Notice of a meeting of
Planning Committee

Thursday, 19 April 2018
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 - 14)
6. PLANNING/LISTED BUILDING/CONSERVATION AREA CONSENT/ADVERTISEMENT APPLICATIONS, APPLICATIONS FOR LAWFUL DEVELOPMENT CERTIFICATE AND TREE RELATED APPLICATIONS – SEE MAIN SCHEDULE
   a) 17/02110/FUL Land and Garages at King Alfred Way (Pages 15 - 52)
   b) 17/02460/FUL Playing Field adjacent to 10 Stone Crescent (Pages 53 - 102)
c) 18/00399/ADV The Wilson, Cheltenham Art Gallery and Museum  
   (Pages 103 - 108)

d) 18/00357/FUL 6 Westal Park  
   (Pages 109 - 124)

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

Contact Officer: Judith Baker, Planning Committee Co-ordinator,
Email: builtenvironment@cheltenham.gov.uk
Planning Committee
22\textsuperscript{nd} March 2018

Present:

Members (13)
Councillors Barnes, Chair (GB); Fisher, Vice-Chair (BF); Baker (PB); Colin Hay (CH); Hegenbarth (AH); Lillywhite (AL); McCloskey (HM); Nelson (CN); Oliver (TO); Seacome (DS); Thornton (PT); Wheeler (SW).

Substitutes: Councillor Paul McCloskey (PM)

Officers
Tracey Crews, Director of Planning (TC)
Martin Chandler, Team Leader, Development Management (MC)
Michelle Payne, Senior Planning Officer (MP)
Joe Seymour, Senior Planning Officer (JS)
Chris Chavasse, Senior Trees Officer (CC)
Annie Holdstock, Trees Officer (AH)
Nick Jonathan, Legal Officer (NJ)

1. Apologies Councillors Collins, Hobley and Savage.

2. Declarations of interest
There were none.

3. Declarations of independent site visits
   i. 18/00127/FUL 21 Tivoli Road
       Councillor Hay
   
   ii. 18/003232/FUL Chapel Spa, North Place and 18/00215/TPO 8 Moorcourt Drive
       Councillor Paul McCloskey

4. Public Questions
There were none.

5. Minutes of last meeting
Resolved, that the minutes of the meeting held on 15\textsuperscript{th} February 2018 be approved and signed as a correct record \textit{without} corrections.
6. Planning applications

| Application Number:   | 18/00127/FUL and LBC |
| Location:             | 21 Tivoli Road, Cheltenham |
| Proposal:             | Extension and alteration of existing single storey garage block, and alterations to rear ground floor fenestration |
| View:                 | Yes |
| Officer Recommendation: | Permit |
| Committee Decision:   | Permit |
| Letters of Rep:       | 1 |
| Update Report:        | None |

**MP** introduced this application for works to a GII-listed detached property on the north-west side of Tivoli Road, which is situated in a conservation area. The application for full permission and listed building consent is detailed above; there have been several revisions to address the conservation officer’s concerns. It is at Committee at the request of Councillor Harman, due to the neighbour’s concerns about the impact of the proposed garage on the three windows to the side of his property. The recommendation is to permit.

**Public Speaking:**

**Mr Adam Fletcher, neighbour, in objection**

Would like to reiterate his objection on diminished light grounds. Has been told by the officer that there are no grounds, as one window is the wrong type of glass, one is in the wrong place, and the third is shared. Members have visited and seen the impact the new building will have, not only on direct light but also on ambient and reflected light. That is a fact – even though no light survey or impact study has been done. Regarding the traffic, whether or not this is a problem depends on the vehicle numbers and types. The design will work with one or two cars, but will get difficult if it hits three; it is unfortunate that the drive is a first-in-last-out design. Regarding impact and amenity, this is the longest and highest construction to be built in the area in 52 years; is not an expert but feels that the frontage is abrupt, the main body dominating and the overall effect shape altering. Turning to the conservation argument, does not have enough experience or knowledge to form a meaningful take on the elements, but it has been pointed out that the garage falls within sections 3, 4 and 5 of the Local Development Framework for Tivoli. This seems to be the case – a conservation officer could confirm if it is. Leaving the final words to his late father - ‘Once the light is gone, it’s gone. That’s it’. There will be no opportunity to alter or modify once the work is done.

**Mrs Nash, applicant, in support**

Lives at 21 Tivoli Road with her husband and daughter. The existing garage is of poor construction, and is cold and damp. It has a corrugated metal roof and cladding on the side, with access via an unattractive metal door. It is too narrow, and detracts from the appearance of the house. Rebuilding it will enhance the house, and provide desperately needed space for a gym and to store her husband’s vintage car. The current garage is large enough for one car only. Her husband has early-onset arthritis and needs the gym; she and her daughter also like to keep fit. The new building will have a solid floor, not old timber. The vintage car needs to be kept in the dry, and a dry, secure space is also needed for storage of garden equipment and bikes. It is a beautiful house and the proposal is not unreasonable. It is for a single storey building in an unused space; cannot see it will have any impact on neighbours, but will make a big difference to their lives.

**Member debate:**

**SW:** has sympathy on both sides here. Can see that what the applicant is asking for is, in many ways, not unreasonable, but couldn’t take her comments as great grounds for doing the work – though those are the
reasons why they want to make the alterations. Has sympathy for the neighbour; the new building will be level with the top of his side windows, and very close and imposing. Has spoken to the officer, who has confirmed that an objection on the loss of light issue would be difficult to sustain – the objection is not strong enough to hold. As said, has sympathy with both sides, but in view of the above, must go with the officer recommendation.

PT: has a light test been carried out? Was it acceptable?

TO: looking at the neighbour’s kitchen on side visit, noted that there is another window at the back but this is not large. The effect of extended garage will have a big impact on the light in the kitchen.

BF: can officers please remind him which way do the three affected windows face?

MP, in response:
- The only window where a light test was carried out was the window on the rear elevation, which will not be affected by the proposal; windows which serve WCs and circulation space, as the side windows here, have no protection;
- The side window to the kitchen is a secondary window; the main kitchen window to the rear of the property will be unaffected by the proposal.

PB: both speakers made eloquent presentations, and this is a difficult decision to make. Can appreciate both points of view, but in situations such as this, Members have to make that decision on planning grounds. It is important that the objector doesn’t think that his comments haven’t been considered tonight, but Members have to consider planning laws as to what can and can’t be done. There are no planning grounds to refuse this application; has sympathy for the neighbour but must support the officer recommendation.

GB: agrees with this point, which is felt all round the Chamber. If he was living next door, would also feel that the proposal would affect the light to his home, but Members have to go by planning rules.

18/00127/LBC
Vote on officer recommendation to grant
13 in support
GRANT

18/00127/FUL
11 in support
1 in objection
1 abstention
PERMIT

The Chairman agreed to Item 4 on the Agenda being taken next, to allow the speaker to leave early

| Application Number: 18/00215/TPO |
| Location: 8 Moorcourt Drive |
| Proposal: Yew - fell because of excessive shading and low amenity value. Replant with 3-4 fruit trees. |
| View: Yes |
| Officer Recommendation: Refuse |
| Committee Decision: Refuse |
| Letters of Rep: 1 |
| Update Report: None |
CC introduced the application as above, which comes to Committee with a recommendation to refuse. The tree has been there a long time and provides significant amenity on Pittville Circus Road. Has negotiated with the owner but is unable to agree on a way forward. Is therefore giving Members the opportunity to discuss and decide the outcome.

Public Speaking:
**Ms Lauren Kemple, applicant, in support**

Has three main points to make in support of her application: firstly, the tree is deadly poisonous, and she has three young children; secondly, it gives excessive shade, spoiling her family’s enjoyment of their garden; and thirdly, its removal will have little impact on Pittville Circus Road. Has three young children, and is concerned for their safety with the yew tree in their garden; the roots, bark, leaves and berries are all poisonous, even when dried and wilted; a small handful could kill a cow. Anyone who has ingested the poison shows no symptoms; they just die. Children put things in their mouths, and although it is unlikely that they will eat any part of the tree, the outcome would be catastrophic. The dark, dense foliage provides excessive shade in the garden, making the south corner an oppressive, dead area. Would like to plant fruit trees in its place, and would take specific advice on the species to plant. The tree cannot be seen from Pittville Circus Road, being set back from the boundary, and screened by holly bushes. The replacement fruit trees would be in keeping with Pittville Circus Road – rare varieties which would be pollinated by bees and inhabited by insects, making a positive impact on the environment. This tree has a massive impact on her family and anxiety levels. Its removal will be good for the environment, and have no impact on local amenity.

Member debate:
**PB:** visited the site. Feels very strongly about protecting Cheltenham’s trees – they are important, and the council plays a crucial role in protecting them. Came to Committee thinking he would vote to refuse this application, but having heard the speaker, has changed in mind. From a biodiversity point of view, the yew tree has limited value, and the thought of fruit trees, providing biodiversity, pleasure for the family, and peace of mind is an overpowering reason to permit the application to remove the tree. As long as there is a condition to replace it with fruit trees, will support the application to take it down. Will move to permit.

**CH:** a few trees down from this tree is another yew tree which is quite magnificent. The hollies in front of the yew tree of this application have caused the side of it not to have much in terms of branches and foliage. Would suggest taking the hollies down, to improve light to the yew. If this was done, the yew might look as fantastic as the one down the road. Large yew trees are quite rare; would struggle with conscience to vote for this tree to be removed, even though it doesn’t look as good as it could hidden by the holly bushes – and might not be as marvellous as the one down the road, if they are removed. Notes the applicant’s concerns about the poisonous nature of the tree, and appreciates that this causes worry and anxiety, but the reasoning in these cases has to be that the tree has been there for 100 years or so, before the houses were built, and that people knew it was there when they moved in. On balance, will go along with the officer recommendation - likes yews.

**SW:** on Planning View, was reminded of his own childhood; lived in the middle of a wood, where there were several yew trees, one being only a few yards from the house. It was the three children’s favourite tree; they spent many hours climbing it, eating worms and woodlice and probably bits of tree as well! Does not recall any illness from playing around the yew tree, which the owners of this tree can bear in mind and take comfort from. He and his siblings survived. This is a beautiful tree. Will vote with the officers.
BF: has a question for the officer. Noticed on Planning View that there is another yew tree in the next door garden – understands that the application tree is a female and the tree next door a male (or the other way round?). Are they interdependent? Do they need each other for pollination? A close hair cut will help the application tree. There is plenty in most gardens which can kill but not many people are killed.

PT: has a lot of sympathy for young mums, but children have to be taught that they can’t eat certain things in the garden – they have to learn. Was brought up in a garden surrounded by yew hedges, with big berries. Has difficulty in agreeing to this tree being destroyed. People have to learn to live with these things – they are natural, and part of nature. We can’t get rid of everything.

AH: are we prepared to allow children to possibly die and then say they’ve learnt that lesson? The speaker’s points were good enough reason for him – the tree should go, and replacements be planted. It is a no-brainer.

TO: looking at the site, notes the tree in the garden is a male, with no berries; the tree in the neighbouring garden on the left has berries, as does another tree next door. This is a good tree. Will be voting to keep it.

GB: hates taking trees down, and wonders in this case whether it would reduce the poisonous effect as there are other yew trees all around. This is a nice, spacious garden, and there is room for the fruit trees the applicant would like. Is on the fence at present, but leaning towards keeping the tree.

