential test, that this proposed major waste disposal operation cannot be located elsewhere.

If this sequential test is applied and passed then the exception test has to be applied.

The Exception Test, as set out in paragraph 102 of the Framework, is a method to demonstrate and help ensure that flood risk to people and property will be managed satisfactorily, while allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available.

Essentially, the 2 parts to the Test require proposed development to show that it will provide wider sustainability benefits to the community that outweigh flood risk, and that it will be safe for its lifetime, without increasing flood risk elsewhere and where possible reduce flood risk overall.

Paragraph: 023 Reference ID: 7-023-20140306

There is no evidence that these tests have been applied to this major development proposal and it is not clear whether CBC is authorised to set aside these requirements being applied to this proposal.

THE CBC CONTENTION THAT THIS IS NOT A MAJOR DEVELOPMENT IS INCORRECT AND NOT CONSISTENT WITH NATIONAL OR COUNTY PLANNING GUIDANCE

It is the opinion of the CBC planning officer that this is not a major development This point of view is not consistent with national or council planning policy.

The facts are: -

The development site has a ground surface area of more than 5 hectares - an area larger than 6 international football pitches,

The developer proposes to convert the site from Greenfield to landfill and dispose of 100,000 cubic meters of inert waste on the site.

The volume of 100,000 cubic meters of waste is the equivalent of more than adding more than 3,000 nine-foot high, twenty-foot long, fully loaded containers of waste on the development site.

The NPPG Guidance for Flood Risk and Coastal Change classifies "major development" as follows: -

In respect of non-residential development, new floor space of 1,000 square meters or more, or a site of 1 hectare or more. (Paragraph: 044 Reference ID: 7-044-20140306 of Guidance, Flood risk and coastal change,)

RECOMMENDATION

The application should continue to be refused until a proper drainage plan is presented which reduces surface water flood risk from this major development site and demonstrates robust controls will be applied and put in place before the construction phase of the project begins.

Whilst this is being prepared the CBC committee should undergo training without further delay so that they understand that controlling and reducing surface water in major developments in the upper catchment areas of Cheltenham provide the most cost efficient and effective long term strategy for the reduction of surface water flood risk threats to neighbours and downstream residents and property.

Evidence Base

Using Opportunities offered by new development to reduce the causes and impact of flooding paragraph 100. <https://www.gov.uk/guidance/national-planning-policy-framework/10-meeting-the-challenge-of-climate-change-flooding-and-coastal-change>

Lifetime Safety of Flood Risk Structures paragraph 102. <https://www.gov.uk/guidance/national-planning-policy-framework/10-meeting-the-challenge-of-climate-change-flooding-and-coastal-change>

Department for Environment, Food and Rural Affairs

Sustainable Drainage Systems

Non-statutory technical standards for sustainable drainage systems

March 2015

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/415773/sustainable-drainage-technical-standards.pdf

Flood risk and coastal change

From:

Department for Communities and Local Government

Part of:

Planning practice guidance and planning system

First published:

6 March 2014

<https://www.gov.uk/guidance/flood-risk-and-coastal-change>

Major Development Classification

Paragraph: 044 Reference ID: 7-044-20140306 of Guidance, Flood risk and coastal change, from:

Department for Communities and Local Government, Part of, Planning practice guidance and planning system, first published: 6 March 2014. (<https://www.gov.uk/guidance/flood-risk-and-coastal-change>)

GCC/CBC Policy INF3 and GCC Policy F7
http://www.gloucester.gov.uk/resident/Documents/Planning%20and%20Building%20Control/EvidenceBase/City_Plan_Evidence_2017/TopicPapers/Flooding_Topic_Paper.pdf)

Landfill developments: groundwater risk assessment for leachate.
<https://www.gov.uk/guidance/landfill-developments-groundwater-risk-assessment-for-leachate#inert-waste-landfills>

JCS Policy INF3 Flood Risk Management Policy
http://www.gloucester.gov.uk/resident/Documents/Planning%20and%20Building%20Control/EvidenceBase/City_Plan_Evidence_2017/TopicPapers/Flooding_Topic_Paper.pdf

Cheltenham's Flood Zone Map Download from link and Look for Development Site on Tile B\$

https://www.cheltenham.gov.uk/downloads/file/776/cheltenhams_flood_zone_map

GCC Strategy Local Flood Risk Strategy
3.3 Working With the Public and Other Community Groups.
Accessing Best available Local Information
http://www.gloucestershire.gov.uk/media/2189/1_glos_local_strategy_summer_2014_-_main_document-61257.pdf

Comments: 1st May 2017

This stance is because the geological characteristics of the planned site have not been reviewed to satisfy the planners and community that the proposed development is suitable or safe from a geological or engineering standpoint.

GEOLOGICAL RISK ASSESSMENT REQUIREMENTS

To date no evidence has been presented to demonstrate that the planned development location is suitable for the geology where the waste disposal landfill is proposed.

LEACHATE RISKS

Contrary to UK Government Planning Guidance, for a proposed waste development site of this scale and location in a flood risk zone, no Hydrological Risk Assessment has yet been provided to demonstrate that the leachate from the landfill will not pose an unacceptable risk to groundwater of watercourses.

RECOMMENDATION - LEACHATE ISSUES

The developer should provide a geological survey demonstrating that the existing geological barrier (under the land raising) provides sufficient attenuation and barrier between the landfill source and potential groundwater receptors.

If this cannot be established then a leachate control mechanism must be provided for in the development plan.

LANDSLIP RISK

A geological survey should also be required to determine the slope stability, permeability of planned deposits and consequent potential landslip risk of the placement of the proposed enormous quantity of waste on top of a surface that is known to have poor water absorption

qualities and to be in a geological feature (the Cotswold escarpment) known to be highly susceptible to landslide risk.

Where high surface water flood risk is combined with geologies known to be subject to elevated slope instability the location will be exposed to substantially increased risk of landslip.

The combination of water and slope instability is a toxic combination that produces potentially catastrophic threats to people and property located in the immediate vicinity of the proposed development.

The development site is situated at the foot of the Cotswold escarpment that places it in a high-risk zone with significant vulnerability to landslip arising from its geology.

The national geological map referenced below, mapping landslip risk, shows considerable deposits of landslip rock at the foot of the Cotswolds Escarpment.

The National Landslide Database lists the Cotswolds as being susceptible to Cambering and Rotational landslides.

National Landslide Review Research commissioned by the UK Government (Department of the Environment) identified nearly 9,000 reported landslides in the National Landslide Review (Geomorphological Services Ltd 1987; Department of the Environment 1994). (Other landslides not recorded in the literature exist but are not reflected in this total). The resulting distribution of recorded landslides (Figure 5.1) shows marked concentrations especially in South Wales, the Weald, along the Cotswold's escarpment, the Pennines and in the Scottish Highlands.

The report referenced below states "2013-14 and the summer of 2012 saw extensive periods of prolonged precipitation and a corresponding marked increase in the number of landslide events reported at both the coast and inland. These events had significant impacts on infrastructure and people with 43 % of landslide events involving engineered earthwork slopes.

This report goes on to state that some 43% of landslides events involve small-scale slumps or flows affecting engineered earthwork slopes of transport infrastructure embankments and cuttings.

The additional information detailed below is also very relevant to this point as it describes the instability of the geology of the planned development site.

Lee et al. (2000) describe how the National Landslide Review revealed a number of landslide prone strata and geological settings associated with particular types of landsliding:

The Development Site at Lilleybrooke Golf Course has "Group C" Landslide Characteristics; the occurrence of sequences of lithologically variable rock types which create potentially unstable conditions. For example, many areas of known instability are associated with the presence of thick horizons of impermeable fissured clays or mudrocks overlain by a massive, but well jointed, permeable caprock of sandstone, limestone or volcanic rocks. Multiple rotational slides and compound failures are the dominant forms of landsliding associated with this setting.

Classic examples of instability promoted by these unstable combinations of rocks include the Upper Greensand and Chalk overlying the Gault Clay along the Isle of Wight Undercliff (Study Area G1) and Folkestone Warren in Kent, the Carboniferous Coal Measures of South Wales, the Inferior Oolite and underlying Lias Clay in the Cotswolds, and the Millstone Grit Series of the Pennines.

RECOMMENDATION - LANDSLIP RISK

Given the enormous scale of the proposed development and waste mass to be deposited on the site, the council should insist that a plan for proposed engineering for the development on this site is presented.

It should be independently checked by qualified engineers and geological experts to ensure that the engineering will ensure that the mass of landfill to be deposited in the land raising will not be secure from flood induced landslip or slope instability which could have a devastating impact on properties downhill and adjacent to the development

Evidence base

(<http://mapapps.bgs.ac.uk/geologyofbritain/home.html?location=landslip&jobBtn=goce>)

(http://nora.nerc.ac.uk/510521/1/Penningtonetal_REVISIONv5.pdf)

<https://www.gov.uk/guidance/landfill-developments-groundwater-risk-assessment-for-leachate>

Charlton Kings Parish Council
2 Church Street
Charlton Kings
Cheltenham
Gloucestershire
GL53 8AR

Comments: 22nd May 2017

Objection

We previously commented on the earlier refused scheme 16/00383/FUL and also on revisions made in December 2016. As before we are formally reviewing the plans as they have potential impact on our parish.

We note that in April 2017 the Land Drainage Officer was concerned with the lack of drainage design details of the proposed bund, swale, basin, control device, connecting channel and outfall structure. In our view these are serious matters and the application should not be permitted without all this in place, as otherwise the risk of flooding remains. The Officer also states that 'it is important these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality'. In our view it is crucial that all technical elements of the plan are agreed and conditioned in any permission. As an example of an issue needing clarification, there is nothing specific on how the volume of water in the swale would be assessed.

We are surprised that a comprehensive geotechnical survey has not been carried out. Without such technical analysis and subsequent mitigation, it's possible that there is a risk of ground slippage. Filling on the hillside could trigger the movement of slip circles in the ground, with the potential for upwards heave and new springs being formed, as far as several hundred metres downhill of the fill. Although Ordnance Survey shows no presence of springs, these do exist and there are flows of underground water which need to be taken into account.

Detail is lacking on plans for downstream drainage and these need to be in place. Also binding conditions must be made for the on-going maintenance of the scheme.

The Charlton Kings Flood Action Group (CKFAG) has commented in detail and we support their concerns and are clear that robust flood reduction mechanisms have to be in place before any scheme begins.

As this can be considered a 'major development' it's our understanding that this means that the Borough Council has the right to insist that the scheme results in an improvement to existing drainage mechanisms, not just maintaining the status quo.

Finally, we note from the website that the application is presently due to have a delegated decision. We request that it goes before the Planning Committee, as it has before, due to its potentially seriously damaging impact not just on residents in our parish but further downstream across Cheltenham.

12 Hartley Close
Cheltenham
Gloucestershire
GL53 9DN

Comments: 2nd May 2017

Many of the negative comments made in connection to the two previous unsuccessful applications (15/00328/FUL and 16/00383/FUL) and which remain on file also apply to this current application, relating to the risks of worsening flooding, the destructive influence in an Area of Natural Beauty etc. In addition we concur with other comments made in objection to the current application. We share concerns about the increased traffic and parking at the narrow top of Sandy Lane, which is unsuitable for this, resulting from this development and about potential creeping development in this.

This proposed waste disposal and income generation scheme for the Golf Course will have a significant deleterious influence in the AONB - we note that the proposed area abuts closely on the Sandy Lane track which is used extensively as a recreational and leisure facility and is a main pedestrian access to the hill. As regular users of this area for walking, running and cycling, and as residents who are concerned about the environmental and flooding risks in the surrounding area, we object to this proposed development.

52 Sandy Lane
Charlton Kings
Cheltenham
Gloucestershire
GL53 9DQ

Comments: 5th May 2017

Letter attached.

72 Roman Hackle Avenue
Cheltenham
Gloucestershire
GL50 4ST

Comments: 2nd May 2017

I am in full support of this moving forward as it's essential to help build the game through the local community by providing a much needed academy course to help encourage children and new players to try the game.