CC, in response:
- There is no doubt that the tree is highly poisonous, but in his experience, people don’t die from ingesting parts of yew trees in urban areas; and it would be very unusual for anyone to try to eat the bark;
- This is a male tree and has no berries; the chances of a child ingesting them in this garden are very slim;
- Fruit trees are more biodiverse, but yew trees can live for up to 1000 years whereas apple trees live for a much shorter time – so in that sense, yew trees are more biodiverse;
- Could condition one replacement tree, not three or four;
- The yew tree is suppressed by holly, but this could be pruned right back to reduce the perception of it being suppressed. It would grow back, and still be a tree to enjoy;
- Female yew trees need male yew trees to reproduce; if this male tree is removed, it would not necessarily mean that there isn’t any pollen hanging around to fertilise neighbouring trees.

Vote on officer recommendation to refuse
7 in support
5 in objection
1 abstention
REFUSE

Application Number: 18/00182/FUL
Location: 7 Victoria Street Cheltenham Gloucestershire
Proposal: Two storey rear extension
View: Yes
Officer Recommendation: Refuse
Committee Decision: Refuse
Letters of Rep: 0 Update Report: None

JS introduced the application as above, for a single storey ground floor extension and two storey first floor extension on a property in St Paul’s. It is at Committee at the request of Councillor Hobley, who is
concerned that it may present an over development of a very small property/plot, and also by the potential for community imbalance caused by further HMOs in this area. He considers this a material consideration in light of the proposals currently out for consultation as part of the Cheltenham plan regarding an article 4 direction in St Pauls. Officers recognise this concern, but the recommendation is to refuse, due to the impact on the conservation area and on neighbouring residents.

Public Speaking:
None.

Member debate:
None.

Vote on officer recommendation to refuse
13 in support
REFUSE

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**Application Number:** 18/00332/FUL  
**Location:** Chapel Spa, North Place, Cheltenham  
**Proposal:** Retention of dropped kerb (temporary permission granted 15/01208/FUL)  
**View:** Yes  
**Officer Recommendation:** Temporary Permission for two years  
**Committee Decision:** Permit  
**Letters of Rep:** 5  
**Update Report:** None

MJC introduced the application as above. Temporary consent was granted two years ago, to drop the kerb for access to Warwick Place by staff of Chapel Spa. The area is fenced off, and the land owned by Chapel Spa. This application is for permanent consent, but the recommendation is for further temporary consent to enable further discussions regarding Portland Street re-development, without re-introducing another constraint to compromise further development of the site.

Public Speaking:
Mr Louca, applicant, in support
Began by asking how a dropped kerb in front of Chapel Spa can effect Portland Street car park development? Needs the dropped kerb now, and in the future, if there is still a land swap. Was advised by planners to apply for the dropped kerb in 2015, but now, because they land swap did not go ahead, officers are recommending another temporary permission. Why was there no objection to the previous application but there is now? Nothing has changed with the Portland Street development; it has failed to secure a viable developer for the superb plan, which he would love to see developed. Neither Augur Buchler nor anyone else has objected to this proposal. The car park is leased for 35 years from March 2017, with five-yearly breaks – there are four years left before the first break, so if another two-year permission is granted, will have to apply twice more – which is unfair. This application isn’t about Portland Street or a land swap – it is simply an application for a dropped kerb in front of Chapel Spa. This is not the time or place to negotiate about what might or might not happen at Portland Street. Chapel Spa is an existing business, providing employment for 20 members of staff. Has a budget of £0.5million to carry out improvements, but will not go ahead with this in light of the present...
situation. Is fighting for a business that adds to the economic wealth of Cheltenham, and will not let CBC’s failure to bring forward a good development also kill his business by depriving him of the use of his land. This is not acceptable. All the information and evidence provided shows that he has been badly treated; is putting his faith in Members to end the abuse of power exercised against him and vote for a permanent dropped kerb.

Councillor Parsons, in support

Doesn’t usually have much to do with planning applications, but can think of few reports where the officer has shown less enthusiasm for what he is recommending. The bottom line is that if it wasn’t for the Portland Street development, this application would not be at Committee, and that development is not related to this application. The issue is the potential impact of this application on the Portland Street development. The small shaded square shows the entrance to the car park; the other shaded square shows the carpark. Mr Louca has no intention of selling it; it is crucial to his business – without it, the business isn’t viable, with nowhere for staff to park. The idea that this piece of land might be of relevance to future development of Portland Street car park doesn’t bear examination. A two-year extension is recommended, but there is no guarantee that we will be any the wiser regarding this development in two years’ time. The government has made a grant of £3m but will this make the Portland Street development viable? It might need £10m to do that. The suggestion that the officer recommendation will give certainty for two years doesn’t bear scrutiny. It assumes that Mr Louca will sell the land for Portland Street, but that isn’t going to happen. At Monday’s Council meeting, an action plan for Cheltenham’s Place Strategy was discussed - the vision was agreed a year ago – setting out to make it a place where everyone can share in an exciting future. Chapel Spa is a Grade II listed building, which had fallen into disrepair until Mr Louca took it on; he has worked hard on the building, to preserve its heritage. The Place Strategy talks about encouraging businesses to thrive; Chapel Spa is thriving – Mr Louca has spent £1.5m on it, increased staff numbers from six to 20, many of whom are full-time and dependent on this employment for their living. The business contributes to the Cheltenham economy, and it is laughable to suggest the council is helping him to thrive – it is acting like a big boy bully, holding this strip of land to ransom. This isn’t the vision of the Place Strategy, or the vision the council would want.

Member debate:

SW: listened to the officer comments, which seem to be saying ‘we appreciate what Chapel Spa is wanting but are concerned about Portland Street Car Park and what might happen in the future’. But this application is only for a dropped kerb, not for a new building. If it stayed for ever would there be any real harm to the town? No, most people won’t even notice. Understands officer concern, but rather than two years, why not give permission for four, five or ten years? We might need to do a land swap in two years, but what is the worst thing that can happen? If permanent permission can’t be granted, it should definitely be granted for a longer term than two years.

PB: Chapel Spa is an iconic building and an iconic business. It is a great employer, offering high-quality spa treatments in a spa town, and the building is fabulous inside. The future development issue is a red herring. Whether there is a drop kerb or not won’t stop development on Portland Street. We need to support this. It is a thriving business, part of the tourism officer. It would be folly to give two year after two year after two year permissions – nonsense. We should grant permanent permission and move on.

PT: let them have the drop kerb in perpetuity until the development happens. There will be negotiations regarding the car parking for them and others in the area, and they can take advantage of that then. There is no need to consider Portland Street at the moment.

AL: there are a lot of issues to take up, but fundamentally Members need to look at this in planning terms. Is the drop kerb acceptable in planning terms? If it is, no further conditions should be added.
PM: this is a matter of principle. Normally with a planning application, when a second or third phase are expected, we are told only to deal with that is in front of us. Agrees with other Members. Permission should be granted in perpetuity. We can worry about the future in the future.

SW: why isn’t the drop kerb where the road is? Initially, there was a drop kerb there. In so far as we don’t want cars parking next to the building, it might be considered necessary to say drop kerb stays, but no parking on little square.

PB: proposes to allow the drop kerb on a permanent basis. And what about the railings – who put them up, and can they be taken down? They are an eyesore.

MJC, in response:
- Councillor Parsons referred to a ‘less than enthusiastic’ recommendation – would prefer to call it ‘balanced’!
- This application can be argued either way, and it is for the decision makers to weigh up the facts before them;
- The dropped kerb and associated parking won’t prevent the development but will change it in a slight way. Either argument is acceptable, and is not surprised by the conclusion Members have reached;
- If the proposal is permitted, would suggest a condition regarding the loss of the space to the front of the building – parked cars here are harmful to the setting of the listed building;
- To PB, re the railings – CBC put them there. They are the landowners. Members may want to speak to the Property team to consider changes;
- Members may want to vote with a condition that the two spaces in front of Chapel Spa are removed.

Vote on officer recommendation of temporary permission for two years
0 in support
11 in objection
2 abstentions
NOT CARRIED

BF: the applicant owns the two spaces in the hatched area. We can’t tell him what to do with his own land.

MJC, in response:
- Those spaces are within the grounds of the listed building, and affect the setting of the listed building, therefore class as development of some form. The original discussion with applicant was on the basis of him forfeiting the spaces to the front of the building as they harm its setting.

Vote on PB’s move to grant permanent permission with condition re two spaces
12 in support
1 abstention
MOTION CARRIED - PERMIT

The meeting ended at 7.00
<table>
<thead>
<tr>
<th>APPLICATION NO: 17/02110/FUL</th>
<th>OFFICER: Miss Michelle Payne</th>
</tr>
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<tbody>
<tr>
<td>DATE REGISTERED: 7th November 2017</td>
<td>DATE OF EXPIRY: 2nd January 2018 (extended by agreement with the applicant until 20th April 2018)</td>
</tr>
<tr>
<td>WARD: Battledown</td>
<td>PARISH: n/a</td>
</tr>
<tr>
<td>APPLICANT: BTL Developments</td>
<td>AGENT: Coombes Everitt Architects Limited</td>
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<tr>
<td>LOCATION: Land And Garages At King Alfred Way Cheltenham</td>
<td>PROPOSAL: Demolition of 14no. lock-up units and erection of 4no. two bedroom dwelling houses with associated car parking</td>
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RECOMMENDATION: Permit
1. DESCRIPTION OF SITE AND PROPOSAL

1.1 The application site is located on the southwest side of King Alfred Way, close to the junction with Hales Road. The site is some 0.06ha, rectangular in shape, and currently accommodates a row of 14no. lock-up units/garages.

1.2 The site is bounded by residential properties in Hales Road to the northwest, a residential property in Coltham Field to the southwest, and a car storage facility to the southeast.

1.3 The application proposes the erection of 4no. two bedroom dwellings with associated car parking and landscaping. Revised plans have been submitted during the course of the application in response to officer concerns; most notably, the number of houses has been reduced from 4 to 5. The proposed housing now comprises 2no. pairs of semi-detached houses.

1.4 The application is before planning committee at the request of Cllr Babbage due to the level of local concern. Members will visit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:
- Airport Safeguarding over 45m
- Landfill Site boundary

Relevant Planning History:
- None

3. POLICIES AND GUIDANCE

Saved Local Plan Policies
- CP 3 Sustainable environment
- CP 4 Safe and sustainable living
- CP 7 Design
- GE 6 Trees and development

Adopted Joint Core Strategy Policies
- SD3 Sustainable Design and Construction
- SD4 Design Requirements
- SD10 Residential Development
- SD11 Housing Mix and Standards
- SD14 Health and Environmental Quality
- INF1 Transport Network
- INF3 Green Infrastructure

Supplementary Planning Guidance/Documents
- Development on garden land and infill sites in Cheltenham (2009)

National Guidance
- National Planning Policy Framework

4. CONSULTATION RESPONSES

GCC Highways Development Management
27th November 2017
I require further information for the above application, Visibility splays of 2.4m back from the carriageway edge for a distance of 54m measured to the nearside carriageway edge is required.
As the proposal is for a cul de sac for 5 dwellings, in accordance with the guidance, the shared surface street should be a minimum of 4.8m wide with an additional 2m unobstructed pedestrian corridor. Justification for the 1 space per dwelling is required in accordance with the NPPF. At this location 1 visitor space should be provided. No refuse storage has been included, if this is not provided then turning within the site for a refuse vehicle is required.

GCC Highways Development Management (revised comments)  
6th April 2018

The application has been changed and is now for 4 residential dwellings. The site is located on a Class 4 highway in a mixed industrial and residential area.

I have noted the comments on the web-site, however these are existing concerns and the introduction of 4 dwellings is unlikely to increase parking during the day on the highway.

The access is existing and there is no recorded evidence of any incidents at this location. While the dwellings may increase trip generation from the site, the increase is unlikely to impact upon highway safety. Parking has been provided in accordance with the NPPF, there is 1 space per dwelling and 1 visitor space.

A refuse collection point has been provided at the entrance, to prevent obstruction of the highway. A tactile crossing across the site frontage will be required this can be secured by way of condition.

I refer to the above planning application received on 11th November 2017 with revised Plan(s) Nos: 17.20.025 / PL006B. received on 7th March 2018 I recommend that no highway objection be raised subject to the following condition(s) being attached to any permission granted:-

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.

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 17.20.025 / PL006B, and those facilities shall be maintained available for those purposes thereafter.

The development hereby permitted shall not be occupied until the cycle storage facilities have been made available for use in accordance with the submitted plan 17.20.025 / PL006B and those facilities shall be maintained for the duration of the development.
Reason: To ensure that adequate cycle parking is provided, to promote cycle use and to ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the National Planning Policy Framework.

The development hereby permitted shall not be occupied until a scheme for a pedestrian tactile crossing across the site entrance has been submitted and agreed in writing by the LPA.

Reason: To reduce potential highway impact by ensuring that adequate pedestrian facilities are 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.

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.

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.

Environmental Health  
19th December 2017

With reference to the Environmental Health viewpoint, I have no adverse comment to make with regard to this proposal.

Contaminated Land  
12th December 2017

Having looked at this application site I find it is included in land entered on the Council's database of possible contaminative uses.

For that reason a Contaminated Land investigation is required.

I should be pleased therefore if you could include the following condition:

No development approved by this permission shall be commenced until a contaminated land assessment and associated remedial strategy have been submitted to and approved by the LPA. The assessment shall contain the following elements:

a) A Phase I Preliminary Risk Assessment (Desk Study) to be submitted to the LPA for approval. The desk study shall detail the history of the site uses and identify and evaluate all potential sources and impacts of land and/or groundwater contamination.

b) Where the preliminary risk assessment identifies potentially unacceptable risks at the site, a suitably qualified and accredited person shall carry out a site investigation, including relevant soil, soil-gas, surface and groundwater sampling in accordance with a quality...
assured sampling and analysis methodology. The requirements of the LPA shall be fully established before any site surveys are commenced.

c) A site investigation report detailing all investigative works and sampling on site, together with the results of any analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve any such remedial works as required, prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.

d) The approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.

e) Upon completion of the works, this condition shall not be discharged until a verification report has been submitted to and approved by the LPA. The verification report shall include details of the completed remediation works and include quality assurance certificates to show that the works have been carried out in full and in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the verification report together with the necessary documentation detailing what waste materials have been removed from the site.

Tree Officer
20th December 2017
The CBC Tree Section object to this application.
It is considered that Plot 5 (closest to Hales Rd ) is too close to existing trees in rear gardens-and partially within the Root Protection Area of the significant Norway maple. Similarly, without major tree surgery to the tree's crown (which would reduce visual amenity), the canopy of the tree, being approx. south west of plot 5 will cause significant shade and perceived nuisance from tree litter (leaves, flowers, twigs, fruit etc).
This Norway maple tree does not appear to have been accurately plotted on the proposed Site layout and Images of Development drawing no 17.20.025/PL006 of October 2017. Similarly there are trees within the boundary of 29 Hales Rd (not marked on the above drawing) which would likely become inappropriate for the site should this Plot 5 be built.
Whilst it is acknowledged that some proposed landscaping in the form of pleached lime trees would be planted, it is considered that such future pleaching management techniques would be somewhat onerous on many new occupants, and therefore the proposed pleaching could fail and ultimately be entirely removed and not replaced by occupants/owners.

However, from an existing trees perspective, subject to an appropriate BS5837 (2012) survey and plot design recommendations which take account of tree constraints, it is considered that the site could be developed. This may be possible without unreasonable future management to the maples in the rear of no 25 and 29 Hales Rd if this plot 5 was entirely removed from the scheme and suitable tree protection recommended during the course of demolition and construction.

Future landscaping should also be reconsidered.

Tree Officer (revised comments)
27th March 2018
The CBC Tree Section no longer objects to this application. The Norway maple at the rear of 27 Hales Rd will be sufficiently far away as to not to be significantly impacted as a result of any demolition and construction activities.
However the hard surface adjacent to this tree will have to be carefully removed and suitable protective fencing will need to be erected during the course of construction. As it stands, the crown of this tree would dominate the proposed rear garden of plot 4 during summer months but this tree could be sympathetically pruned to reduce the presence. It should not appear radically different from the perspective of the tree owner.

It is proposed to plant to flowering cherry trees between plots 1+3. Given the shallow rooting nature of these trees, surface damage to the proposed hard surface is likely in the longer term. It may be more appropriate to plant the slightly larger and more aesthetically (year round) flowering pear trees instead (Pyrus calleryana ‘Chanticleer’ instead. Please ensure root deflectors are incorporated into the planting pit so as to help prevent future root disturbance.

Please condition for a detailed Tree Protection Plan (as per BS5837 (2012) as a part of any permission granted.

Please also condition a method statement for the removal of the hard surface at the rear of the plot. This MS should include tree protection sequence of events.

Architects Panel
15th December 2017
Design Concept: The panel felt this was a well-considered sensitive design proposal that makes good use of redundant and currently unattractive lock-up units.
Design Detail: The panel thought the form, scale and style of the development was entirely appropriate for this location. A good overall design.
Recommendation: Supported.

Joint Waste Team
3rd November 2017
Given the narrow access road leading to the site and the fact that King Alfred Way is regularly filled with parked cars/works vehicles, the waste and recycling collection vehicles would not be able to gain access to the site and therefore all receptacles would have to be presented on King Alfred Way. There doesn’t look to be any provision for waste and recycling containers at each dwelling therefore this would potentially pose a problem for numbers 3, 4 & 5 which don’t look to have rear access and would have to either bring their containers through the houses or permanently store them at the front of their properties. As a result it may be worthwhile building in a presentation point at the front of the development for these receptacles?

Wales and West Utilities
9th November 2017
Wales & West Utilities have been made aware of a planning application on 03.11.2017, advising us of the proposals at: Land at King Alfred Way, Cheltenham, Gloucestershire, GL52 6QP.

We enclose an extract from our mains records of the area covered by your proposals together with a comprehensive list of General Conditions for your guidance. This plan shows only those pipes owned by Wales & West Utilities in its role as a Licensed Gas Transporter (GT). Gas pipes owned by other GT’s and also privately owned pipes may be present in this area. Information with regard to such pipes should be obtained from the owners. The information shown on this plan is given without obligation, or warranty and the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Wales & West Utilities, its agents or servants for any error or omission.
Wales & West Utilities has pipes in the area. Our apparatus may be affected and at risk during construction works.

Should the planning application be approved then we require the promoter of these works to contact us directly to discuss our requirements in detail before any works commence on site. Should diversion works be required these will be fully chargeable.

You must not build over any of our plant or enclose our apparatus.

Please note that the plans are only valid for 28 days from the date of issue and updated plans must be requested before any work commences on site if this period has expired.

If you have any queries please contact Ellie Sims on 02920 278 912 who will be happy to assist you.

5. PUBLICITY AND REPRESENTATIONS

5.1 Letters of notification were sent out to 15 neighbouring properties on receipt of the application. Additional letters were sent on receipt of the revised proposals. In response to the publicity, objections have been received from the owner/occupants of five properties in Hales Road.

5.2 All of the comments received during the course of the application have been circulated in full to Members but, in brief, the main concerns relate to:

- Parking, access and highway safety
- Density/overdevelopment
- Visual impact
- Increased noise levels
- Overshadowing/loss of light to neighbouring properties
- Overlooking/loss of privacy
- Development out-of-keeping with surrounding developments
- Impact on trees

6. OFFICER COMMENTS

6.1 Determining issues

6.1.1 The main considerations when determining this application relate to the principle of development; design and layout; impact on neighbouring amenity; trees and landscaping; and access, parking and highway safety.

6.2 Principle of development

6.2.1 Paragraph 14 of the NPPF states that “At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking”. For decision-taking this means (unless material considerations indicate otherwise) approving development proposals that accord with the development plan without delay. Throughout the NPPF, the effective re-use of brownfield land, which is not of high environmental quality, is encouraged.

6.2.2 Adopted JCS policy SD10 advises that in Cheltenham, outside of allocated sites, housing development will be permitted on previously developed land in the Principle Urban Area (PUA).
6.2.3 In this instance, the site is centrally located within the PUA in a sustainable location. As such, there is no fundamental reason to suggest that the principle of developing this site for housing is unacceptable, subject to other material considerations set out below.

6.3 **Design and layout**

6.3.1 Paragraph 56 of the NPPF states that “Good design is a key aspect of sustainable development” and “is indivisible from good planning”. Paragraph 59 goes on to say that design policies “should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings”, and at paragraph 60 highlights that “Planning policies and decisions should not attempt to impose architectural styles or particular tastes”.

6.3.2 Adopted JCS policy SD4 sets out the local design requirements for development proposals and highlights the need for new development to “respond positively to, and respect the character of, the site and its surroundings”; the policy reflects the aims and objectives of saved local plan policy CP7.

6.3.3 For smallscale residential developments, greater detail can be found in the Council’s adopted SPD relating to Development on Garden Land and Infill Sites in Cheltenham. The document sets out that various elements combine to create the character of an area and include grain, type of building, location of buildings within the block or street, plot widths and building lines and goes on to state that “Responding to character is not simply about copying or replicating what already exists in an area. It is not merely about preservation of what is important about a place but must also allow a place to evolve in a manner which is appropriate to the context of the place, seeking always to enhance a place”.

6.3.4 As originally submitted officers felt that the proposals represented an overdevelopment of the site which resulted in an awkward and disappointing layout. It was therefore suggested to the applicant that unit 5 be omitted as this unit would have had a particularly poor relationship with the rear of properties in Hales Road, further exacerbated by the difference in land levels.

6.3.5 Subsequently, revised plans were submitted to show the reduction in the number of units from 5 to 4 which has provided for a much improved layout which has in turn improved the relationship between the proposed dwellings and those in Hales Road, and allowed for a better arrangement of bin and cycle storage.

6.3.6 It is noted that the design of the proposed houses is considered by local residents to be out-of-keeping with neighbouring residential properties but officers consider the contemporary, flat roofed, design to be appropriate in this location; a view which is shared by the Architects Panel. As previously noted above, new development should not be required to replicate existing development; the design of the housing as proposed will ensure that the development creates its own identity, and is of its time. The flat roof design also limits the overall height and massing of the development. It is also important to note that the development will be read alongside the adjacent industrial unit rather than in conjunction with the more traditional housing on Hales Road.

6.3.7 The houses will be largely brick faced with elements of render and powder coated aluminium windows and doors. Each dwelling will be provided with private outdoor amenity space to accommodate bins and cycles; the houses to the rear of the site benefitting from good sized rear gardens.