Brookside
32 Brookway Road
Charlton Kings
Cheltenham
Gloucestershire
GL53 8HD

Comments: 2nd May 2017

I am writing as Chair of the Charlton Kings Flood Action Group to express our concern that the Planning Committee has not properly considered flood risks and exercised its official responsibilities in relation to this proposal. We realize that the council does not usually revisit decisions. However, in this case we feel it is clear that very important and necessary information has not been considered within the process or was overlooked, and thus urge the council to review the decision in this case, and address the issue of significant flood risk.

As a further general consideration arising from this, we would wish to urge that this and future such proposals should not be approved without the implementation of a very robust and informed flood reduction framework. The specifics of this case bear on the committee's need to consider in a serious and informed way the need for drainage controls before and during construction, so that the community, both neighbouring and downstream in Cheltenham, can be properly protected from surface water and downstream flooding.

With respect to the proposal, the CKFAG is concerned that the Planning Committee has not properly considered flood risks, and its responsibilities, in relation to this proposal.

1) In the minutes of the committee meeting, members acknowledged the need for training in the area of flood alleviation, so that they could discharge their responsibilities in a proper way. This seems to us not only a minimal requirement for an informed decision, but clear grounds for contesting the decision itself.

2) We note that the Planning Committee minutes give no reason why it did not exercise its authority under the Joint Core Strategy to demand a reduction in flood risk for this proposal. It also continues to ignore overwhelming evidence of flooding on the development and adjacent sites. There is a substantial evidence base on film and in county records that shows that this site is the source of considerable surface water floods which have historically and regularly flooded adjacent and downstream properties. Our conviction is that the proposal is still not fit for purpose and poses a very significant flood risk and that not to address this issue and this responsibility could be construed as negligence on the part of the committee. How this might offer grounds for legal redress in the event of future flood events is clearly a further question.

3) Could we also have clarification as to whether the council was aware, at the time of the meeting that the planning policy required that flood risk be demonstrably reduced on new developments? The minutes do not make clear whether the planning officer advised the committee on this issue, and this is something that clearly needed to be done.

4) While acknowledging the nature and limits of LLFA advice to the committee, we note that the LLFA recommended conditions that were overlooked or ignored, and we note also that the council failed to consider how flood risk was to be controlled before and during the development phase. We feel very strongly that necessary suds and flood controls must be in place before any development begins.

5) No details of downstream drainage control are evident in the plan. This is where considerable flood risk exists and has so far been ignored. This omission is a clear failure of the council's responsibility and to ignore this matter any longer would be reckless. The club has not disclosed how or where the water goes when it leaves the site, and the community, residents, council and local drainage officer must be in a position to assess how water leaves the attenuation basin through the now proposed single point of development site drainage. The plans

must provide proper details to demonstrate that the drainage management by the developer off the developer's property does not increase flood risk off the developer's property. The committee has ignored in this respect the LLFA recommendations.

6) Clearly, it is important that the drainage officer be given scope and information to comment on downstream drainage, and that a quality construction plan be submitted for the Lilleybrook waste disposal site accordingly.

7) Finally, a geological survey needs to be done urgently to assess the stability of the site, and its capacity safely to support the proposed development. At the moment there is an absence of any engineering details or leachate analysis or controls, as well as a lack of specific detail of the nature and mix of the waste materials involved, and issues of water sedimentation, sewer blockage and contamination downstream.

Noting that the last occasion this matter was reviewed, 4 councillors abstained from making any decision on the matter, and that the need for training was explicitly acknowledged it is evident that the committee is currently not confident about its ability to assess these complex matters. We at the CKFAG would be very pleased to provide them with training and support to understand why the proper management and control of this very significant and powerful surface water flooding source is so important to the safety and interests of the community. We would recommend this is done before this proposal is re-visited at planning committee.

In the event that the committee is minded to approve the plans without addressing the very real issues and dangers highlighted in this and other correspondence to the council, the CKFAG will be forced to escalate the matter to the County for review.

28 Everest Road
Cheltenham
Gloucestershire
GL53 9LG

Comments: 18th May 2017

Lilley Brook Golf Club is attempting to improve its golfing offering to the local community, having quite recently become a CASC. This application has been very carefully considered by the club, and my understanding is the so called 'flood' issues will be improved via re-shaping of land and the addition of further ditches that are not currently there. The floods that happened in 2007 were a once in generation day where blockages in PUBLIC DRAINS and soakaways on the roads leading down from Leckhampton hill were the culprit for the flooding in Sandy Lane - it was NOTHING TO DO with the golf course drainage.

At a time when more and more children spend all their spare hours staring at video games on Iphones, one would hope the council will see that any sensible attempt to improve sporting facilities in Cheltenham should be supported. Furthermore I understand there will be zero traffic affect on Sandy Lane as the work will take place via access from the golf club car park i.e. Lilley Brook private property.

It really is time this application was passed and the Nimby's in Sandy Lane read the facts.

40 Tommy Taylors Lane
Cheltenham
Gloucestershire
GL50 4NJ

Comments: 18th May 2017

I would like to register my support for this application.

It is a fantastic initiative that will help promote the game within the local community and offer a much needed place for children and beginners to learn.

This will all be achieved without any negative impact on the surrounding areas, especially now that the concerns have been addressed with regard to access.

39 Roman Road
Abbeymead
Gloucester
GL4 5HR

Comments: 18th May 2017

In my view this application should be approved. The proposal to provide a "mini golf course" where both young and old can get into golf is a great idea. We should be grasping all opportunities to encourage people to take up sport and exercise to improve their health and golf is such a wonderful and sociable past-time in which to do that.

My understanding is that the previous application was rejected on 2 counts; an archaeological dig/survey and concerns about additional surface water. The dig/survey has been completed with a green light to proceed and measures are in place in excess of current mandated standards to ensure that additional surface water from this practice area will not impact on Sandy Lane residents.

I can therefore see no reason why it should not be approved and very good reasons why it should be.

With reference to the recent planning application submitted by the Silley Brook Golf Club.

We have visited the Planning Office and studied the new plans and information regarding this project. Much of the correspondence you received for the two previous applications has concerned the use of domestic roads, particularly Sandy Lane.

The latest proposal raises these concerns again about off-street parking and access to the site. Although we understand that lorries will be re-routed from Cirencester Rd across the golf course during construction we have grave concerns about what happens afterwards.

Sandy Lane residents are already having to tolerate dangerous parking on verges and pavements and obstructing pedestrians and house entrances when rugby and cricket matches are being played in the Pates Field and these new proposals may well exacerbate this problem.

It is essential that ^{the} Page 137 be no
authorised or other access for people coming to
play golf or to be dropped off by parents + others
for lessons from Sandy Lane which would
encourage ^{more} car parking here.

Access by car or pedestrians should only be
permitted from the main Golf club entrance



9



BUILT
Recd - 3 MAY 2017
ENVIRONMENT

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APPLICATION NO: 17/01220/FUL	OFFICER: Mrs Emma Pickernell
DATE REGISTERED: 4th July 2017	DATE OF EXPIRY: 29th August 2017
WARD: Benhall/The Reddings	PARISH:
APPLICANT: Mr M Le Grand	
AGENT: Mark Le Grand & Co	
LOCATION: Cotswold View ,The Reddings, Cheltenham	
PROPOSAL: Demolition of existing dwelling and erection of 3no. dwellings	

RECOMMENDATION: Permit



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site is a two storey detached dwelling located on the north side of The Reddings, just to the west of the junction with North Road East.
- 1.2 Planning permission is sought for the demolition of the existing dwelling and its replacement with three dwellings; a detached dwelling and a pair of semi-detached dwellings. The dwellings would be rendered with slate roofs and each would be provided with its own driveway and amenity space.
- 1.3 The application has been called to committee by Cllr Britter who has concerns regarding; overbearing impact, visual impact, loss of character, highway safety and precedent.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport safeguarding over 15m

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 4 Safe and sustainable living

CP 7 Design

HS 1 Housing development

HS 2 Housing Density

TP 1 Development and highway safety

TP 6 Parking provision in development

Supplementary Planning Guidance/Documents

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

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Ward Councillors

1st August 2017

I am writing to you as Borough Councillor for Benhall & The Reddings Ward in which the above application has been made.

This planning application is strongly opposed on the grounds of; overbearing visual impact, the effect on the character of the neighbourhood and Highway Safety. Having reviewed the plans submitted and receiving much feedback from local residents I strongly support their objections and believe the development would have profound detrimental and devastating effects for the local community.

Strong public opposition

There is extremely strong public opposition to this proposal. Many residents who live adjacent to the proposed site have expressed very real and personal reasons why this development should not be permitted. I have encouraged residents to confirm their objections to you directly but list what I see are the reasons for recommending refusal to this application.

Overbearing

I believe that this proposal is equivalent to a back garden development in the sense that it looks to build three houses on a plot where there is currently only one. Local Policies confirms that we will resist back garden development when it is inappropriate and impacts adversely on the overall environment

It appears that the drawings provided do not match the proximity of the neighbouring properties which are in fact much closer than shown. The buildings completely fill the widthways plot, are tightly spaced not only to each other but also with adjacent properties. This makes for an over-bearing development that looks out of place with the surroundings and impacts the privacy of neighbours and denies them light. The proposal does not indicate a pavement adjacent to the road which is contrary to the precedents set for other development in the area since the 1970's. The introduction of a pavement, which I believe is needed, may result in the need to push the properties back further from the road to create a drive of sufficient length & this may prejudice the light and privacy of neighbouring properties.

Visual Impact / Loss of Character

The Reddings has many original houses, dating back to the 19th century. These have been interspersed with houses from the 1950's to the 1980's which gives The Reddings a 'village feel' a unique character in Cheltenham and the houses that exist are of high quality and aesthetically pleasing. This proposal aims to demolish and break up this mix which does nothing to enhance or blend with the character of the area or contribute positively to improving the area for people living in the locality.

Road Safety

I am very concerned by the impact this will have on the road traffic and safety in this area. It site is located on a main bus route and with the traffic congestion that is already experienced in The Reddings would be compounded. Even more it would also be dangerous for residents without a turning facility to reverse off their drives as they don't have a clear view of the road. This location with its proximity to a roundabout will add a further element of danger.

Creating a precedent

I fear that approval of the application will raise the potential precedent for further "garden grab" applications.

Conclusion

For the reasons set out I believe that Cheltenham Borough Council has no choice other than to recommend refusal of this application.

GCC Highways Planning Liaison Officer

22nd August 2017

The site is in a primarily residential area, adjacent to a Class 4 highway, there are street lights and limited footways. The Reddings is on a bus route which connects users to a wide range of amenities. There are no parking restrictions.

Concerns have been raised by The Reddings Residents Association, I have given consideration to their comments.

Revised plans numbered 17-230-07 Plot 1, 17-230-07 Plot 2 and 17-230-09 Plot 3 received on 10th August 2017, show that the required visibility splays of 54m from each driveway can be achieved. Parking is provided at 2 spaces per dwelling, at this location turning is not required for single driveways. While the RRA have submitted photos showing that vehicles

park on the opposite footway, the indiscriminate parking is an existing situation and the addition of 3 dwellings with parking within the site curtilage is unlikely to increase this. It is a drivers responsibility to ensure they park legally and safely.

I refer to the Amended Plan(s) numbered 17-230-07 Plot 1, 17-230-07 Plot 2 and 17-230-09 Plot 3 in respect of the above planning application received on 10th August 2017 to which no Highway objection is raised subject to conditions:-

1. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:
 - i. specify the type and number of vehicles;
 - ii. provide for the parking of vehicles of site operatives and visitors;
 - iii. provide for the loading and unloading of plant and materials;
 - iv. provide for the storage of plant and materials used in constructing the development;
 - v. provide for wheel washing facilities;
 - vi. specify the intended hours of construction operations;
 - vii. measures to control the emission of dust and dirt during construction

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

2. The vehicular accesses hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 54m distant in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

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

3. The building(s) hereby permitted shall not be occupied until the vehicular parking [and turning] [and loading/unloading] facilities have been provided in accordance with the submitted plan 17-230-07 Plot 1, 17-230-07 Plot 2 and 17-230-09 Plot 3, and those facilities shall be maintained available for those purposes thereafter.