6.3.8 Overall, it is considered the proposed development is of a suitable design, will make an effective and efficient use of the site, and will contribute to the mix of housing stock within the borough.
6.4 Neighbouring amenity

6.4.1 Saved local plan policy CP4 advises that development will only be permitted where it will not cause unacceptable harm to the amenity of adjoining land owners or locality; in assessing impact on amenity, the Council will take account of matters including loss of privacy, daylight, and outlook. The policy is consistent with adopted JCS policy SD14, and paragraph 17 of the NPPF which sets out planning should always secure “a good standard of amenity for all existing and future occupants of land and buildings”.

6.4.2 Following the omission of unit 5, the proposed development is considered to be acceptable on amenity grounds with regard to privacy, outlook and daylight. Unit 4 will be located some 3 metres from the rear boundary of the properties in Hales Road which, despite the difference in ground levels, is considered to be sufficient, particularly in combination with the generous length of these neighbouring gardens. At its closest point, the building will be some 26 metres from the rear elevation of no. 29 Hales Road. Furthermore, the first floor window to the side of unit 4, which will serve a bathroom, is detailed to be obscurely glazed and this can be controlled by condition, together with its opening mechanism. Additionally, a condition is recommended which requires the side window to the front projecting bay on units 3 and 4 to be obscurely glazed given their proximity to the site boundaries.

6.4.3 Where the application proposes clear glazed, first floor windows to the rear of units 3 and 4, these windows are in excess of 10.5m from the boundary.

6.5 Access, parking and highway safety

6.5.1 Paragraph 32 of the NPPF and adopted JCS policy INF1 emphasise the need to encourage the use of sustainable modes of transport, and state that planning permission should only be refused on highway grounds where the impacts of the development are severe.

6.5.2 Parking is proposed at a rate of one space per dwelling, plus one visitor space. There are currently no parking standards throughout Gloucestershire, and therefore this level of car parking has been deemed to be acceptable.

6.5.3 Additional information has been submitted during the course of the application to address Highway concerns in relation to the access. In response to the additional information, and the revisions to the layout and the number of houses, no Highway objection is now raised subject to a number of conditions.

6.6 Trees and landscaping

6.6.1 Saved local plan policy GE6 seeks to prevent development that would cause harm to high value trees and seeks mitigation through the retention of trees; the planting of new trees; and tree protection measures during construction.

6.6.2 As originally submitted, whilst acknowledging that the site could potentially be developed, the Tree Section objected to this application given the proximity of unit 5 to trees in rear gardens serving properties in Hales Road, particularly a large Norway maple. It was also noted that there were errors in the submission, and that some nearby trees had not been plotted. The future success of the pleached tree planting proposed to the site boundaries was also questioned.

6.6.3 The revised proposals have been accompanied by a detailed Tree Report, and following the removal of unit 5, the Tree Section no longer objects to the development subject to adequate tree protection being secured by way of a condition, together with a method statement for the removal of the hard surface at the rear of the site. A detailed landscaping scheme will also be required.
6.7 Other considerations

6.7.1 The application site is included in land on the Council's database of possible contaminative use and therefore a condition has been imposed which requires a contaminated land assessment and associated remedial strategy to be submitted and approved in writing prior to the commencement of development.

6.7.2 The proposed site layout plan identifies that existing access rights to the rear of no. 35 Hales Road will be maintained. Other properties along Hales Road, which do not benefit from access rights, have also created vehicular accesses into the site, which is private land. Therefore, although the revised plans have removed the shared cycle store and small area of landscaping which would enable the use of these accesses in the future, they cannot be protected through the planning system. Ultimately, this is a civil matter.

6.7.3 Wales & West Utilities has pipes in the area which may be affected by and/or at risk during construction works. An informative has therefore been attached which advises the applicant/developer to contact Wales & West Utilities directly before commencing works.

6.8 Conclusion and recommendation

6.8.1 The proposed development will make an effective and efficient use of this brownfield site, and will contribute to the housing stock within the borough without causing unacceptable harm to the amenity of adjoining land users or the locality.

6.8.2 The recommendation therefore is to grant planning permission subject to following conditions.

7. CONDITIONS / INFORMATIVES

To follow in an update
APPLICATION NO: 17/02110/FUL  OFFICER: Miss Michelle Payne

DATE REGISTERED: 7th November 2017  DATE OF EXPIRY: 2nd January 2018

WARD: Battledown  PARISH:

APPLICANT: BTL Developments

LOCATION: Land And Garages At King Alfred Way, Cheltenham

PROPOSAL: Demolition of 14no. lock-up units and erection of 4no. two bedroom dwelling houses with associated car parking

REPRESENTATIONS

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

33 Hales Road
Cheltenham
Gloucestershire
GL52 6SL

Comments: 17th November 2017
Letter attached.

Comments: 19th March 2018
The superficial adjustments to this proposal have done nothing to address the significant objections voiced by those neighbouring the land in question.

Poor visibility and traffic congestion remain issues; building is still proposed too near to existing trees and in a manner which impacts privacy and light.

It is particularly significant for us that the property now labelled 2 and its walled exterior space are still blocking reasonable access to our garage. Although the modified plan shows a superficial change in this respect, the walled exterior space of the current Property 2 is incompatible with our right to access our own land and garage. The space depicted is inadequate in view of our reasonable need to manoeuvre in and out of the existing garage and to leave and enter King Alfred Way in a forward gear. Should these unsuitable plans be pursued further, we would pursue this matter by all means available.

Comments: 20th March 2018
Letter attached.

31 Hales Road
Cheltenham
Gloucestershire
GL52 6SL

Comments: 20th November 2017
Letter attached.

Comments: 23rd March 2018
Letter attached.
29 Hales Road
Cheltenham
Gloucestershire
GL52 6SL

Comments: 20th March 2018
Letter attached.

Comments: 17th November 2017
Letter attached.

27 Hales Road
Cheltenham
Gloucestershire
GL52 6SL

Comments: 17th November 2017
Letter attached.

Comments: 20th March 2018
Letter attached.

25 Hales Road
Cheltenham
Gloucestershire
GL52 6SL

Comments: 21st November 2017
After careful consideration we would like to formally and strongly oppose the proposal referenced above.

First and foremost we feel the erection of such a development will incur a dramatic increase in noise and traffic levels in an already busy road. Although parking has been allocated for the proposed dwellings; we do not feel that this is adequate when taking into consideration the number of cars that already park along this street daily and also the increase in the sheer volume of already near continuous traffic flow. Also we feel that the proposer has neglected to account for any additional vehicles, being that most families typically have more than one vehicle per household and visiting guests or family members. The removal of the garages will also increase the number of cars parking on the street adjacent, which is already at best a car park in itself most of the time. We are concerned that the increase in on street parking will make it more dangerous for pedestrians to cross the road between parked vehicles, especially given the number of young families there are in our area.

The elevation of said housing will ensure that our house and our neighbour's houses will almost certainly be constantly overlooked; not only detracting greatly from our privacy (and again adding to the noise levels) but also raising the question of drainage. The plans do not aptly portray the gradient to which all of our gardens are situated and the raising of the two storey houses above this level will also almost certainly have a detrimental effect in the loss of light in our garden.

Also we have considered the number of proposed houses in such a small space, which almost appears to have been designed to cram as many people in as possible. All neighbouring houses in the area have adequate parking (as previously mentioned) and garden space. In fact; the design of such houses do not appear to be in keeping with the look and appearance of all the other houses in this area; the flat roofs and frontage seeming a complete antithesis of the look and feel of what we consider to be traditional and Cheltenham-esque homes.
We also have taken into consideration the feelings of our neighbours whom have also all opposed this proposal and cannot help but feel that this certainly indicates that this is the firm consensus of the area. We have been made aware of historical proposals for which we feel should indicate that the planned proposal is only a slight renovation of previously denied applications.

We do certainly hope you will kindly take our comments and considerations into account and would be open to representing our objections to the planning committee.
Cheltenham Borough Council  
PO Box 12  
Municipal Offices  
Promenade  
Cheltenham  
GL50 1PP

Dear Miss Payne

RE Planning Application 17/02110/FUL: Land and Garages at King Alfred Way  
Cheltenham

We wish to make you aware of a number of strong objections to the proposal referenced above. As immediate neighbours to the land in question, we believe that the proposed development will have a negative impact on the area and the quality of life of those living and working in the area. Our specific objections are as follows:

1. Inadequate Parking and Access

Cheltenham Borough Local Plan states in Policy TP6 that, “Development will be permitted where it makes provision for car parking in accordance with the standards in table 16.” The table requires 1.5 car spaces per dwelling outside the core commercial area.

Policy TP1 in the Local Plan states that, “Development will not be permitted where it would endanger highway safety, directly or indirectly.”

This proposal includes only 1 off-road parking space per dwelling, which is inadequate to meet the 1.5 requirement stated above. Even the recently rejected plans for development in King Alfred Way proposed 1.4 car spaces per dwelling. This proposal would lead to further on-road parking on King Alfred Way and in the surrounding area. There is already intense on-street parking pressure on King Alfred Way, for both residential and business purposes; this is illustrated in the attached photograph (Figure 1). The level of congestion has already been the subject of comment on this application by Waste services. Traffic flow is already poor at busy times.

The proposed removal of lockup garages may have some detrimental impact on on-street parking, even if some of the small business owners currently using these garages rent space elsewhere. However, the proposed addition of five residential dwellings with inadequate parking would both add to on-street parking pressure and lead to congested...
over parking within the development itself, further limiting safe use of the space. The alteration of the access, and proposed location of properties 1 and 2 would limit visibility when entering King Alfred Way by car or bicycle, to a much greater extent than do the current lock-up garages. This would have a negative effect on road safety in a congested area with regular near-misses.

We therefore believe the proposed development will damage traffic flow, local road safety and residential amenity.

2. Detrimental Impact on Character and Quality of Life, Inadequate Amenity

Policy S3 from the Gloucestershire Structure Plan (quoted in Cheltenham documents) states that utilisation of land in built-up areas should be, “consistent with the character and appearance of the wider location and the quality of life of those living and working in the locality.”

Policy RC7 in the Cheltenham Local Plan states that, “Residential development will only be permitted where it provides an appropriate amount of amenity space.”

The Local Plan also states that, “Amenity space is an essential and integral element of residential development. It generally comprises green space and planting, which reduces the density of development, softens the urban fabric and provides a setting for buildings; it clearly has a very important role in securing a more attractive townscape and pleasant living environment.” (Paragraph 10.64)

The proposed development does not respect local context and would be out of the character of the area. The neighbouring properties are characterized by adequate spacing and decent-sized plots. The proposed crammed dwellings have no space between them and the plot boundary, and half have no garden space. The proposed properties are flat-roofed; there are no similar residential properties in the area. This would make the proposed development inconsistent with the appearance and character of the area, having a poor visual impact.

The proposed properties, being considerably taller than the current lock-ups, would impact the privacy of existing residents’ properties and gardens on the eastern side of Hales Road, (particularly when the comments below on screening are taken into account). The proposed properties would also impact light available to existing properties and gardens during half of each day. We therefore believe the proposal contravenes Policy S3 and affects amenity.

At 33 Hales Road we enjoy the benefits of a right of access across the land in question, which is secured by deed. Although the developer’s proposals do not make this clear, the building to the rear of 33 Hales Road is a garage on our property. We have a right to reasonable vehicular access to this garage, which is only accessible via the land in question. We attach a drawing (Figure 2) which gives a more informative picture of the buildings and current usage of this land, including rear access.

Although the access is not itself a planning issue, we note that aspects of the proposal are
incompatible with access to our garage, which we access regularly by car and bicycle. The proposed location of property 1 and its exterior space would have the effect of preventing reasonable vehicular access and use of the garage, because the current lock-ups provide only just adequate space to manoeuvre a normal-sized car in front of the lock-up garages in order to enter King Alfred Way in a forward gear. (The congestion and visibility issues of King Alfred Way have been noted under Point 1 above.) The under-provision of parking within the proposed development would lead to congested over-parking by proposed residents within the site, meaning that, even if Property 1 were not blocking the route, this proposed development would prevent adequate access to our own property and use of our own garage. We therefore believe that the proposed development has a detrimental impact on our quality of life and that of our neighbours, and contravenes Policy S3.

It is directly relevant to note that the proposal and developer’s drawings depict amenities that are incompatible with existing access rights and therefore could not be provided as shown. The drawing shows hedge screening, green space, private outdoor space for Property 1, and bicycle parking, all of which are incompatible with rear access to existing properties (for example, a hedge is shown planted over the front of our garage.) With these features necessarily removed, the proposal represents even greater loss of amenity and enjoyment for existing residents, because the visual impact and loss of privacy would be even greater than the current proposal suggests. The amenity that could be provided for proposed future properties would be significantly less than the drawings suggest, in terms of green space, planting and private space. We believe the proposed development already has poor amenity space and is inconsistent with Policy RC7; this would be even worse when it is degraded further.

We would be grateful if the Council would take our considerations into account when deciding this application. We would welcome the opportunity to meet with a representative of the planning department to illustrate our objections, and to speak at the planning committee.

Yours sincerely
Fig 1. On-street Parking in King Alfred Way
Figure 2: Hand-drawn illustration of current usage. Not to scale.
Cheltenham Borough Council  
PO Box 12  
Municipal Offices  
Promenade  
Cheltenham  
GL50 1PP  

Dear Miss Payne  

Planning Application 17/02110/FUL: Land and Garages at King Alfred Way Cheltenham  

The superficial adjustments to this proposal have done nothing to address the significant objections voiced by those neighbouring the land in question.  

Poor visibility and traffic congestion remain issues, building is still proposed too near to existing trees and in a manner which impacts privacy and light.  

It is particularly significant for us that the property now labelled 2 and its walled exterior space are still blocking reasonable access to our garage. Although the modified plan shows a superficial change in this respect, the walled exterior space of the current Property 2 is incompatible with our right to access our own land and garage. The space depicted is inadequate in view of our reasonable need to manoeuvre in and out of the existing garage and to leave and enter King Alfred Way in a forward gear. Should these unsuitable plans be pursued further, we would pursue this matter by all means available.  

Yours sincerely
Planning: Environmental & Regulatory Services
Cheltenham Borough Council
PO Box 12
Municipal Offices
Promenade
Cheltenham
GL50 1PP

For the attention Miss Michelle Payne, Planning Officer

REFERENCE: PLANNING APPLICATION NO 17/02110/FUL
Proposal: Demolition of 14 lock up garages and erection of five two bedroom dwelling houses with parking at King Alfred Way

I write in connection with the above planning application. I have examined the plans and I know the site well. I wish to object strongly to the development of these houses in this location.

From site plans the back access, which the Hales Road properties currently benefit from, is seriously compromised.

I have accessibility to the back of my property via the back access road at King Alfred Way so I am able to park my car. There is a proposed bike storage and hedging shown on the diagram which blocks this access which I strongly oppose to as I want to continue to be able to move in and out of my property. In addition, the proposed houses have been allocated 1 car-parking space each, which due to a lack of adequate space in this area would cause serious issues around manoeuvrability.

Consideration should also been given to current parking and traffic issues in this particular area. King Alfred Way is already congested with parking from employees working within the industrial estate and also by through traffic. Although 5 parking spaces have been allocated in this proposed development this is inadequate; the possibility of additional cars from family members or visitors, and the negative effect this will have on parking, congestion and safety in the area, cannot be ignored.

There is a distinct over development of this particular site. The layout and density of the proposed 5 dwellings is unacceptable in such a limited space. It will have an adverse effect on the residential amenity of neighbours with increased noise and overshadowing.

As two- story houses are proposed, and with building right up to property boundary lines, my property will be severely overshadowed which I object to. As these are also dwellings, and five of them, the noise levels will inevitably be higher than they are currently, from both human and vehicular traffic which I am strongly against.

While I have taken every effort to present accurate information for your consideration I cannot accept any responsibility for unintentional errors or omissions and you should satisfy yourselves on any facts before reaching your decision.

Regards
Planning: Environmental & Regulatory Services
Cheltenham Borough Council
PO Box 12
Municipal Offices
Promenade
Cheltenham
GL50 1PP

For the attention Miss Michelle Payne, Planning Officer

REFERENCE: PLANNING APPLICATION NO 17/02110/FUL
Proposal: Demolition of 14 lock up garages and erection of four two bedroom dwelling houses with parking at King Alfred Way

The revised plans for the proposed development do not appear to have taken some of the objections previously raised into consideration.

As previously stated King Alfred Way is already congested with parking from employees working within the industrial estate and also by through traffic. With additional housing, although a parking slot has been allocated for each residence this is not sufficient. King Alfred Way has little capacity to accommodate any further traffic or parking which new housing will inevitably bring. Highway safety will undoubtedly be compromised.

Although the proposal has now reduced the number of dwellings to four there is still a distinct over development of this particular site; the density is unacceptable. As these properties are in close proximity to the back gardens of the Hales Road properties there will be overshadowing and also with windows now shown on the side of the dwellings there will be loss of privacy which I strongly object to.

While I have taken every effort to present accurate information for your consideration I cannot accept any responsibility for unintentional errors or omissions and you should satisfy yourselves on any facts before reaching your decision.

Regards
Cheltenham Borough Council  
PO Box 12  
Municipal Offices  
Promenade  
Cheltenham  
GL50 1PP  

29 Hales Road  
Cheltenham  
GL52 6SL  

14th November 2017  

Dear Miss Payne  

RE Planning Application 17/02110/FUL: Land and Garages at King Alfred way Cheltenham.  

I wish to make you aware of my objections to the proposal of the above planning application. As my property is adjacent to the proposed development I feel that it will have a overwhelming negative effect on my property and that of my neighbours and the surrounding area.  

Planning impact to my property:-  

- Looking at the proposed planning for building at the rear of my property 29 Hales Road I feel that the extent of the said proposal will completely block the rear of my garden and will cause a huge visual impact on my home as along with my neighbours. My as with my neighbours garden is elevated up from my house and this will make the planned house side elevation higher than if on an equal level, this causes concern for myself as my garden will have an imposing high brick wall at the boundary of my property causing privacy issues and will also have high impact on light available to my own and adjacent properties and gardens.  

- On the proposed plans it shows no trees on my property yet at the end of my garden adjacent to the proposed property I have well matured trees that will be next to the planned houses. These trees were planted many years ago by my late wife and it will cause much distress to myself and my family if construction caused any damage or loss to the trees and will not be tolerated.  

- On the proposed planning it appears to show that my boundary fence has been removed and replaced by the brick wall as stated above this being the the side elevation of the proposed house at the end of my garden Does this mean that my fence will be removed for construction of the houses? If so how
will there be a need to venture onto my property, also how will the side elevation of the proposed property be maintained without entering my property this could constitute as trespass.

Traffic and Parking:-

I feel that there is a lack of parking on the proposed site and would lead to over parking into the surrounding area causing over congestion where there is already parking issues with not enough spaces for local residents. There is also issues with road safety in King Alfred Way during business hours as cars, vans and trucks all vie for parking, at times creating blind spots when entering and leaving the proposed site.

I will be grateful if the Council will take into considerations my concerns and objections of this application

Yours sincerely
Cheltenham Borough Council
Box 12
Promenade
GL50 1PP

P.O.
Municipal Offices
Cheltenham

Dear Ms Crews,

RE: Revised planning application 17/02110/FUL for Land and Garages at King Alfred Way Cheltenham.

After looking at the revised planning proposals I still have concerns about the development.

Proposed planning impact to our property:

- It appears on the new plans that the side elevations towards my garden have small windows. As the planned properties are elevated above my property I feel that this is invasive to my privacy as there will be direct vision into my gardens and home.
- On the plans it does not show that I have three trees at the rear boundary of my garden, a Norway maple an Apple tree and a Holly tree. I have read the tree specialists report and it states that I only have walnut tree in my garden I do not have a walnut tree in my garden and never have had one so the report is incorrect. May I suggest that you revisit the site.
- After reading the report regarding ground contamination checks and asbestos possibilities I am very concerned as to how this would be handled and contained from any dust or contamination entering my property and garden. I myself suffer from chest infections from time to time and more importantly my late wife passed away in 2016 from asbestos which causes myself great concern and distress at the possibility of any of the above effecting my home.

Traffic and Parking:

I am still concerned about the traffic within the proposed area and the lack of vision on exiting the site onto King Alfred way and also onto the Hales Road as I have witnessed and accidents that have occurred in this location, on several occasions. Also the parking spaces within the area continue to become increasingly hard to find as hospital staff vie for and use this area for parking during their working hours putting even more strain on the area. Also where will the cars of the local residents park that use the garages with the already lack of parking spaces.
I continue to ask that you take our concerns into consideration of this application and would be also grateful if you could keep me informed of future progress and any committee meetings that I may attend.

Yours sincerely

BUILT

Read 20 MAR 2018
ENVIRONMENT
Cheltenham Borough Council  
PO Box 12  
Municipal Offices  
Promenade  
Cheltenham  
GL50 1PP

Dear Miss Payne

RE Planning Application 17/02110/FUL: Land and Garages at King Alfred way Cheltenham.

We wish to make you aware of our objections to the proposal of the above planning application. As our property is adjacent to the proposed development we feel strongly that it will have a negative effect not only on our property but also on our neighbours and the surrounding area.

Proposed planning impact to our property:-

- Looking at the proposed planning for building at the rear of our property we feel that it will have major visual impact on our home as our gardens are elevated from our house and this will make the planned house side elevation higher than if on an equal level, this causes concern for privacy and will also have high impact on light available to our property and garden and that of our neighbours.

- On the proposed plans it show a tree in the garden of 25 Hales Road which is incorrect as the tree is actually situated in our garden at 27 Hales Road making the tree closer to the proposed planned houses. This tree has been established in our garden for the last forty years and we have concerns that the construction of these houses may cause damage or destruction of our property.
- Also on the proposed planning it appears that our boundary fences have been removed and there will a brick wall, the side elevation of the proposed house at the end of our garden. Does this mean that our fence defining the boundary to our property will be removed for construction of the houses? If so how will the construction take place? Will there be a need to venture onto our property, also how will the side elevation of the proposed property be maintained without entering our property this could constitute as trespass.

Traffic and Parking:-

We feel that there is a lack of parking on the proposed site and would lead to over parking into the surrounding area causing over congestion where there is already parking issues with not enough spaces for local residents. There is also issues with road safety in King Alfred Way during business hours as cars, vans and trucks all vie for parking, at times creating blind spots when entering and leaving the proposed site.