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

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

The proposed development will require the provision of a footway/verge crossing and the Applicant/Developer is required to obtain the permission of the County Council before commencing any works on the highway.

Tree Officer

18th July 2017

The Tree Section has no objection to this application subject to the remaining corkscrew and 2 birch trees to the rear as well as the small rowan to the front being protected during the course of demolition and construction by fencing as per BS 5837 (2012).

Similarly, several small trees to the front and rear have recently been removed/destroyed . Please could a landscape plan be submitted and agreed showing species, size, location etc on each plot to mitigate for the loss of these trees.

Architects Panel

8th August 2017

Design Concept:

The panel had no objection to the principle of the proposed development on this site. The site layout, building density and scale of the buildings are in keeping with other plots in the area.

Design Detail:

The architecture is not particularly inspiring but will be satisfactory in context with other residential developments in the area.

Recommendation:

Support.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	24
Total comments received	48
Number of objections	48
Number of supporting	0
General comment	0

5.1 The application was publicised by way of letters to 24 neighbouring properties. 48 objections have been received which relate to the following matters:

- Existing building is historic and should be retained
- Proposed dwellings are out of character with local area
- Loss of light and privacy to neighbours
- Density is too high
- Proposal will result in highway danger
- Construction will result in danger and nuisance
- Loss of hedge and impact on habitats
- Impact on drainage

6. OFFICER COMMENTS

6.1 Determining Issues

6.1.1 The key issues in determining this application are considered to be (i) principle of development, (ii) demolition, (iii) design and layout, (iv) impact on neighbouring property, (v) access and highways issues, (vi) Trees and landscaping.

6.2 The site and its context

- 6.2.1** The application site is within the Principal Urban Area of Cheltenham and is currently occupied by a dwelling. Therefore the principle of development in this location is acceptable.
- 6.2.2** Paragraph 49 of the NPPF advises that when determining applications for housing they *“should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites”*; as it stands, the Council is currently unable to demonstrate such a five year supply
- 6.2.3** Where housing policies are not considered to be up-to-date, the NPPF is quite clear that development proposals should be approved without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF policies as a whole, or specific NPPF policies indicate that development should be restricted.
- 6.2.4** In this instance the site is within the Principal Urban Area of Cheltenham and is surrounded by residential development. As such the key issue here is whether there are significant adverse impacts of approving this development which would outweigh the benefits.
- 6.2.5** At Paragraph 53 the NPPF states *“Local Planning Authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.”* Cheltenham Borough Council has adopted a Supplementary Planning Document: Development on Garden Land and Infill Sites in Cheltenham. This document provides detailed advice on how to assess such schemes and this will be discussed further below.

6.3 Demolition

- 6.3.1** The proposal involves the demolition of an existing building. There are no statutory protections for this building as it is not listed and is not in a conservation area. As such express consent would not be required for its demolition.
- 6.3.2** The building does appear to be of some age, with a house in this location appearing on the historic maps from the early 1800s. The Reddings Residents Association have asked the Council’s Conservation Officer to consider issuing a Building Preservation Notice with a view to asking for the building to be listed. He has discussed the matter with Historic England’s Listing Department and has advised that he will not be recommending that a Building Preservation Notice is issued. For a building to be listed it needs to be of national importance in terms of architectural or historic interest. The building itself has gone through a large number of alterations over the years which has included the loss of original features such as windows and doors, including large extensions to the rear. From examination of the recent sales particulars it is also clear that there is little original historic fabric surviving internally. Whilst there is still a degree of historic interest in the fact that it is a former market garden with associated outbuildings, owing to the subdivision of plot in the 1970s much of the historic character of this has been eroded. As a result of this, and following consultation with Historic England the building is not considered to have sufficient architectural or historic interest to warrant a BPN as the chances of listing are negligible.
- 6.3.3** As such whilst Officers understand the desire amongst the community to retain the building it is not considered that there are grounds to resist its demolition, given that express consent would not be required and there is no appetite amongst the Council’s conservation officer or Historic England to list it. There have also been requests to add the property to the

Local List. Again the Conservation Officer does not consider it worthy, however in any event this would not afford the building any statutory protection.

6.4 Design and layout

- 6.4.1** Para 56 of the NPPF states that good design is a key aspect of sustainable development and is indivisible from good planning. Para 60 states that decisions should not attempt to impose architectural styles or particular tastes, it is however proper to seek to promote or reinforce local distinctiveness.
- 6.4.2** Policy CP7 of the Local Plan states that development will only be permitted where it is of a high standard of design, reflects the principles of urban design and complements and respects neighbouring development and the character of the locality.
- 6.4.3** The Development on Garden Land and Infill Sites in Cheltenham Supplementary Planning Document states that proposals for development on garden land should be based upon a thorough understanding of the character of the neighbourhood, and in particular the street and block within which the site is located.
- 6.4.4** The Reddings is primarily made up of detached and semi-detached houses of two storeys in height. There is a mixture of brick and render in the locality. As such the general form of development is in keeping with the surrounding development. The proposed block plan reveals that the footprints of the proposed dwellings are similar to those of surrounding properties. The spacing between the buildings and boundaries of the site is also very similar to those of surrounding dwellings.
- 6.4.5** The proposed dwellings as originally submitted were higher than the neighbouring houses, however the heights have been reduced and are now similar to the ridge line of the adjoining properties. The eaves line is also similar.
- 6.4.6** There is variety in the exact design of buildings in the locality with a mixture of hipped and gabled roofs, some dwellings with bays and a variety of porch designs. The pitched roofs with projecting gables proposed in this scheme is considered to fit comfortably within the streetscene.
- 6.4.7** For these reasons it is considered that the proposal takes on board the advice of the SPD and shows an appreciation of the character and layout of the neighbourhood. The proposed layout and design is therefore considered to be acceptable. This conclusion is endorsed by the Architects Panel.

6.5 Impact on neighbouring property

- 6.5.1** Policy CP4 of the Local Plan states that development should only be permitted where it would not cause unacceptable harm to the amenity of adjoining land users and the locality.
- 6.5.2** The impact on neighbouring properties is considered as follows:

Columb

This property is to the west of the application site. There would be 4m between the side elevation of the plot 1 and Columb. There are no windows proposed in the side elevation of plot 1. There are windows in the side elevation of Columb, however none of these are the sole window to a habitable room and as such the impact upon light entering these rooms is acceptable. Plot 1 projects beyond the rear of Columb however it passes the light test. As such the impact upon this property is considered to be acceptable.

Thurlea

This property is to the east of the application site. There would be 3.2m between the side elevation of plot 3 and Thurlea. This property has a secondary kitchen window at ground floor and a utility room door. It also has one upstairs window which serves a landing. There are windows proposed in the side elevation of plot 3; two of these serve bathrooms and would therefore be obscured. The third is a secondary kitchen window. There is a boundary fence between the properties which should prevent overlooking, however it is considered appropriate to attach a condition which requires all side facing windows to be obscure glazed.

Springfields and 1 – 3 Springfield Close

The proposed dwellings have been positioned to ensure that 21m is retained between first floor windows and that there is 10.5m from first floor windows to rear boundaries. There is a projection at ground floor which means that they come slightly closer at that point, however this is a common arrangement. The proposal is therefore considered to have an acceptable impact upon these properties and is in line with advice contained within the SPD.

- 6.5.3** It is acknowledged that the proposal will result in more of an impact upon neighbouring properties than the existing dwelling, however the proposal has been designed to fit within the amenity criteria used by the Local Authority and as such any impact is considered to be acceptable.

6.6 Access and highway issues

- 6.6.1** The application proposes the formation of three access points from The Reddings with private parking for 2 dwellings per property. A small area of landscaping would be provided along the frontage along with dwarf walls of no higher than 600mm.
- 6.6.2** During the course of the application the applicant was requested by the County Council to provide further information regarding visibility splays from each of the driveways. The Highways Officer has now confirmed that the proposal is acceptable from a parking, access and highway safety perspective, subject to a number of conditions.
- 6.6.3** A number of concerns have been raised on highway safety grounds and the Highways Officer has had sight of these. It is appreciated that there are existing concerns about highway safety in the locality, however this proposal has been designed to provide adequate parking for each dwelling and has demonstrated that the driveways will comply with the design criteria used by highways to ensure that they can be used safely. As such the proposal should not exacerbate the issues and may help to resolve them by limiting the on-street parking along this stretch of road.
- 6.6.4** As such the proposal complies with policies TP1 and TP6 of the Local Plan and there are no sound highway reasons to withhold consent.

6.7 Trees and Landscaping

- 6.7.1** There are no significant trees on the site. A condition is attached requiring the protection of those trees which are to remain and the provision of suitable landscaping for the remainder of the site. Subject to these controls the tree and landscaping implications are considered to have been adequately addressed.

7. CONCLUSION AND RECOMMENDATION

- 7.1** As discussed above the principle of the development is supported and the application has clearly been designed to address all of the relevant design, amenity and highways criteria which are applicable.

- 7.2 The concerns of the residents have been duly noted however based on a thorough analysis of the site, its surroundings and the proposals it is apparent that there are no sound planning reasons to withhold planning permission in this instance.
- 7.3 As such it is recommended that planning permission be granted subject to the conditions outlined 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 No external facing or roofing materials shall be applied unless in accordance with
a) a written specification of the materials; and
b) physical sample/s of the materials,
The details of which shall have been submitted to and approved in writing by the Local Planning Authority.

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

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

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

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

- 5 The vehicular accesses hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 54m distant in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.

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

- 6 The building(s) hereby permitted shall not be occupied until the vehicular parking [and turning] [and loading/unloading] facilities have been provided in accordance with the submitted plan 17-230-07 Plot 1, 17-230-07 Plot 2 and 17-230-09 Plot 3, 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.

- 7 Prior to the implementation of any landscaping, full details of a hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all walls, fences, trees, hedgerows and other planting which are to be retained; details of all new walls, fences, other boundary treatment and finished ground levels; details of the hard surface treatment of open parts of the site which shall be permeable or drained to a permeable area; a planting specification to include [species, size, position and method of planting of all new trees and shrubs]; and a programme of implementation.

All hard and/or soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority.

Any trees or plants indicated on the approved scheme which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size to be first approved in writing by the Local Planning Authority. All hard landscape works shall be permanently retained in accordance with the approved details [delete if not appropriate].

Reason: In the interests of the character and appearance of the area, having regard to Policies CP1 and CP7 of the Cheltenham Borough Local Plan (adopted 2006). Approval is required upfront because the landscaping is an integral part of the development and its acceptability.

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

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

INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to

dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

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

In this instance, the authority sought amendments in order to make the scheme acceptable.

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

- 2 The proposed development will involve works to be carried out on the public highway and the Applicant/Developer is required to enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing those works.
- 3 The proposed development will require the provision of a footway/verge crossing and the Applicant/Developer is required to obtain the permission of the County Council before commencing any works on the highway.

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APPLICATION NO: 17/01220/FUL		OFFICER: Mrs Emma Pickernell	
DATE REGISTERED: 4th July 2017		DATE OF EXPIRY : 29th August 2017	
WARD: Benhall/The Reddings		PARISH:	
APPLICANT:	Mr M Le Grand		
LOCATION:	Cotswold View, The Reddings, Cheltenham		
PROPOSAL:	Demolition of existing dwelling and erection of 3no. dwellings		

REPRESENTATIONS

Number of contributors	48
Number of objections	48
Number of representations	0
Number of supporting	0

Fernleigh
 The Reddings
 Cheltenham
 Gloucestershire
 GL51 6RY

Comments: 10th July 2017

I wish to object to the proposed demolition of Cotswold View and construction of 3 dwellings.

1) The Reddings has many original houses, dating back to the 1800s - of which Cotswold View is one. It is not Grade II listed but remains historically important as one of the character Victorian cottages on the road. The Reddings stands out in Cheltenham because it has retained many of these unique period homes, not found elsewhere in the town. To remove Cotswold View would be an act of vandalism. The house is perfectly serviceable and could provide many more years of use. To lose it from the road would be a huge loss and would change the character of the road. It would also set a dangerous precedent around destroying period homes to make room for new builds. The Hayloft farce, at the far end of the Reddings, has begun this process and this would fuel the problem. I implore the Council to make a stand.