We will be grateful if the Council will take into consideratons our concerns of this application

Yours sincerely,
Tree not in No 25's garden

Tree situated in No 27's garden

Appears to have boundary fence to our property removed.
Cheltenham Borough Council  
P.O. Box 12  
Municipal Offices  
Promenade  
Cheltenham  
GL50 1PP

Dear Ms Crews,

RE: Revised planning application 17/02110/FUL for Land and Garages at  
King Alfred Way Cheltenham.

After looking at the revised planning proposals we still have concerns about the  
development.

Proposed planning impact to our property:-

- It appears on the new plans that the side elevations towards our gardens  
have small windows. As the planned properties are elevated above our  
properties we feel that this is invasive to our privacy as there will be  
direct vision into our gardens and homes.

- Regarding the Norway maple situated in our garden No 27 we are very  
concerned about the preservation of the tree, we have had our own  
independent tree specialist to look at it who has informed us that the  
tree is in very good condition and that any tree root disturbance could be  
detrimental to its health.

- After reading the report regarding ground contamination checks and  
asbestos possibilities we are very concerned as to how this would be  
handled and contained from any dust or contamination entering our  
properties and gardens as [redacted] suffers from chronic asthma and  
this could cause further serious health issues.
Traffic and Parking:

We are still concerned about the traffic within the proposed area and the lack of vision on exiting the site onto King Alfred way and also onto the Hales Road as we have witnessed and assisted with help at accidents that occurred in this location. Also the parking spaces within the area continue to become increasingly hard to find as hospital staff vie for and use this area for parking during their working hours putting even more strain on the area.

We continue to ask that you take our concerns into consideration of this application and would be also grateful if you could keep us informed of future progress and any committee meetings that we may attend.

Yours sincerely
Update to Officer Report

Further to the officer report published in the main agenda, please see the schedule of suggested conditions / informatics below:

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

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

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

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

3. Prior to the 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 be adhered to throughout the construction period and shall:

   i) specify the type and number of vehicles expected during the construction of the development;
   ii) allocate space for the parking of vehicles for site operatives and visitors;
   iii) allocate space for the loading and unloading of plant and materials;
   iv) allocate space for the storage of plant and materials used in constructing the development;
   v) specify the intended hours of construction; and
   vi) specify measures to control the emission of noise, dust and dirt during construction.

   Reason: To minimise disruption on the public highway and adjacent land users and accommodate the efficient delivery of goods and supplies during the course of the construction works, having regard to adopted JCS policy INF1 and paragraph 35 of the National Planning Policy Framework. Approval is required upfront because without proper mitigation the construction works could have an unacceptable highway impact.

4. Prior to the commencement of development, including any works of demolition, a contaminated land assessment and associated remedial strategy shall be submitted to and approved by the Local Planning Authority (LPA). The assessment shall contain the following elements:
a) A Phase I Preliminary Risk Assessment (Desk Study) to be submitted to the LPA for approval. The desk study shall detail the history of the site uses and identify and evaluate all potential sources and impacts of land and/or groundwater contamination.

b) Where the preliminary risk assessment identifies potentially unacceptable risks at the site, a suitably qualified and accredited person shall carry out a site investigation, including relevant soil, soil-gas, surface and groundwater sampling in accordance with a quality assured sampling and analysis methodology. The requirements of the LPA shall be fully established before any site surveys are commenced.

c) A site investigation report detailing all investigative works and sampling on site, together with the results of any analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve any such remedial works as required, prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.

d) The approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.

e) Upon completion of the works, this condition shall not be discharged until a verification report has been submitted to and approved by the LPA. The verification report shall include details of the completed remediation works and include quality assurance certificates to show that the works have been carried out in full and in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the verification report together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, having regard to Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted 2017). Approval is required upfront because without proper mitigation the development could have an unacceptable environmental impact.

5 Prior to the commencement of development, including any works of demolition or site clearance, a Tree Protection Plan (TPP) to BS5837:2012 (or any standard that reproduces or replaces this standard) shall be 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 saved Policies GE5 and GE6 of the Cheltenham Borough Local Plan (adopted 2006). Approval is required upfront to ensure that important trees are not permanently damaged or lost.

6 Prior to the commencement of development, including any works of demolition or site clearance, a method statement for the removal of the hard surface at the rear of the site...
shall be submitted to and approved in writing by the Local Planning Authority. The method statement should include a sequence of events for the installation of tree protection. The works shall not be carried out unless in accordance with the approved method statement.

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

No external facing materials shall be applied unless in accordance with a) a written specification of the materials; and b) physical sample(s) 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 Policy SD4 of the adopted Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted 2017).

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that order), the first floor bathroom windows and the side windows to the projecting bays shall at all times be glazed with obscure glass to at least Pilkington Level 3 (or equivalent) and shall incorporate a restricted opening mechanism, details of which shall have been submitted to and approved in writing by the Local Planning Authority prior to their installation.

Reason: To safeguard the privacy of adjacent properties and land users, having regard to Policy SD14 of the adopted Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted 2017).

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 saved policies CP7, GE5 and GE6 of the Cheltenham Borough Local Plan (adopted 2006), and policies SD4 and INF3 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted 2017). Approval is required upfront because the landscaping is an integral part of the development and its acceptability.
Prior to first occupation of the development hereby permitted, vehicular parking and turning facilities shall be provided in accordance with approved Drawing No. 17.20.025 / PL006B, and those facilities shall be maintained available for those purposes thereafter.

Reason: To ensure that adequate car parking is provided within the site, 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, having regard to policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted 2017) and paragraph 35 of the National Planning Policy Framework.

Prior to first occupation of the development hereby permitted, cycle storage facilities shall be provided in accordance with approved Drawing No. 17.20.025 / PL006B, and those facilities shall be maintained available for those purposes thereafter.

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, having regard to policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted 2017) and paragraph 35 of the National Planning Policy Framework.

Prior to first occupation of the development hereby permitted, adequate refuse and recycling storage facilities (including appropriate containers) shall be provided in accordance with approved Drawing No. 17.20.025 / PL006B, and those facilities shall be maintained available for those purposes thereafter.


Prior to first occupation of the development hereby permitted, details of the proposed arrangements for future management and maintenance of the highway within the development shall be submitted to and approved in writing by the Local Planning Authority. The highway shall thereafter be maintained in accordance with the approved management and maintenance details until such time that 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 is provided, and to establish and maintain a strong sense of place to create attractive and comfortable places to live, work and visit, having regard to policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted 2017) and paragraphs 35 and 58 of the National Planning Policy Framework.

Prior to first occupation of the development hereby permitted, a pedestrian tactile crossing across the site entrance shall have been installed in accordance with a scheme which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To reduce potential highway impact by ensuring that adequate pedestrian facilities are 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, having regard to policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted 2017) and paragraph 35 of the National Planning Policy Framework.
In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

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

In this instance, the authority sought revisions to secure an improved site layout which relates better to its context, whilst ensuring that the development proposals make for an effective and efficient use of the site.

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

Wales & West Utilities has pipes in the area which may be affected by and/or at risk during construction works. The applicant/developer must therefore contact Wales & West Utilities directly to discuss their requirements in detail before any works commence on site. Should diversion works be required these will be fully chargeable. You must not build over any of their plant or enclose their apparatus.

The proposed development will involve works to be carried out on the public highway and the applicant/developer must therefore enter into a legally binding Highway Works Agreement (including an appropriate bond) with the County Council before commencing those works.
<table>
<thead>
<tr>
<th>APPLICATION NO: 17/02460/FUL</th>
<th>OFFICER: Miss Michelle Payne</th>
</tr>
</thead>
<tbody>
<tr>
<td>DATE REGISTERED: 19th December 2017</td>
<td>DATE OF EXPIRY: 20th March 2018 (extended by agreement with the applicant until 27th April 2018)</td>
</tr>
<tr>
<td>WARD: St Marks</td>
<td>PARISH: n/a</td>
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<tr>
<td>APPLICANT: New Dawn Homes Ltd</td>
<td></td>
</tr>
<tr>
<td>AGENT: n/a</td>
<td></td>
</tr>
<tr>
<td>LOCATION: Playing Field Adj 10 Stone Crescent Cheltenham</td>
<td></td>
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<tr>
<td>PROPOSAL: Erection of 13no. dwellings with associated road and sewers</td>
<td></td>
</tr>
</tbody>
</table>

RECOMMENDATION: Refuse

This site map is for reference purposes only. OS Crown Copyright. All rights reserved Cheltenham Borough Council 100024384 2007
1. DESCRIPTION OF SITE AND PROPOSAL

1.1 The application site comprises a roughly rectangular piece of land, 0.39 hectares, to the north of the King George V playing field in St. Marks. The site is fenced off from the playing field and does not form part of the designated Public Green Space.

1.2 The surrounding area to the north is largely residential - the land to the north-east (through which the proposed development site would be accessed) having been developed for housing in the early 2000s. Rowanfield Primary and Junior Schools are located to the east.

1.3 The application is seeking planning permission for the erection of 13no. dwellings accessed from Stone Crescent. The scheme has been amended during the course of the application in terms of housing numbers and layout.

1.4 An application for planning permission, ref. 14/01276/OUT, was previously considered in 2014 for the development of this site for residential purposes; the site at that time was slightly larger, at some 0.55 hectares. The application was in outline only with all matters reserved, other than access, and proposed 40% affordable housing together with contributions to education and playspace.

1.5 The application was determined by the planning committee who resolved to grant outline planning permission subject to a s106 agreement. The applicant at that time was the County Council, and the legal agreement was never completed; the application was therefore subsequently disposed of, and no decision was issued.

1.6 This application is before the planning committee following a commitment to bring any future reserved matters or full application to committee.

2. CONSTRAINTS

None

3. POLICIES AND GUIDANCE

Saved Local Plan Policies
CP 3 Sustainable environment
CP 4 Safe and sustainable living
CP 7 Design
GE 5 Protection and replacement of trees
GE 6 Trees and development
RC 7 Amenity space in housing developments

Adopted Joint Core Strategy (JCS) Policies
SD3 Sustainable Design and Construction
SD4 Design Requirements
SD10 Residential Development
SD11 Housing Mix and Standards
SD12 Affordable Housing
SD14 Health and Environmental Quality
INF1 Transport Network
INF2 Flood Risk Management
INF7 Developer Contributions

Supplementary Planning Guidance/Documents
Development on garden land and infill sites in Cheltenham (2009)
Flooding and sustainable drainage systems (2003)
National Guidance
National Planning Policy Framework (NPPF)

4. CONSULTATION RESPONSES

Architects Panel
14th February 2018
Design Concept: The panel had no objection to the principle of the development but found the scheme submitted most unimaginable.

Design Detail: Concerns were essentially over the site layout which the panel felt could be improved by reviewing the mix of units, working with site context and key views, and creating interesting place-making spaces. The garage designs, their roofs and locations look particularly incongruous.

Recommendation: Not supported.

GCC Highways Planning Liaison Officer
6th April 2018
The proposal is for the construction of 13 dwellings, served by an extension of the carriageway at the end of Stone Crescent.