2) The proposed dwellings are completely out of character with the rest of the road and would stick out as entirely inappropriate compared to the other houses. The proposed construction is more in-keeping with a modern estate rather than a road of unique dwellings.

3) The density of the proposed dwellings is inappropriate. Most other houses sit on spaced detached or semi-detached plots. The close construction of the squeezed in houses proposed would not be in-keeping with the rest of the road.

4) The traffic on the Reddings has increased in recent years as it is used as a 'rat run' (BMW and the proposed retail park on Grovefield Way will only make this worse). To have 6 vehicles reversing onto the road, this close to the roundabout, would be unsafe. The Reddings is also a busy bus route and added traffic manoeuvres on the road will prove more hazardous.

5) Construction will cause danger, nuisance and additional traffic issues.

I request the council refer this to Committee and give the matter due consideration. It is an entirely undesirable and inappropriate proposal and must be rejected.

16 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SE

Comments: 26th July 2017

This will be terrible for parking, traffic and the demolition of such an old historic building is a crime. This is greed pure and simple. No one in the area wants this.

6 Old Reddings Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SD

Comments: 26th July 2017

Unnecessary demolition of period property which is destroying the history of this area, and is also creating a traffic hazard to an area where increased traffic has already been created by the BMW package approval and the GCHQ logjam, which means the reddings road is now an access road for traffic to the motorway and buses going to the park and ride.

Fosseway
North Road East
The Reddings Cheltenham
Gloucestershire
GL51 6RE

Comments: 26th July 2017

This application does not enhance the area and will present a considerable danger to the safety of residents and others travelling through the Reddings. The existing property dates back to the 1820's and is one of the oldest buildings in this community and should therefore be preserved.

This application is yet another example of the inappropriate and ill thought through developments being proposed for our neighbourhood. It will add serious disruption to the free flow of traffic in the Reddings, both during construction and when complete. This avoidable by rejecting this planning application.

Amity
78 Redgrove Park
Cheltenham
Gloucestershire
GL51 6QZ

Comments: 26th July 2017

Object

Coppalex
North Road East
The Reddings Cheltenham
Gloucestershire
GL51 6RE

Comments: 26th July 2017

We object to the plans to demolish the beautiful, unique 18th Century cottage 'Cotswold View' only to be replaced by three new dwellings. This development will do nothing to enhance the area and the loss of privacy to neighbouring properties must be taken into account.

There is another beautiful cottage in North Road East that was recently renovated however the garden which was once an orchard has been separated from the main house and is now a rubbish tip as we understand the developer has run out of money. This does not enhance the area and we have concerns that the same thing could happen to 'Cotswold View'.

8 Frampton Mews
The Reddings
Cheltenham
Gloucestershire
GL51 6UG

Comments: 26th July 2017

Old historic cottage being demolished.

Cramming in new buildings, out of character with neighbourhood.

Dangerous access for cars and pedestrians.

Increased traffic. Major disruption in the construction phase.

4 The Grange
The Reddings
Cheltenham
Gloucestershire
GL51 6RL

Comments: 27th July 2017

On the following grounds:

Not in keeping with the area. No footpath so dangerous access in and out. Destruction of an hedge used by house sparrows. A species in rapid decline. Loss of a character property.

7 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SE

Comments: 27th July 2017

Destroying a historic building of the area.

2 Tylea Close
The Reddings
Cheltenham
Gloucestershire
GL51 6RB

Comments: 27th July 2017

I do not think it is appropriate to lose a traditional building from the Reddings to squeeze 3 properties into a space that is just not big enough.

Fayrecroft
North Road East
The Reddings Cheltenham
Gloucestershire
GL51 6RE

Comments: 27th July 2017

One of the main attractions of living in the Reddings is the eclectic nature of the housing stock , where modern housing is complemented by the Victorian detached, semi detached and terraced buildings.

We have already seen the visual quality of the area deteriorate through the building of the vile monstrosity that is BMW.

I was shocked to see that a character 19th century cottage was to be demolished in favour of a bland development of three tightly crammed boxes.

However aesthetics aside, I am deeply concerned of the impact of three houses with parking for six cars will be on road safety.

The cottage is situated very near the North Road East roundabout which is becoming increasingly hazardous to negotiate as commuters use Reddings Road as a rat run.

There is no footpath on this side of the road and I am very concerned that this will lead to a road traffic accident.

Already there is increased off road parking following the opening of BMW. During peak times Reddings Road and North Road East both become chicanes as drivers weave in and out between these parked cars.

A number of years ago I witnessed the aftermath of a child being run over in Reddings Road. This was deeply traumatic for everyone involved. I do not ever want to see this again.

I feel that the development of three new houses in this confined area will only lead to an increased risk of further accidents.

Pserimos
The Reddings
Cheltenham
Gloucestershire
GL51 6RL

Comments: 9th July 2017

I strongly object to this development and ask that the following points are taken into consideration:

1) Property Style Not In Keeping With The Road/ Area - The Reddings is a unique road with a certain semi-rural character, with predominantly individually styled properties. The proposed development to slap 3 modern estate style properties is NOT in keeping with the properties in this road.

2) Density of housing too high - The properties in this road are generally well spaced. The Reddings is NOT a typical modern housing estate where properties are 'squeezed in' at all cost. The density should not be more than the average for the street as a whole.

3) Loss of Character - The existing property has a certain character in keeping with the area/ road. We should not be allowing the properties in this road to simply be flattened to turn it into a housing estate.

4) Congestion - The road is very busy Mon-Fri during the hours of 7am-9am and 4pm-6pm with work traffic cutting through from Churchdown to the A40/ M5. It is NOT acceptable therefore to turn this road into a traffic bottle neck at peak times during construction. The local people should NOT have to suffer!!

5) Access to properties - The design of access must be carefully considered. We cannot have further properties on the road where cars are reversing in/ out of the driveway. There should be ability for cars to go in/ out of the properties without the need to reverse in/ out, so as to avoid serious road safety issues.

6) Road Traffic Risk - There is already a BIG issue in the road with fast moving vehicles cutting through from Churchdown to A40/ M5, whilst residents are trying to enter or leave their properties. I have seen lots of near misses within the last 12 months. Traffic calming should seriously be considered for this road before any further traffic/ access issues are added to it. THIS IS A MUST BEFORE ANY DECISIONS ARE MADE!!!

Finally, PLEASE CONSIDER THESE POINTS SERIOUSLY!! I'm sure these are glanced at then filed away, I have little faith in the system and so would appreciate a fair and due process being made visible to the public to address these points properly.

Lynwood
The Reddings
Cheltenham
Gloucestershire
GL51 6RL

Comments: 27th July 2017

I object to this development because demolition of the current building would be a loss to the history of this area, and 3 proposed houses to be built on the site would be very cramped in. with associated traffic increase and strain on the existing drainage system.

1 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SE

Comments: 22nd July 2017

I would like to register my objection to this planning application.

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I own 1 Springfield Close which backs onto the property and strongly object to this development on a number of points:

1. The new buildings will directly cause a loss of lighting to my house and garden.
2. The new buildings will lead to a loss of privacy for myself and my children, with the new buildings being situated much closer to my house than the existing property.
3. The Reddings is a busy road and it would be very dangerous for cars from the proposed houses to reverse out onto the road, especially as it is so close to the roundabout.
4. The road is already congested with parked cars. The proposed houses would bring with them more parked cars.

3 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SE

Comments: 26th July 2017

My property backs on to the proposed building. With the suggested elevation of the new buildings this will have serious impact on light on my property in addition to the total lack of privacy that such building will impose. We have had serious issues with sewerage in the past and increasing the quantity of raw sewage will I suspect have impact locally. It is only because local residents are careful that repeated blockages don't happen. The main cause was suggested to be that the system was not really big enough to support the houses - 2 more houses will not help.

I am devastated that the village will possibly lose such a lovely old building; there must be an accountability within the Council of stewardship - let's look after our important social history; when it's gone it's gone - this is a one way decision and the planning department will not be able to bring this lovely old building back if it is demolished. I would urge you to visit and see this lovely cottage.

I suspect if this was in Stow, Bourton, Winchcombe etc there would be no question of demolition! Come on Cheltenham we can do better than this!

5 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SE

Comments: 26th July 2017

I object for the following reasons

- Adequacy of parking, loading and turning
- Highway safety - distance from mini roundabout
- Layout and density of buildings
- Overlooking/ loss of privacy

7 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SE

Comments: 18th July 2017

I would like to strongly object to this proposal of the knocking down of the beautiful 'Cotswold View' in The Reddings, to build THREE new cramped dwellings on this busy road in the area that I live in.

Before making my specific points I would like to say that I am completely disgusted with the way that The Reddings has already been trashed over the past 4 decades.

Firstly, the link road was built that runs past B&Q. I did an in-depth investigation into this before it was built, monitoring traffic flow and there was NO reason for it to be built based on that. No - it was built on GREENBELT land so that MORE houses and industrial buildings could be erected afterwards and NOW traffic flow on North Road is terrible. NOW we have a growing, ugly industrial estate on what used to be a rural area of meadows and fields. NOW animals have nowhere to live and many roads are dangerous to cross for humans.

Our post office, that I went to as a child was turned into a big 5 bedroom house for rich people to buy. GREAT! (not)

Our Beautiful, Characterful, Victorian School was demolished and in it's place are now ugly houses on a NOW busier, more dangerous road.

There have been talks of building a Costa Coffee, Aldi, Office blocks etc in addition to the Asda, Pets at Home, Home Bargains, B&Q, Genetically Modified Abused Chickens (KFC) and the Travel Lodge. I objected to this but have heard nothing. Yet MORE greenbelt to be ruined(?) Slowly taking it all!!!!

The BMW building is an eye sore built on yet more greenbelt and has made traffic in our area dangerous and congested and NOW - there are potential plans to tear down Cotswold View????

I agree with all comments made by the four other people on this page and would like to state my own:

1) Trees demolished (oh, but they already did this right?) Well, no wonder flooding is a big problem in society today. Wildlife is not considered but when completely ruined it will be the end of us all.

2) Character: We have very little of it left in The Reddings. Our properties will be devalued and the whole culture of the place is changing to the point where it is not the place we chose to live in. PLEASE do not allow the few bits of history that we have left to be demolished and replaced with more ugly, modern buildings that do NOT belong here. Cotswold View is NOT a hazard, it is fit to live in and should remain.

3) Traffic congestion. The building of three new dwellings would add to the current conjection caused by the other monstrosities that have been added SINCE the link road was built in the 90s. PLEASE do not add to this or it could cause danger and death. School children wander this road as many travel from Churchdown.

4) NOISE, smell and disturbance during the building of these houses - which will impact the lives of many residents for some time.

5) Loss of light and view for many residents leading to decreased property value, mold etc.

I know this comment will probably be ignored but I hope it will at least be read so that it is understood that we are not happy. The place in which we live is already beyond recognition with conservation not seeming to be considered at all!!!!

9 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SE

Comments: 25th July 2017

I am writing in objection to the proposed development of Cotswold View, the Reddings for the following reasons:

- Road access and traffic generation

There is a significant lack of space for the construction to take place due to the lack of pavement and driveway. This means that construction deliveries and lorries will need to park on the street when loading/unloading. This will inevitably lead to significant disruption on the main road, which is one of the main bus routes into town for commuters. This will lead to increased travel times to work and increased back log of traffic creating stagnant pollution.

We also need to use this part of the road to get to the M5 and with the added traffic and road blockages will add unnecessary disruption and delay to our journey.

- Noise and disturbance

I look diagonally onto the proposed site and as a result I will suffer from the increased amount of dust and pollution that comes with a construction project of this size. The most important factor though is the additional noise this project will generate which is particularly a problem for my partner who needs to work from home at least one day a week.

- Highway Safety

It is also going to be extra difficult for pedestrians to cross the roads to the bus stops or shops leading to a safety problem. I already find it unsafe trying to cross the road with buses at the bus stop, let alone large construction trucks and concrete mixers being parked on the road all day.

- Layout and density of building

As mentioned above my property looks diagonally onto the proposed construction site. The proposal will remove the little light I currently get between the properties in my garden.

Overall, I think this proposal will cause great inconvenience to myself and my partner over the next couple of years when in construction. We will not be able to enjoy sitting in our garden looking onto a construction site and breathing in the dust and fumes especially because its not good for our asthma, Furthermore once the properties are completed there will be additional issues with the decreased lighting in our garden due to the increased size of the dwellings on the site.

I hope you take these considerations into account when analysing the proposal and try to amend the current arrangements to take into account the concerns of the property owners and neighbours alike.

Comments: 26th July 2017

I am writing in objection to the proposed development of Cotswold View, the Reddings for the following reasons:

Road access and traffic generation

There is a significant lack of space for the construction to take place due to the lack of pavement and driveway. This means that construction deliveries and lorries will need to park on the street when loading/unloading. This will inevitably lead to significant disruption on the main road, which is one of the main bus routes into town for commuters. This will lead to increased travel times to work and increased back log of traffic creating stagnant pollution.

We also need to use this part of the road to get to the M5 and with the added traffic and road blockages will add unnecessary disruption and delay to our journey.

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I look diagonally onto the proposed site and as a result I will suffer from the increased amount of dust and pollution that comes with a construction project of this size. The most important factor though is the additional noise this project will generate which is particularly a problem for my partner who needs to work from home at least one day a week.

Highway Safety

It is also going to be extra difficult for pedestrians to cross the roads to the bus stops or shops leading to a safety problem. I already find it unsafe trying to cross the road with buses at the bus stop, let alone large construction trucks and concrete mixers being parked on the road all day.

Layout and density of building

As mentioned above my property looks diagonally onto the proposed construction site. The proposal will remove the little light I currently get between the properties in my garden.

Overall, I think this proposal will cause great inconvenience to myself and my partner over the next couple of years when in construction. We will not be able to enjoy sitting in our garden looking onto a construction site and breathing in the dust and fumes especially because its not good for our asthma, Furthermore once the properties are completed there will be additional issues with the decreased lighting in our garden due to the increased size of the dwellings on the site.

I hope you take these considerations into account when analysing the proposal and try to amend the current arrangements to take into account the concerns of the property owners and neighbours alike.

Springfields
North Road East
The Reddings
Cheltenham
Gloucestershire
GL51 6RA

Comments: 27th July 2017

With reference to your letter dated 6th July 2017 proposing the demolition of existing property 'Cotswold View' and erection of 3 new dwellings on the same site we write below our reasons for objecting to this proposal.

- The development will result in reduced sunlight and daylight entering our garden, preventing the enjoyment of our garden.

Page 160

- The development will exacerbate vehicular usage of The Reddings during construction. This road is already busy and is a major bus route, therefore any prolonged disruption will make the road congested and dangerous.
- The construction of the development will create noise, vibration, smells, fumes, dust and grit.
- The development will cause a loss of visual amenity by virtue of overlooking of our property and garden. This will lead to a loss of privacy.
- The development will harm the amenities of the neighbouring properties by virtue of it's size and massing, and does not respect or enhance the surrounding area.
- Our house and garden will be overlooked by 6 bedroom windows.
- The density of this development, and design of the properties is not in keeping with the surrounding area and neighbourhood

The Cottage
The Reddings
Cheltenham
Gloucestershire
GL51 6RY

Comments: 27th July 2017

I cannot believe that a building such as Cotswold view could be considered at being demolished. This would be a crying shame and a change for the worst!

Cramming three new buildings into this space seems absurd.

Traffic at times is already busy especially the close proximity to roundabout and pathway running out Thurlea. This is already dangerous to people trying to cross there. Getting on and off our drive can be difficult because of these factors, negotiating these is more safe if we reverse onto drive. What happens if these houses go up? two extra drives, more cars, they will have a nightmare getting on and off there drives safely as well as people trying to cross road outside Thurlea. Also if these new house have delivery trucks or people visiting where will they park safely?

I feel sorry for the people in Springfield close who will be overlooked and lose privacy.

Andalin
The Reddings
Cheltenham
Gloucestershire
GL51 6RY

Comments: 26th July 2017

We object to the proposed development on the following planning grounds:

The proposal is a blatant over development, the three house layout is not in keeping with the existing street scene where a 2 driveway gap exists between semi detached houses and at least a full driveway gap exists on detached houses.

This over development is not only contrary to the NPPF guidance and builds over an existing garden, the proposed density and layout presents an absolute danger to pedestrians and road users alike since there is no pavement proposed in the application and the cramped over

development means that sightlines are restricted to less than 10 meters when viewed 2.0m from the highway.

This is contrary to the acceptable sightline distance stated in the planning guidance document Places, Streets and Movement A good Planning guide, which states: "Sightlines should never be reduced to a level where danger is likely to be caused" Only in exceptional circumstances should a distance of less than 2.0m be considered. We see no grounds for exceptional circumstances in this application since it is a busy school and bus route and proposing over development for profit is not an exceptional circumstance.

Similarly the proposed driveway positions will be a hazard to exiting our own drive as some are directly opposite and the road is narrow with restricted visibility.

Finally we agree with the comments that the construction will block the road and cause havoc to a bus and ambulance route.

The Brambles
The Reddings
Cheltenham
Gloucestershire
GL51 6RY

Comments: 25th July 2017
Letter attached.

Littondale
The Reddings
Cheltenham
Gloucestershire
GL51 6RY

Comments: 27th July 2017
I object due to:

- a) over development of the site
- b) concern for road safety

Enstone House
The Reddings
Cheltenham
Gloucestershire
GL51 6RY

Comments: 13th July 2017
Letter attached.

Oaklands
North Road East
The Reddings
Cheltenham
Gloucestershire
GL51 6RA

Comments: 20th July 2017

There is no pavement outside Cotswold View and none is included in this application but there are pavements on either side of the property. This is very dangerous for pedestrians and road users. When the neighbouring property "Thurlea" was built in the 1960s, the council said that the pavement would be continued outside Cotswold View but this still has not happened despite the road becoming increasingly busy. Any development which the council permits at Cotswold View should include a pavement.

The Reddings is a very busy road and it would be very dangerous for cars from the proposed houses to reverse out onto the road, especially as it is so close to the roundabout.

The road is already congested with parked cars. The proposed houses would bring with them more parked cars.

It would be tragic to destroy a character property and replace it with 3 cramped modern buildings which are not in keeping with the area.

I also do not find your GCER report reliable. I saw a hedgehog on my property last week.

Columb
The Reddings
Cheltenham
Gloucestershire
GL51 6RY

Comments: 13th July 2017

Letter attached.

Thurlea
The Reddings
Cheltenham
GL51 6RY

Comments: 26th July 2017

I live at Thurlea, next door to Cotswold View. I am writing to express my objections to this development of three houses on the site of one. The additional traffic of 3-6 cars entering and leaving the properties at a point where there is no footpath would be extremely dangerous. These are likely to be family houses with young children and the access to the road is quite unsuitable at that point. Pedestrians are already obliged to cross the road to walk down the Reddings as there is no footpath at the point.

In addition, in order to have off road parking, the houses will have to be pushed back into the area that is now a garden. Three years ago, in order to get planning permission for an extension to my house, I had to agree to having no windows on the side overlooking Cotswold View so as not to invade their privacy. I fully understood this and was happy to comply. If there are to be 3 houses built back into the garden of Cotswold View, the one closest to Thurlea will necessarily overlook my garden and considerably reduce my privacy. If there are only 2 houses I would hope they would not be built so close to my boundary fence.

Finally, I have looked at the plans and I believe they do not accurately represent the proximity of the site to my house. The front view shows a side gate between Thurlea and Cotswold View which is quite out of scale. The property closest to Thurlea would in fact be within a couple of feet of my fence.

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For these reasons (road safety, personal privacy and inaccurate representation of the space available) I object to the development as currently planned.

4 Frampton Mews
The Reddings
Cheltenham
Gloucestershire
GL51 6UG

Comments: 27th July 2017

It is a shame that such an old and graceful building is to be destroyed and replaced by a very tightly packed three bland residences which will impinge on the neighbouring houses.

The access for vehicles is not good and will probably cause traffic problems on what has become a very busy road.

Badgers Mount
Branch Road
The Reddings Cheltenham
Gloucestershire
GL51 6RP

Comments: 26th July 2017

I object

* The traffic has already increased significantly since the BMW building and at certain times of the day is extremely congested

*The council have identified a need for Office buildings not housing and there is already a big housing proposal for Grove Farm

*The site is very close to the roundabout, parked cars and buses already make this road and roundabout tricky to negotiate, making it dangerous as well for pedestrians

*There is a continued practice of planning applications being made and then subsequently modified more than once to try and manipulate the planning approval process. Why has this changed from the original plan of 2 houses?

*more houses in The Reddings is going to increase the pressure of flooding further down the road, which is already of a concern.

8 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SE

Comments: 26th July 2017

This will set a dangerous precedent for the future and will change the character of the Reddings forever.

Over the 25 years we have lived here we have had many applications approved like the Asda site, Park & Ride, BMW etc. When will it all stop?

March House
The Reddings
Cheltenham
Gloucestershire
GL51 6RL

Comments: 26th July 2017

I do not disagree with other objections to this development, in particular the generation of additional traffic both during building and after, on an already busy road which is a bus route and near a junction. I would judge that the risk of an accident which might result from this development is simply unacceptable.

Additional comments:

The proposed building line is in front of that for the existing adjacent dwellings. THIS IS TOTALLY UNACCPETABLE. The new buildings should be moved away from the road by approximately 0.8 metres.

It is ludicrous that the front gardens of the new properties extend to the kerb side. THIS IS A SERIOUS SAFETY HAZARD. A pavement MUST BE PROVIDED to align with the pavements in front of the properties either side.

I understand that it is a requirement of Planning Law that a notice be prominently displayed ON THE SITE advising that a planning application has been submitted. There does not appear to be such a notice. Therefore I believe that this application is currently invalid. If the developer provides such a notice retrospectively, then the timescale for comments and determination should be extended.

In view of the clear level of local concern about this development, it should be referred to the Planning Committee, and not simply rubber stamped by the Planning Department.

1 Barrington Mews
Barrington Avenue
The Reddings Cheltenham
Gloucestershire
GL51 6TZ

Comments: 26th July 2017

Any re-development should include a pavement section for both the safety of pedestrians and the vehicles entering and leaving the proposed properties.

However taking that land away from each plot will probably mean only enough space for parking 1 car per house, and then having cars parked on the road will make that already dicey section of road (mini-roundabout nightmare) even worse.

I don't really see that plot accommodating 3 houses in such a capacious way as illustrated by the proposals. Definitely seems a case of the developer shoe-horning as much in to the space to maximise profit as their only consideration.

Alvaston
The Reddings
Cheltenham
Gloucestershire
GL51 6RY

Comments: 26th July 2017

Page 165

We strongly object to this development for several reasons.

Firstly, the issue of additional traffic and parking. The Reddings is already difficult to travel along when people park along the road and then there are buses trying to come past. It becomes very congested and it is dangerous for residents to pull on and off their drives as they don't have a clear view of the road. Additional properties will only increase this problem, and whilst work is being carried out it will be even worse with larger vehicles associated with construction and deliveries. This location is also close to the roundabout which adds a further element of danger. When people visit these properties they will end up parking on the road and causing more congestion.

Secondly, it would be a great shame to destroy the character of the area. Cotswold View currently adds to the charm of the area, whereas three new builds, squeezed into this plot, will look out of place.

Thirdly, the pavement along this road is already extremely uneven and there are parts of the road which have no footpath at all. This is dangerous for pedestrians, and further driveways will again make this problem worse. A lot of people walk dogs, run, cycle, take buses to school from this stretch of road and we are concerned about the disruption and danger during demolition and construction.