The application site comprises a piece of land located to the north of the King George V playing field (a protected open space), and to the south of the former Gloucestershire Marketing Society site (wholesale fruit and vegetable market) which is now a housing estate of 60 dwellings developed by Bloor Homes in the early 2000s. I consider that the proposed site to be within an urban environment well serviced by local amenities all within walking distance including many social amenities being; 10 primary and 10 secondary school(s) within a 2 mile radius, shops, public house, community centre and a number of employment sites together with good highway links and a local bus A and K services enabling access to Cheltenham Spa Railway Station 1.1 miles and Cheltenham Town Centre 1.5 miles distance. There is a good standard of pedestrian pathways and with provision for good cycling accessibility. I consider that the opportunities for sustainable transport modes have been taken up given the nature and location of the site in accordance with Paragraph 32 of the NPPF. The site is accessed from a residential area, there are footways and street lighting and the footway will be extended into the site. There was an application 14/01276/OUT for part of the site in 2014, to which the Highway Authority raised no objections subject to conditions. The principle of the development and means of access was established.

I have noted the comments on the web-site, however the concerns with parking are existing and the site will provide parking at a higher level than required by the current guidelines. While there are no segregated footways within the proposed site the proposal will be constructed as a shared surface street and has sufficient width to accommodate 2 vehicles passing a pedestrian throughout the layout.

Amended plans were received on 15th March showing changes to the layout, which provide the inter visibility splays required. Vehicular tracking as shown on drawing no. 124-03_A shows a 3 axle refuse vehicle manoeuvring within the site and passing a car at the entrance from Stone crescent. The parking for no 1 has been relocated to provide visibility splays. The parking provision is generous and the proposed carriageway width of 5.5m with a 500mm service strip both sides would be a minimal reduction from the 6.8m required for a shared surface street, and given the low vehicle trip generation and pedestrian usage would not be a considered a hazard to highway safety.

I refer to the above planning application received on 20th December 2017 with amended Plan(s) Nos: 124-01_C, 124-03_A and Revised Design and Access Statement received on 15th March 2018, I recommend that no highway objection be raised subject to the following condition(s) being attached to any permission granted:-
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.

No works shall commence on site (other than those required by this condition) on the development hereby permitted until the first 15m of the proposed access road, including the junction with the existing public road and associated visibility splays, has been completed to at least binder course level.

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

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 124-01_C, 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 development hereby permitted shall not be occupied until the cycle storage facilities have been made available for use in accordance with the submitted plan 124-01_C and those facilities shall be maintained for the duration of the development.

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

The development hereby permitted shall not be occupied until the bin storage facilities have been made available for use in accordance with the submitted plan 124-01_C and those facilities shall be maintained for the duration of the development.

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

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.

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.

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

Note: The applicant is advised that to discharge condition [user defined no. - GCC22], 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.

**Urban Design**

*9th February 2018*

I visited the site today (09.02.18) and have reviewed the submitted plans. I would not be able to support the application as it stands given the issues raised below.

The amended plans are an improvement on the initial scheme design which had numerous issues, and allows a more comfortable parking arrangement across the site, with enhanced garden spaces.

There are a couple of impacts issues to be aware of, including the distance between the rears of the proposed plots 1 to 3 and the existing gardens along the northern site boundary, including Nos 10, 17 and 15. The approximate distance between the rear elevation of Unit 2 and the edge of the existing garden of No.10 Stone Crescent is only 9m. The distance between the rear elevation of unit 2 and the rear elevation of No.10 is only 13m.

Type F houses appear to be 2.5 storey, meaning increased overlooking, overshadowing and overbearing impacts. The distances involved are way below what would be acceptable. A very similar issue exists when considering unit 3 and its relationship to No.17 and 15. I have also taken into account the lower site level in relation to the surrounding properties but this would not adequately mitigate the impacts, particularly the back to back distances issues.

Given the very small distances involved, incorporating some kind of screen planting would not be acceptable and would unreasonably overshadow the existing gardens. As such, the only solution may be to look at some kind of physical alteration to the proposed properties. This could include a mono-pitched roof form, where a single storey form is provided at the rear (facing the existing properties) with a 2-storey form at the front. This would apply to units 1 to 3. The applicant would have to demonstrate that this could form a successful design solution, as there could be an issue with presenting a rather large expanse of roof to the existing properties.
Joint Waste Team  
22nd December 2017  
The access road connecting to Stone Crescent must be constructed to a suitable standard to allow up to a 26 ton refuse vehicle to service each week. The properties within this development will be required to present their waste and recycling receptacles at the kerbside of the road and I note that there doesn't seem to be any pavements in place? This will pose a problem with full and then empty receptacles causing obstructions for motorists/residents driving into the development. In such a development elsewhere we have had regular complaints about driveways being blocked with bins after the collection has taken place. With nowhere off the road for the bins to go, this issue would be repeated here.

Cheltenham Civic Society  
8th January 2018  
We consider that Cheltenham deserves better than this. This is the usual banal housing development churned out by most developers; it could be anywhere in the south of England, it has no local distinctiveness. The details are architecturally illiterate. We recommend that this scheme be refused.

Gloucestershire Centre for Environmental Records  
5th January 2018  
Report available to view in documents tab

Severn Trent Water Ltd  
21st December 2017  
Thank you for the opportunity to comment on this planning application. Please find our response noted below:

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

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

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

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

Please note it you wish to respond to this email please send it to Planning.apwest@severntrent.co.uk where we will look to respond within 10 working days. Alternately you can call the office on 01902 793851.
If your query is regarding drainage proposals, please email to the aforementioned email address and mark for the attention of Rhiannon Thomas (Planning Liaison Technician).

Severn Trent Water Ltd (revised comments)
26th March 2018 - I am writing to reiterate my original comments regarding the public sewers crossing the above planning development site.

To note the following sewers are crossing the site and require the following 'no build' zone areas:

225mm diameter foul sewer - no build zone of 3m either side of the pipe, measured from the centreline, thus, providing 6m no build zone across the diameter of the pipe.

825mm diameter surface water sewer - no build zone of 5m either side of the pipe, measured from the centreline, thus, providing a 10m no build zone across the diameter of the pipe.

These sewers are of strategic importance to the Company and as such, the sewers need to be located within public open space to ensure 24hours emergency access. In addition, it also prevents any accidental damage or building constraints by future house owners. The applicant will need to either amend their layout or divert the sewers under Section 185 of the Water Industry Act 1991, into an accessible public area. They may obtain copies of our current diversion application form and guidance notes, from either our website or by contacting our Developer Services Team (www.stwater.co.uk - Tel: 0800 707 6600).

Sabina Tang Landscape Architect
9th January 2018
1. Tree protection plan
   It is not clear from the information provided, which trees are to be removed and which are not. It would be helpful if the position of the trees could be clearly marked indicating the loss and retention of trees in relation to the site boundary. Please also submit a tree protection plan with detailed drawings.
2. Hard landscaping
   Current landscaping strategy document only covers basic principles of the development. Please provide design drawings and written specifications for hard landscape features such as paving, surfaces, edgings, boundary treatments, lighting, cycling facilities, and other elements in external works.
3. Soft landscaping
   Please provide design drawings and written specifications for soft landscape features as well as planting plans including name, number, size, and density of plants in each specific planted area.
4. Design and access statement
   Please provide a more detailed site analysis as well as a broader range of policy consideration regarding good design, landscape, environment, etc. Please provide more detail for access design along with how this development would promote modes of sustainable transport.

Tree Officer
10th January 2018
The CBC Tree Section cannot support this application in its current form.

Whilst the development proposal in principle is acceptable, the current tree-based objection pertains to the exclusion from the site of the narrow (4 metre wide) strip of land running up the western side of the site from the proposal. This narrow strip of land belongs to Cheltenham Borough Council and the trees on it have been managed by CBC for many years. To have such a narrow strip of land bordered on both sides by private housing would make it become very difficult to manage and the land would soon become (even more) derelict with tree management/surgery very difficult to achieve. It would be far more
preferable to incorporate this strip of land into rear gardens of the proposed plots thereby
giving more generous plot sizes as well as negating CBC's responsibilities.

At the south east corner of this site (and within CBC ownership) is a large oak tree whose
 canopy is sparse but otherwise in apparent good condition. This tree should remain in CBC
 ownership. Given the current extent of the canopy and the trees gradual decline into over-
maturity, the tree may well respond well to retrenchment pruning thus rendering it more
safe, reducing shade, leaf and fruit etc drop as well as the likelihood of stimulating the
crown into the production of a layer of inner foliage which could help sustain the tree into
the future.

The proposed site plan shows 3 off site trees along the southern border of the site. However the tree survey shows 6 trees. Please could this be clarified. 2 Of these trees are Raywood ash, a structurally unsound tree. Perhaps these 2 trees could be removed and
replaced with 2 more suitable trees (Gleditsia tricanthos 'Skyline' 'a thornless variety of
honey locust) with good autumn colour to match adjacent trees.

Assuming the above land agreement can be reached with CBC, a detailed landscape plan
for trees in all rear and front garden plots as well as details of border treatment.

5. PUBLICITY AND REPRESENTATIONS

5.1 On receipt of the application, letters of notification were sent out to a number of, but not
all, properties in Stone Crescent, Lucinia Mews, and Brooklyn Road, and Rowanfield
Infants & Primary School. Some properties in Bedford Avenue and Somerset Avenue
were also notified in error.

5.2 Additionally, in accordance with the publicity requirements for major development, as set
Order 2015, the application was later publicised in the Gloucestershire Echo. Two site
notices were also posted, one at the entrance to the housing estate and one adjacent to
the site itself.

5.3 Letters were again sent, and site notices posted, on receipt of revised plans.

5.4 A number of representations have been received from 28 local residents during the
course of the application in response to the publicity; and all of the comments have been
circulated in full to Members. In brief, the main concerns raised relate to:

- Increased traffic, parking and highway safety
- Impact on amenity - increased noise levels, loss of privacy, loss of view
- Visual impact
- Impact during construction phase
- Drainage and localised flooding
- Sewers running through the site
- Loss of trees
- Loss of green space
- Lack of social housing / community facilities
- Heights of buildings
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; parking, access and highway safety; impact on neighbouring amenity; trees and landscaping; drainage; and affordable housing.

6.2 Principle of development

6.2.1 Paragraph 14 of the NPPF states that “At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking”. For decision-taking this means (unless material considerations indicate otherwise) approving development proposals that accord with the development plan without delay.

6.2.2 Adopted JCS policy SD10 advises that in Cheltenham, outside of allocated sites, housing development will be permitted where it is infilling within the Principle Urban Area (PUA).

6.2.3 In this instance, the site is centrally located within the PUA in a sustainable location. Furthermore, the wider site (as previously proposed for development) is allocated for housing in Policy HD5 of the emerging Cheltenham Plan.

6.2.4 Additionally, the resolution to grant outline planning permission on the site in 2014 subject to an s106 agreement (albeit the decision was not issued) is a material consideration in the determination of this current application.

6.2.5 As such, there is no fundamental reason to suggest that the principle of developing this site for housing is unacceptable, subject to other material considerations set out below.

6.3 Design and layout

6.3.1 Paragraph 56 of the NPPF states that “Good design is a key aspect of sustainable development” and “is indivisible from good planning”. Paragraphs 59 and 60 go on to state that design policies should not attempt to impose architectural styles or particular tastes but should concentrate on matters such as the overall scale, massing, height, layout, materials, etc. of new development.

6.3.2 Adopted JCS policy SD4 sets out the local design requirements for development proposals and highlights the need for new development to “respond positively to, and respect the character of, the site and its surroundings”; the policy reflects the aims and objectives of saved local plan policy CP7.