Linghem
The Reddings
Cheltenham
Gloucestershire
GL51 6RT

Comments: 26th July 2017
Object

6 Tylea Close
The Reddings
Cheltenham
Gloucestershire
GL51 6RB

Comments: 26th July 2017

We fully endorse the objections raised by The Reddings Residents Association and specifically object for the following reasons:

- a) The proposed construction is too dense and totally out of character with the surrounding area
- b) This would be exacerbated by its closeness to a roundabout, also being on a major bus route.
- c) Just because the existing building was built before a requirement for pavements is not a requisite for any potential new build too not require pedestrian pavement.

Iona
The Reddings
Cheltenham
Gloucestershire
GL51 6RL

Comments: 26th July 2017

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I was born in The Reddings over 65 years ago and have resided here all my life. I have seen many changes that have reduced the Village into a suburb of Cheltenham. This development will only exacerbate the situation by concentrating more dwellings into a compact space.

I feel that the demolition of Cotswold View which is one of the oldest buildings in the Village would destroy another piece of the village history and should not be allowed unless the building is in danger of collapse.

The only reason for it being demolished appears to be for financial gain by the developer.

It will lead to more vehicles reversing from the properties onto what is already a very busy road where drivers disregard the 30 mph speed limit.

The proposed buildings will have a detrimental effect on the properties in Springfield Close which back onto the site reducing the amount of light into their homes.

The Reddings Community Centre
North Road West
The Reddings
Cheltenham
GL51 6RF

Comments: 19th July 2017

We have studied the proposal and some of our members have conducted a site survey to examine the location and the merits of this proposal.

We have formed the conclusion that this application does not enhance the area and should it be approved would present a considerable danger to the safety of our residents and others travelling through the Reddings and cannot make the case more strongly that this proposal should be refused.

We present the reason for our objections below:

Traffic and Access

The applicant wishes to demolish an existing dwelling in order to construct three houses on the plot. The existing dwelling is a historic cottage dating back to the 1820's and is one of the oldest buildings in the Reddings. Importantly, for this proposal, the building predated public pavements and its frontage is directly onto the road with no pavement or grass buffer. Neighbouring development in The Reddings since the 1970's has established a precedent of providing a pavement for pedestrian safety. In our opinion, a pavement should be established in front of Cotswold View as a part of any proposal in the interests of public/pedestrian safety.

In addition the site is also surrounded with high fences on neighbouring sides so the visibility splays are very poor and are less than 10 metres when measuring 2 metres back from the carriageway in the centre of the driveway. The proposal shows three drive ways entering directly onto the road given the poor splays this means that cars will have to 'stick out' into much of the road in order to view if the road is clear. This will mean with no warning or visibility to other road users a car will be pulling out in front of oncoming traffic with potentially fatal results.

With all the developments in the area over the past 20 years The Reddings and Reddings Road have become very busy especially at peak times as it is used as a major route for parents transporting their children to local schools such as Benhall, Lakeside, Chosen Hill and Bournside. The Reddings is a double deck bus route for the 97/98 and the service is set to at least double under the JCS transport strategy. In addition the road is very straight which means cars regularly speed well above the 30mph limit, against this backdrop we note that the applicant has not

provided any traffic survey data covering both speed and movements to support the appropriateness and safety of their application.

This increased volume of traffic and regular speeding means that it is difficult for vehicles to perform the relatively difficult manoeuvre of reversing onto a driveway and we have received complaints from residents who have been harassed and beeped at when stopping the traffic and waiting to reverse into their drives. As a consequence it is now the norm that cars enter onto drives forward and reverse onto the road.

Given the site layout of the proposal and its proximity to a roundabout, it is a near certainty that cars will enter the driveways forward and given that no turning circle within the curtilage is proposed this means they will have to reverse directly onto the road in the face of oncoming traffic. Given the circumstances, position and road conditions it is reasonable to expect this to happen.

The proposal also takes no account of existing driveways on the opposite side of the road and makes no attempt to stagger entrances thus increasing the risk of collisions between vehicles manoeuvring out of their drives at the same time, especially when attention is focused on traffic that will collide with them from the left and the right.

Hazardous parking and blocking the bus route is also an issue this application will exacerbate. The application is proposing three small driveways for 6 vehicles with no additional visitor parking. It is common that visitors park on the road, however one aspect of this part of The Reddings is that given the number of driveways the road parking is quite restricted and parked cars very quickly block the bus route which in turn has led to inappropriate parking over the pavements, further blocking visibility.

Loss of Character

The Reddings although not a conservation area has a mix of old 19th century market garden and farm cottages interspersed with houses from the 1950's to the 1980's which have been built on the infill from the 19th Century dwellings. This gives the Reddings a unique character in Cheltenham and the houses that exist are of high quality and aesthetically pleasing.

The proposal aims to demolish a striking and character landmark cottage that enhances and reflects the history of the area and replace this with three poorly designed dwellings crammed into the plot with limited landscaping and green enhancements so the street scene will largely be vehicles on drives as seen from the road. This does nothing to enhance or assimilate with the character of the area or contribute positively to making the place better for people living in the locality. The loss of existing views from neighbouring properties would adversely affect the residential amenity of neighbouring owners. Locally known as "The White Houses", whilst not listed, they are a key part of the original character of The Reddings, and a link to the past will be lost with demolition. If permission to redevelop is granted, it raises a potential precedent for "off-plan - garden grab" type development of the "White Houses".

We also note that the developer has recently added a 3D artist's impression of what the development will look like but note that the front gardens are nothing like what is shown in the plans and the fences either side are also too low. These confused and contradictory drawings are a clear misrepresentation of what the applicant intends to build.

Over Development

It also appears to us the applicant's drawings do not truly represent the proximity of the neighbouring properties and boundaries on either side Cotswold View in the street scene. The design is for a pair of semidetached houses and a narrow detached dwelling; these buildings completely fill the widthways plot and are built over the garden of the existing dwelling. This therefore is a 'garden grab' and the proposed buildings are tightly spaced not only to each other but also with neighbouring properties. This makes for an over-bearing development that looks out of place with the surroundings and impacts the privacy of adjacent neighbours and denies them

light. This inappropriate development of a residential garden is contrary to the guidance of the National Planning Policy Framework.

If a pavement is to be provided, the back gardens will be shortened and the proposed buildings will be closer to the neighbouring properties at the rear. The increased roof height and the reduced distant could be rather dominant and prejudice the light and privacy current enjoyed by those to the rear and to the sides.

It is also the case that this represents poor design since the rear gardens of the proposed dwellings are north facing and given the density will receive no sunlight throughout the day.

The Demolition/Construction phase will be difficult to accommodate locally

The site frontage will have insufficient room to accommodate the construction welfare, compound, skips, etc. as well as parking and deliveries. This could be minimised by utilising same areas at the rear by constructing either the detached, or, the semi-detached pair of houses one at a time. Once construction on the second property. The road outside the site would need to be utilised, almost permanently for an estimated period of up to 6 months. The proximity to the roundabout and obstruction to driver's visibility approaching the roundabout along The Reddings, would mean that traffic light controls would be required across all junctions to the roundabout: North Road East, Old Reddings Road, Reddings Road and The Reddings. This would frustrate the bus timetables, local traffic flows and compromise emergency vehicles which often use the route as a high speed bypass when the A40 is congested.

2 Barrington Mews
Barrington Avenue
The Reddings Cheltenham
Gloucestershire
GL51 6TZ

Comments: 27th July 2017

I object to this proposal.

Carobs
The Reddings
Cheltenham
GL51 6RL

Comments: 26th July 2017

We fully endorse the objections raised by The Reddings Residents Association.

Hamilton
The Reddings
Cheltenham
GL51 6RY

Comments: 26th July 2017

I'm objecting to this application for two reasons - both of which could be fixed with some simple reconsideration of the plans.

The first reason is the lack of footpath on the plans. Public pavements exist on both sides of the plot, and I believe with it being redeveloped the opportunity should be taken to improve pedestrian safety and access by filling in the missing footpath. I have a small child and having to cross the road twice with a buggy, near to a roundabout, is hazardous - this is a great chance to fix it.

The second reason is that the plans look very cramped - adding 3 houses and 6 cars will be very tight and significantly affect the look of the street and the character of the road. I think two houses would be a far more sensible approach and would be more in keeping with the rest of the road.

In short - in my opinion these plans would be far safer and more in keeping with The Reddings if they were reduced to two houses and involved completing the public footpath.

Pendle
North Road East
The Reddings Cheltenham
Gloucestershire
GL51 6RD

Comments: 27th July 2017

Too much traffic and disruption with new proposal.

Woodways
The Reddings
Cheltenham
Gloucestershire
GL51 6RL

Comments: 26th July 2017

Yet again The Reddings seems to be fair game for the developers! I wish to register my objection in the strongest possible terms. The above planning application does nothing to enhance the area and will destroy one of the oldest buildings in The Reddings. Three houses where there is at present only one is simply greed on the part of the developer. Three houses means at least three cars instead of one and increases pollution. If this application is allowed it sets a dangerous precedent especially as there are several old houses in the area.

Are we going to allow developers to dictate how our environment should be managed?

Springfield
The Reddings
Cheltenham
Gloucestershire
GL51 6RY

Comments: 25th July 2017

We object to the proposed development:

1. The three house layout is contrary to the street scene. The well-established street scene along The Reddings road is one dwelling or two dwellings with their own accesses.
2. Two dwellings giving ample space around each dwelling, more in keeping with the street scene.
3. The proposal does not indicate a pavement outside, contrary to the precedents set for other development in the area since the 1970's. The general design guidance is below & is relevant. The introduction of a pavement may need to push the properties back further from the pavement to create a drive of sufficient length & this may prejudice the light and privacy of neighbours.

As general guidance, a footway width should normally be as follows:

(a) 2m for footways along roads serving more than about 50 dwellings and where the full range of services underground are to be accommodated.* This width allows for those in wheelchairs or pushing prams to pass each other.

(b) lesser widths may be used along roads serving less than 50 dwellings* - for example, footways with a minimum width of 1.35m would allow for electric wheelchairs, allow pedestrians to pass each other and may be acceptable to services providers where the range of services is divided along each side of the carriageway;

(c) an additional footway width of 800mm (preferably in a different paving material) will be required to allow for vehicles to overhang the footway in places where vehicles park at right angles to footways (see Paragraph 3.90);

(d) where practicable, at entrances to driveways, a minimum width of 900mm carried through at footway level should be provided to enable pedestrians and wheelchair users to avoid the ramps to dropped kerbs (Figure 122);

4. There is often parking on the road either side of the property, so the visibility splays are very poor. Three drive ways are opposite these new 3 drives. With all the buses, lorries, vans, emergency vehicles and cars that use the road, both for access to properties & as a bypass for the A40, often at speeds well over 30mph, proper visibility will be essential. Adequate visibility is unlikely to be satisfactory with the layout shown, especially if any of the cars reverse out of their drives, because their view will also be blocked by the high fences belonging to the neighbours on either side and by the cars, or vans parked either side of them This will mean that they will have to project out "blind" over at least half of the road width, before they can see if it is safe to do so.

5. The roundabout at the junction with North Road East will create an additional hazard for reversing onto or off the drives, the driveways opposite will exacerbate the situation, and a collision/injury is foreseeable. The route is also used by school children walking and cycling to school during peak traffic and their safety may be compromised by the poor visibility.

6. The existing dwelling is an historic cottage and is one of the local "White House" Character buildings in The Reddings. It includes the first post-office in the area as an out-building. The Reddings has a mix of old 19th century market garden and farm cottages interspersed with houses from the 1950's to the 1980's which have been built on the infill from the 19th Century dwellings. This gives The Reddings a unique character in Cheltenham, and the houses that exist are of high quality and aesthetically pleasing. If permission to redevelop is granted, it raises a potential precedent for future similar "off-plan - garden grab" type development of the "White Houses".

7. The drawings conflict. The neighbouring properties are much closer than seems to be shown on the street scene & the 3-D view shows a wall along the road boundary with a very different landscaping treatment. The trees that the tree officer wants retained are not reflected on the layouts and their positions may be a problem for the creation of a pavement/driveway/visibility.

8. The construction activity on the site will require parking, loading & unloading on the road which will interfere with the bus routes & place traffic in front of oncoming traffic off the roundabout which would be dangerous. Temporary traffic signals for up to 6 months will be required.

9. A 2 detached house, or single pair of semi-detached houses would seem more appropriate to the site location & size, if the existing property cannot be re-developed.

4 Shakespeare Cottage
North Road West
The Reddings Cheltenham
Gloucestershire
GL51 6RF

Comments: 26th July 2017

- Loss of historical character.
- Uninspiring proposed design.
- Overdevelopment of the site.
- Lack of parking
- Unsafe vehicle access / egress arrangements.

14 Springfield Close
The Reddings
Cheltenham
Gloucestershire
GL51 6SE

Comments: 26th July 2017

Cotswold View is a historical part of Reddings Village. Character of the readings should not be changed.

Folly House
The Reddings
Cheltenham
Gloucestershire
GL51 6RL

Comments: 7th August 2017

We wish to support the objections already submitted for the proposed development of 'Cotswold View'.

Comments: 17th August 2017

Map showing roundabout submitted - available to view on line.

7 The Grange
The Reddings
Cheltenham
Gloucestershire
GL51 6RL

Comments: 26th July 2017

This application does not enhance the area and should it be approved. It would present a considerable safety risk to residents and others travelling through the Reddings and for this and other reasons below the proposal should be refused.

The applicant wishes to demolish an existing dwelling in order to construct three houses on the small plot.

Neighbouring development in The Reddings since the 1970's has established a precedent of providing a pavement for pedestrian safety. This would require that in the interests of public/pedestrian safety a pavement should be established in front of Cotswold View as a part of any proposal, this would reduce the proposed driveways to unusable dimensions.

The site is also surrounded with high fences on neighbouring sides so the visibility splays are very poor and are less than 10 metres when measuring 2 metres back from the carriageway in the centre of the driveway

The proposal shows three drive ways entering directly onto the road given the poor splays this means that cars will have to project into much of the road in order to ascertain road is clear. Other road users will have no warning of a car pulling out into oncoming traffic with potentially fatal results.

Over the past 20 years The Reddings and Reddings Road have become very busy especially at peak times as it has become a major route for commuters and parents transporting their children to local schools.

The Reddings is route for the 97/98 and the service is set to at least double under the JCS transport strategy. In addition the road is straight which means that some vehicles exceed the speed limit. Despite this the applicant has not provided any traffic survey data covering both speed and movements to support the appropriateness and safety of their application.

This volume and speed of traffic means that it would be impossible for vehicles to safely manoeuvre in and out of the proposed drive ways.

Many drivers find it easier to drive forward onto drive ways and then reverse out onto the road (this is against Highway Code recommendations).and with the restricted visibility this would be a very dangerous manoeuvre .

Given the danger and difficulties of accessing these drive ways it is likely that any prospective residents of these proposed properties will park on the road and given that today most households in the area have at least two cars this leave the prospect of at least six cars being parked along this already busy narrow stretch of road only 30 metres from the mini roundabout.

The prospect of three poorly designed dwellings crammed into the plot the street scene which will largely be of vehicles parked on the road degrading the character of the area.

This proposal as it stands is entirely unacceptable.

2 Fairhaven Park
The Reddings
Cheltenham
Gloucestershire
GL51 6RW

Comments: 26th July 2017

I would like to object in the most strongest terms to the proposed application reference no: 17/01220/FUL.

This is a historic building and should be preserved, not demolished. The proposal is totally unsuitable and out of character for the Reddings. We do not need or want any development in our beautiful semi-rural community.

The proposed layout of the driveways exiting directly onto a busy road close to a roundabout is extremely dangerous with the potential to cause serious accidents.

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This proposal will dramatically adversely affect nearby residents due to loss of light, loss of privacy, increased noise and an increase in number of parked cars.

I trust all resident's objections will be given due consideration and this proposal rejected.

To Emma Pickernell



We are writing to you as we are
against the proposal and planning
application 17/01220/FUL.

Cotswold View was built in 1820
and the outbuilding was the very
first post office in the area.

Losing buildings like this for the sake
of profit is changing the character
of the area for the worst, moreover
what is being proposed is a real
danger to traffic in the area and
is an accident waiting to happen.


The Brambles. The Reddings Rd.
Cheltenham.

GL51 6RY



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Enstone House
The Reddings
Cheltenham
GL51 6RY

Emma Picknell, Cheltenham
Borough Council.

Dear Madam,

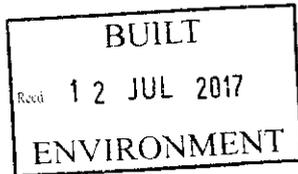
I am a resident of the Reddings and am writing about the proposed development on the site of Wiswell View.

The Reddings is a pleasant area because of an avenue of horse chestnut trees and the presence of 19th century houses. It is already over built with modern housing. In particular the

road is enhanced by six black and white cottages of which Cotswold View is one. It would be an act of vandalism to destroy this house and replace it with three modern houses packed in to a limited area. As you will know a large development is already underway in the area of the BMW site. Given this development in the area the buildings needs saving, not destroying, and I hope you and the council will slip any plans in regard to Cotswold View,

I am Madam, your obedient
servant,

[Redacted]



Columb
The Reddings
Cheltenham
Gloucestershire
GL51 6RY

10 July 2017

Mrs. E. Pickernel
Planning Environmental and Regulatory Services
Cheltenham Borough Council
PO Box 12
Municipal Offices, Promenade
Cheltenham
GL50 1PP

Dear Mrs. Pickernel

Your Reference: 17/01220/FUL. Proposal Development of Cotswold View, The Reddings, Cheltenham (neighbouring property to Columb)

With reference to your letter dated 6th July 2017 proposing the demolition of existing property 'Cotswold View' and erection of 3 new dwellings on the same site we should write to our observations and concerns about this proposal:-

1. We object to the density of this development by expressing our principle concerns relating to the road safety around this application as there would be no pavement and no turning circle for the cars, as such vehicles need to reverse onto or off the drive into an already busy stream of traffic, close to a roundabout which already has poor visibility.
2. We also object to have this new development in close proximity to 'Columb', whereby the residents of 'Columb' are to lose privacy and loss of light due to the large gable of the neighbouring new proposed dwelling being too close to the fence dividing the 2 properties.
3. The Landlord is also concerned of any devaluation of his property 'Columb' in view of this proposal and in view of the above mentioned concerns.

Yours sincerely

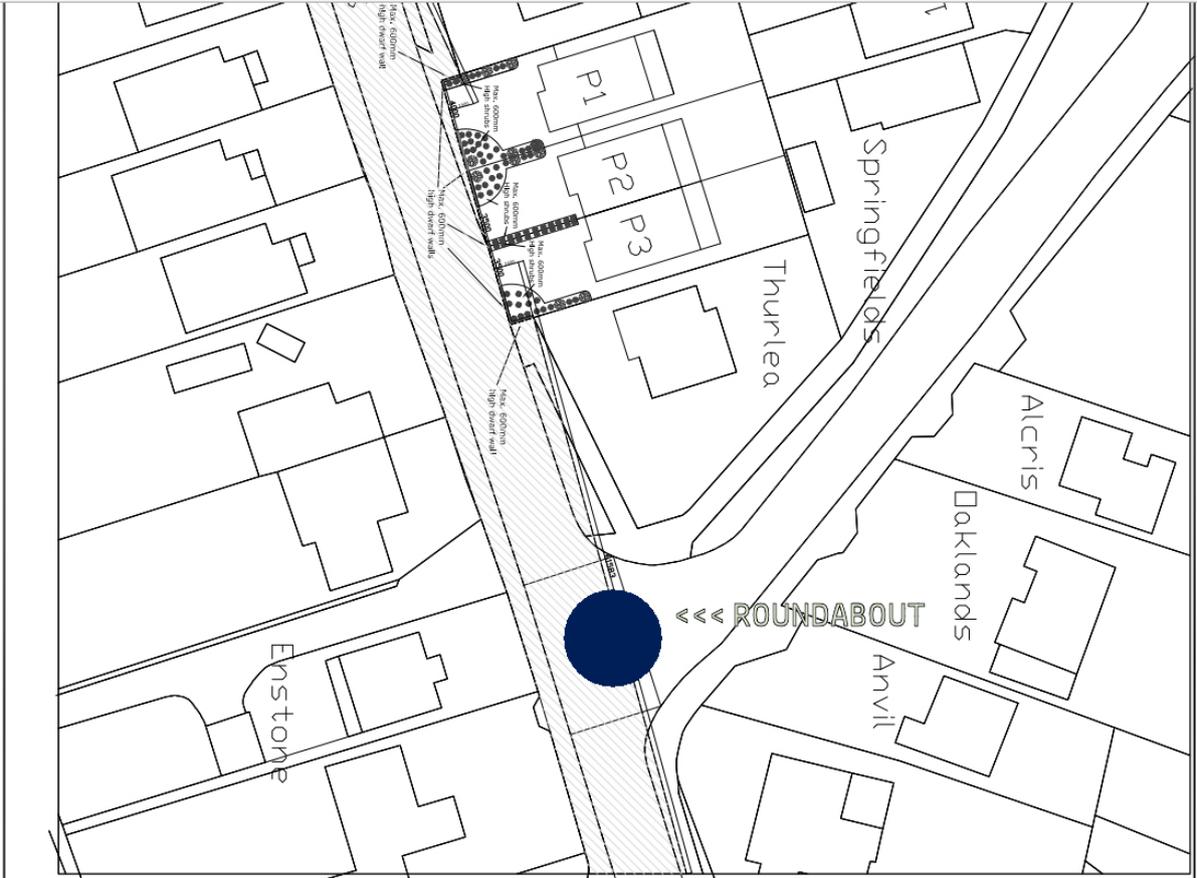
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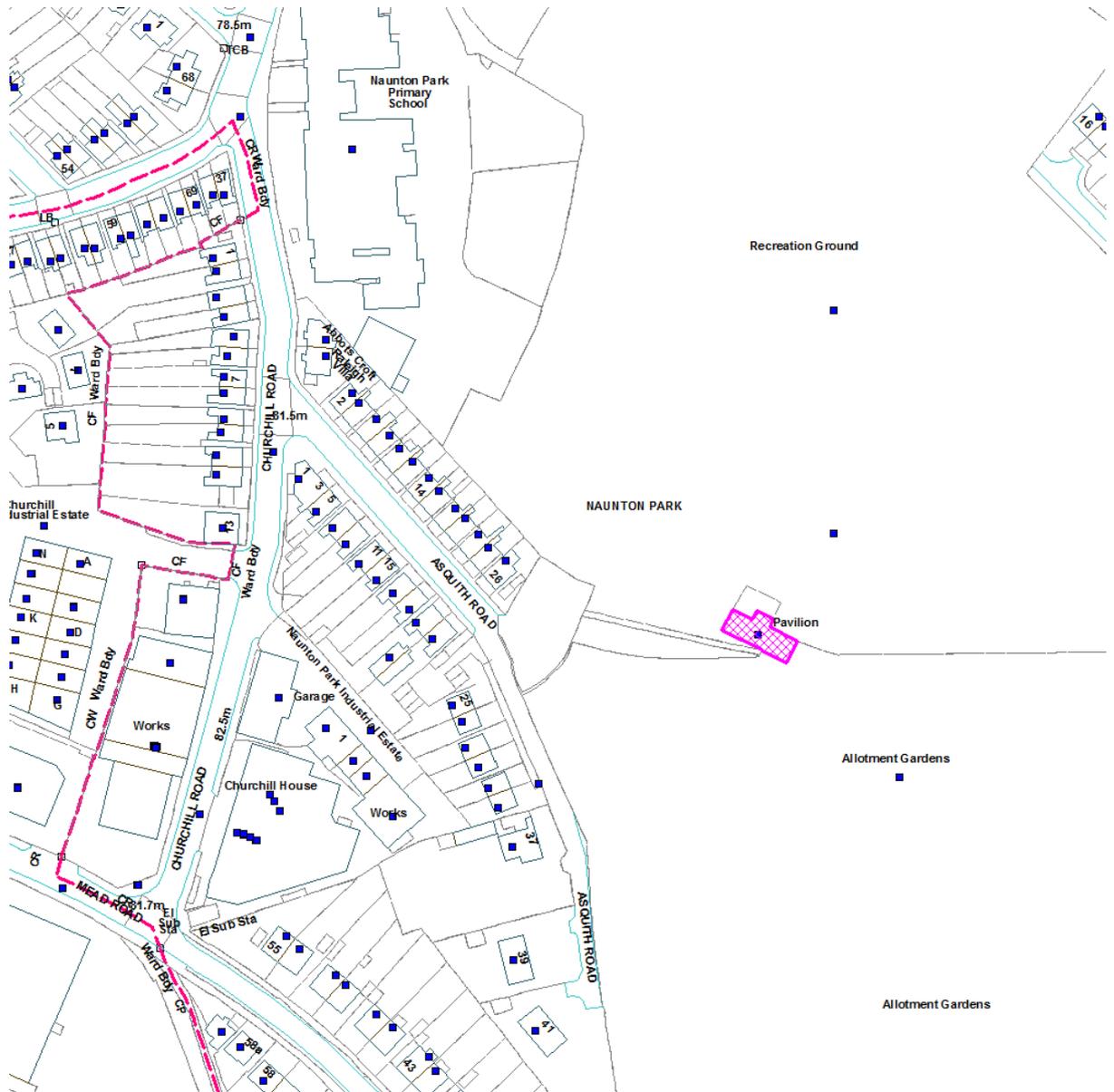
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APPLICATION NO: 17/01347/FUL	OFFICER: Mr Gary Dickens
DATE REGISTERED: 21st July 2017	DATE OF EXPIRY: 15th September 2017
WARD: College	PARISH:
APPLICANT:	Cheltenham Borough Council
AGENT:	Cheltenham Borough Council
LOCATION:	Naunton Park Pavilion, Asquith Road, Cheltenham
PROPOSAL:	To allow the function room to be used as a tea shop (A1 use) to serve the local community

RECOMMENDATION: Permit



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

1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application relates to the Pavilion in Naunton Park, Asquith Road. The site is a single storey detached building which currently serves as changing rooms (in association with the nearby playing fields), storage facilities (in association with the nearby allotments) and a function room.
- 1.2 The application proposes a part change of use for the building, with the function room becoming a teasshop (A1 class). The remainder of the pavilion would continue as changing rooms and storage facilities.
- 1.3 The application is before committee as the building and surrounding park is owned by Cheltenham Borough Council. Members will visit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Smoke Control Order

Relevant Planning History:

84/00171/PF 28th June 1984 PER

Naunton Park Pavilion Cheltenham Gloucestershire - Extension To Storage Building For Allotment Holders Supplies

10/00941/FUL 20th August 2010 PER

Extension and modifications to Naunton Park Sports Pavilion

10/00941/FUL 3_COMP

Extension and modifications to Naunton Park Sports Pavilion

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 1 Sustainable development
CP 3 Sustainable environment
CP 4 Safe and sustainable living
CP 7 Design
TP 1 Development and highway safety

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Environmental Health

1st August 2017

With reference to this application I have no adverse comment to make.

GCC Highways Planning Liaison Officer

31st July 2017

I refer to the above planning application received on 24th July 2017, with Plan(s) Nos Site Location plan, Proposed plan existing plan, front elevation and application form to which no Highway objection is raised.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	9
Total comments received	1
Number of objections	0
Number of supporting	1
General comment	0

5.1 Nine letters were sent to neighbouring properties and a site notice was published at two of the entrances to the park. One comment was received in support of the application.

5.2 All representations have been circulated in full to members.

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The main considerations for this application are the principle of the part change of use, any amenity considerations and the impact on the surrounding area, including traffic and parking implications.

6.3 The site and its context

6.4 Naunton Park is located within the Leckhampton area of Cheltenham and the pavilion building itself sits to the southern edge of the park. The park is bounded by allotment gardens to the south and Naunton Park Primary School to the west, with the remaining properties and land being residential. A small car park, accommodating approximately 20 vehicles, can be accessed via Asquith Road and there is pedestrian access to the park via the ornamental garden off Naunton Lane. The Pavilion building itself is an unappealing modern red brick structure with metal roof.

6.5 Principle of change of use

6.6 The change of use of part of the building from a function room to a small teashop (A1) is considered acceptable. The park, located in a large residential area, appears to be relatively well used by the local community and in officer opinion there would be demand for a local teashop in this location which would contribute to the vitality of the pavilion building. The site is within walking distance of nearby residential properties and there are two bus routes within a 10 minute walk to the park. The site is therefore considered to be a sustainable location.

6.7 The function room is considered suitable for conversion with existing kitchen facilities and connection to all necessary services. The retention of the changing rooms and storage facilities is equally welcomed. Food preparation will be done offsite and primarily sales will be for cold foods and hot / cold drinks. No external alterations are proposed which is unfortunate considering the oppressive and tired appearance of the building, however this is not considered a necessity for the change of use. The existing double doors will serve as the customer entrance to the teashop and access will be available to a disabled toilet via a separate entrance. In time it is likely the patio area in front of the entrance would accommodate outside seating which, together with creative soft landscaping and

appropriate signage (subject to the necessary consents), would enhance the visual appearance of the building.

6.8 Impact on neighbouring property

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

6.10 The Environmental Health Officer has been consulted on the application and no objection was raised. The application proposes hours of opening to be 08:00 to 18:00, seven days a week. These opening hours are considered acceptable and an appropriate condition has been added accordingly.

6.11 There are no significant external changes and therefore the change of use is not considered to have any harmful impact on the park itself or the surrounding area. The park is well used by the local community and in officer opinion the addition of a teashop will be an asset to the area. The building itself is relatively drab but functional and this change of use will help to make it less oppressive.

6.12 Access and highway issues

6.13 It is anticipated that the majority of potential customers will be those visiting the park and therefore it is unlikely the proposed change of use will generate a significant increase in vehicular trips to the park. Any increase in demand for parking within the existing car park or on local streets should therefore be minimal. The Highways Authority has been consulted and no objection has been raised.

7. CONCLUSION AND RECOMMENDATION

7.1 To conclude, the proposed change of use is considered acceptable and would be a welcome addition to the community facilities in this location. The proposal is considered to be in accordance with the requirements of Local Plan Policy and the recommendation is therefore to permit.

8. CONDITIONS

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

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

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

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

3 The use hereby permitted shall not be open to customers outside the hours of 08:00 to 18:00, Monday to Sunday, including Bank Holidays.

Reason: To safeguard the amenities of adjoining properties and the locality in accordance with Local Plan Policy CP4 relating to safe and sustainable living.

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.

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

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APPLICATION NO: 17/01347/FUL		OFFICER: Mr Gary Dickens	
DATE REGISTERED: 21st July 2017		DATE OF EXPIRY : 15th September 2017	
WARD: College		PARISH:	
APPLICANT:	Cheltenham Borough Council		
LOCATION:	Naunton Park Pavilion, Asquith Road, Cheltenham		
PROPOSAL:	To allow the function room to be used as a tea shop (A1 use) to serve the local community		

REPRESENTATIONS

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

43 Naunton Park Road
 Cheltenham
 Gloucestershire
 GL53 7DG

Comments: 6th September 2017

The Friends of Naunton Park at their last Committee meeting discussed the application and while no formal resolution was passed there was unanimous support for the proposal.

A tea shop will clearly bring increased vitality and vibrancy to the park and as such is seen as a positive contribution to the overall offer.

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APPLICATION NO: 17/01412/FUL		OFFICER: Miss Claire Donnelly
DATE REGISTERED: 20th July 2017		DATE OF EXPIRY: 14th September 2017
WARD: All Saints		PARISH:
APPLICANT:	Mr Matt Babbage	
AGENT:	n/a	
LOCATION:	57 Hewlett Road, Cheltenham	
PROPOSAL:	Replacement of side window and rear door	

RECOMMENDATION:



1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1 The application site relates to a two storey, brick built property which is accessed via a private road off Hewlett Road. The site is within the Sydenham Character Area of Cheltenham's Central Conservation Area.
- 1.2 The applicant is seeking planning permission for the replacement of a first floor side elevation window and first floor rear door.
- 1.3 The application is at planning committee as the applicant is a Borough Councillor.
- 1.4 Members will visit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Airport Safeguarding over 45m
Conservation Area

Relevant Planning History:

97/00444/PF 31st July 1997 PER

Conversion Of Existing Garage/Repair Workshop (Fronting Sidney Street) Into A 2 Bedroomed House

97/00803/PC 13th November 1997 PER

Conversion From Garage/Repair Shop Into Two 2-Bedroom Dwellings (In Accordance With Revised Plans Received 6 November 1997)

**Not To Be Issued Until S106 Completed Or Commuted Sums Of
Playspace Provided**

98/00124/PF 26th March 1998 PER

Alternative Development To Cb21906/01 - Conversion Into A Single Dwelling House

98/00667/PC 15th October 1998 PER

Conversion Of Upper Floor Of Warehouse To Provide Self Contained 3 Bedroomed Flat With Entrance Lobby, Stairwell And Internal Parking Space At Ground Floor.

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)

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

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

None

5. PUBLICITY AND REPRESENTATIONS

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

- 5.1 Letters have been sent to neighbouring properties, a site notice has been displayed, and an advert placed in the Gloucestershire Echo; no responses have been received.

6. OFFICER COMMENTS**6.1 Determining Issues**

- 6.2 The main considerations in relation to this application are the design, the impact on the conservation area and the impact on neighbouring amenity.

6.3 Design

- 6.4 Local Plan Policy CP7 requires development to be of a high standard of architectural design to complement and respect neighbouring development.

- 6.5 The application proposes replacement first floor side elevation window and a first floor rear elevation door. The existing window is a 5 over 5 paned window, the bottom section has been bricked up and the top section is obscure glazed. The new replacement window will be the same size as the existing but will be a 3 over 3 paned window with all panels obscure glazed and non-opening. The new window will be visually different to the existing however there will be limited views of the new window, and the replacement is considered to be appropriate.

- 6.6 The new door will also be visually different to the existing door; the existing three paned with central sliding panel is to be replaced by a four paned door with a central sliding fixture. The existing doors project 700mm beyond the rear elevation of the existing building and has a flat polycarbonate roof over, this will be replaced with a flat GPR roof. The existing door is fairly tired looking and therefore the replacement is welcomed. The door serves a first floor rear amenity space and there are no views of the door from the public realm. As such, the replacement is considered to be appropriate.

- 6.7 The proposed material of the replacement window is white aluminium, and the door is to be grey aluminium. It is considered that the design of the proposed replacements are considered to be acceptable and comply with Policy CP7 of the Local Plan.

6.8 Impact on neighbouring property

- 6.9 Local Plan Policy CP4 requires development not to cause unacceptable harm to the amenity of adjoining land users and the locality.

- 6.10 Letters have been sent to neighbouring properties, and the relevant publications have been advertised; no responses have been received. A visit to the application site has been carried out and the impact on neighbouring amenity has been assessed.

- 6.11** The replacement window faces onto the front amenity space of no. 59 Hewlett Road. The window as existing is half blocked up and half obscure glazed and non-opening, the replacement window is detailed to also be obscure glazed and non-opening, a condition has been attached to ensure this window is obscure glazed and non-opening at all times to protect the amenity of adjoining land users.
- 6.12** It is not considered that the replacement door will result in unacceptable harm to the amenity of neighbouring properties in terms of a loss of light or loss of privacy.
- 6.13** As such, the proposal is considered to comply with Policy CP4 of the Local Plan and will protect the existing amenity of adjoining land users.

7. CONCLUSION AND RECOMMENDATION

- 7.1** For the reasons set out above, the proposed replacement side window and rear door is considered to be in accordance with the relevant policies in terms of achieving an acceptable standard of design and will not result in harm to the existing amenity of adjoining 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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and/or re-enacting that order), the first floor south east facing window shall at all times be non-opening and glazed with obscure glass to at least Pilkington Level 3 (or equivalent).

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

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