6.3.3 For small-scale residential developments, greater detail can be found in the Council’s adopted SPD relating to Development on Garden Land and Infill Sites in Cheltenham. The document sets out that various elements combine to create the character of an area and include grain, type of building, location of buildings within the block or street, plot widths and building lines and goes on to state that “Responding to character is not simply about copying or replicating what already exists in an area. It is not merely about preservation of what is important about a place but must also allow a place to evolve in a manner which is appropriate to the context of the place, seeking always to enhance a place”.

6.3.4 The scheme has been revised during the course of the application but has failed to overcome officers concerns and officers question whether the proposed layout seeks to
make the most effective and efficient use of the site, or provide the mix of dwellings sought by adopted JCS policy SD11.

6.3.5 Whilst the contemporary design approach taken in dwellings is generally acceptable, the layout is uninspiring and officers do not consider that the proposed development would add to the overall quality of the area, establish a strong sense of place and identity, nor optimise the potential of the site, as required by paragraph 58 of the NPPF. Officers have significant concerns in relation to the layout and provision of car parking, the proximity of housing to boundaries, and relationships between properties.

6.3.6 The parking for the affordable units would be provided within a rear parking court in the north western corner of the site. Whilst small parking courts which are overlooked will sometimes be supported, it is always preferable for them to be designed out of a scheme. In this case, the parking court is considered to be wholly unacceptable as it would not be sufficiently overlooked; house type C does not have any windows in it side elevations. Additionally, no direct access to dwellings would be provided which is likely to cause inconvenience and discourage use; and the parking court would not provide any opportunities for soft landscaping to be incorporated resulting in an unattractive and extensive area of hardsurfacing. The parking court would also be located in close proximity to properties in Lucinia Mews.

6.3.7 The proposed bin and cycle storage for the affordable units is also wholly inadequate in size, and inconveniently located in the far corner of the parking court. The bin and cycle storage has clearly not been designed to encourage the use of these facilities.

6.3.8 The relationship between dwellings is also unsatisfactory in parts, and it is noted that a street scene showing units 1-5 has not been submitted. Of most concern, is the relationship between units 5, 6 and 7 whereby units 6 and 7 would have their principal outlook on to the blank side wall of unit 5 just some 8 metres away, far short of the 12 metres usually sought.

6.3.9 Finally, some of the dwellings fail to achieve a distance of 10.5 metres to the site boundaries but have first floor windows in their rear elevations.

6.4 Access, parking and highway safety

6.4.1 Paragraph 32 of the NPPF and adopted JCS policy INF1 emphasise the need to encourage the use of sustainable modes of transport, and state that planning permission should only be refused on highway grounds where the impacts of the development are severe.

6.4.2 The revised proposals have been reviewed by the Local Highway Authority who raise no objection to the residential development of the site subject to conditions. The consultation response, which can be viewed in full above in Section 4, acknowledges the representations from local residents but highlights that the concerns relate to the existing situation; this current application for planning permission cannot be expected to provide solutions to existing problems. The provision of 13 additional houses in this location will not result in any severe highway impact.

6.4.3 Additionally, it should be noted that the 2014 outline application sought approval for an access in this location, and no highway objection was raised based on a provision of up to 20 units.

6.4.4 Notwithstanding the above, as previously noted at paragraph 6.3.4, officers have concerns in relation to the significant overprovision of car parking proposed throughout the site; Unit 13 in the south eastern corner of the site has up to 8 on-site car parking spaces. Whilst there are currently no minimum or maximum parking standards throughout
Gloucestershire, such an overprovision is considered to be unacceptable and is clearly contrary to the aims and objectives of the NPPF and adopted JCS policy INF1 which seek to encourage the use of sustainable transport modes.

Other considerations

6.5.1 Matters relating to neighbouring amenity; trees and landscaping; drainage; and affordable housing will be discussed in an update to follow.
APPLICATION NO: 17/02460/FUL
OFFICER: Miss Michelle Payne

DATE REGISTERED: 19th December 2017
DATE OF EXPIRY: 20th March 2018
WARD: St Marks
PARISH:

APPLICANT: New Dawn Homes Ltd
LOCATION: Playing Field Adj 10 Stone Crescent, Cheltenham
PROPOSAL: Erection of 13no. dwellings with associated road and sewers

REPRESENTATIONS

Number of contributors  29
Number of objections  27
Number of representations  1
Number of supporting  0

11 Wharfde Square
Cheltenham
Gloucestershire
GL51 8DL

Comments: 9th January 2018

A similar application was made some years ago, and my reasons for objecting now are the same as then.

My principle objection is that of traffic management and safety. Wharfde Square and the surrounding roads are already oversubscribed with parked cars. Not only are there a number of multiple occupancy buildings in the area, with multiple associated vehicles, but the square also attracts local workers who park on the square to walk to work (e.g. adjacent school) or the local bus stop for easy access to GCHQ and the town centre.

The parked cars make a large proportion of the square and connected roads effectively 'single lane', and navigating them is already tricky. In addition to this, the square is extremely heavily loaded with cars during school drop-off and pick-up times. In no way are these roads capable of being used as 'through roads' to an extended development of the neighbourhood.

Further, the sole access road to the square is usually filled with parked cars, making that road also 'single lane'. Frequently, cars have to reverse back into the busy main road (Alstone lane) to avoid drivers exiting the square. This is worse at peak times, and safety issues are compounded by heavy pedestrian traffic crossing the access road to get to the neighbouring school and childrens centre.

Safety issues are not restricted to just the junction with Alstone lane. The main brick-paved areas of Wharfde square, around the central garden, are currently used as somewhat of a 'shared-space' with local children playing. I have personally witnessed a number of near-misses already, and increasing the general traffic flow around the square will only add to the safety concerns.

Additional buildings will also affect the character of the neighborhood. Increasing traffic and noise, decreasing available space for residents to enjoy, impacting the visual amenity of the area, and impacting road safety.
4 Lucinia Mews  
Cheltenham  
Gloucestershire  
GL51 8DR

Comments: 6th January 2018
Thank you for the belated opportunity to comment.

My main concern is the effect on traffic levels on the roads of the existing development. The new houses, if built, would effectively increase the size of the existing development by a quarter. This would increase the traffic flow and hazards in Wharfdale Sq. and Stone Cresc. correspondingly. *What will be done to alleviate this?*

Wharfdale Sq. constitutes the access to my house and garage, so I know well that it and its junctions are already heavily parked much of the time, often on both sides of the narrow twisting road. In particular the ramp to and from Alstone La, and its junctions at both ends, are solidly parked during the school run.

The available plans suggest construction traffic would access the site via Wharfdale Sq. and Stone Cresc. *Large vehicles may not be able negotiate these tight turns safely* when they are heavily parked on both sides. *Size and type of contractors' vehicles should be restricted* e.g. no artics, and/or max. wheelbase length.

The hedge round Wharfdale Sq. makes the east and south corners of the square blind to drivers of most saloon, estate and hatchback cars and small vans. Near-misses at these corners are already common with current occupation and traffic levels, and are likely to increase, and lead to actual accidents, both during construction and after occupation of the new site. *What will be done to alleviate this?*

If contractors’ and site workers’ vehicles were to park in the existing development during construction, they would quickly swamp and block the existing development. This would be unacceptable for current residents. *Construction traffic must not be allowed to park on the existing development.*

Comments: 16th February 2018
Here is the message I e-mailed to Asset Protection at Severn Trent on 9 Feb. I haven't had a response.

"Good morning. Can you give me some information on your involvement in this proposed development, please?

A developer is planning to build houses on low ground near my house in Cheltenham. The site currently functions as a sink for surface water from the surrounding higher area. Adjacent houses and roads already flood in wet weather. We understand there are sewers and a culverted stream running under the site.

SWT commented on 21 Dec 2017, but there is no indication of the status of the activities discussed there.

I and some of my neighbours are still concerned that the work may adversely affect drainage and exacerbate flooding. Some of my neighbours already experience flooding and sewage reflux in wet weather. *As preparatory site work has already been done, and the comment deadline is close, we are keen to know the status of SWT's involvement, and would like reassurance that SWT is getting adequate opportunity to identify issues and stipulate safeguards.*
The planning application is 17/02460/FUL. I understand the closing date for comments is 20 Feb 2018. The prospective developer is New Dawn Homes. Their revised drawing, uploaded on 6 Feb 2018 but dated Nov 2017, shows drains and diverted services, and an unidentified broad blue line in the N corner of the site. (The top of the plan is NE, not N as stated there.) Natural drainage from the site is northwestwards, across Brooklyn Road, above and below ground.

Thanks in advance."

**Comments:** 17th February 2018
Currently the southeast side of Wharfdale Square is effectively a single lane for much or most of the time. For the safety of the increased vehicle and pedestrian traffic, it should be widened to two lanes with a kerbed pavement. A strip could be taken from the central grass area, which is little used.

The trees along the northeast boundary of the site should be replaced. Trees not only absorb atmospheric CO2, in flood areas they also absorb groundwater. This is a practical beneficial step that takes priority over technicalities of planning rules, land ownership or ransom strips. If the development goes ahead without those trees, and later floods, it will be partly because of the loss of those trees.

The sequence of the proposed site plans isn't clear. The plan submitted on 18 Dec is said to have been superseded, yet the revised one submitted on 6 Feb is also dated Nov 2017, so already existed before the Dec one was submitted.

15 Wharfdale Square  
Cheltenham  
Gloucestershire  
GL51 8DL

**Comments:** 7th January 2018
I would like to object to the construction of the 14 new homes. In addition to agreeing to all the points made by the resident at 4 Lucinia Mews, my main concerns are as follows:

- The traffic flow to / from Wharfdale Square will increase significantly throughout the construction of the houses and once they have been built.
- The noise level will increase significantly throughout the construction of the houses.
- During school start and finish times cars are parked alongside the entrance to the square and all around it. This will make it difficult for construction vehicles to enter / exit the site.
- As it has already been pointed out the size of the estate will increase by a quarter. I purchased my house based on the size of the estate, it being out-of-the-way and the noise level. All 3 of these will be impacted.
- Children can regularly be seen playing around the square. This poses a safety issue, as during the construction phase and post the construction this will increase the potential of a traffic related incident occurring, as the traffic to / from the square will increase significantly.
- Waste disposal vehicles have a hard time getting around the square. Construction vehicles will experience the same issues.
- Parking is already very limited for residents. Construction vehicles will elevate this problem further.

**Comments:** 10th January 2018
I am a resident of Wharfdale Square in Cheltenham.

I was recently made aware of a proposed development of 14 new dwellings which are being built in close proximity to my property. We were kindly made aware of this development late last week by my local Councillor, Sandra Holliday, who has been copied in on this email. She suggested I drop you an email.
Upon finding out about the development I spoke to a number of residents and put in an objection to the development going ahead. A number of the residents also put in objections. The details of my objection can be found on your website, so I won't go through it in this letter.

The reason I am writing this email is to specifically raise a number of concerns that I and a number of residents have regarding the way in which this Planning Application has been handled by Cheltenham Borough Council. We were only made aware of this development late last week and upon speaking to a number of residents in the area some of them were shocked and were not even aware that it was happening.

I would like to understand:

- Why we as residents and as such individuals who are directly impacted by this development were not made aware of this Planning Application upon submission? The number of objections submitted would be far higher if residents had been given ample time to reflect and comment.

- Who in the area has actually been contacted by yourselves to make them aware that this Planning Application had been submitted? There is one way into and out of the potential development so the residents of the following would be affected:
  - Wharfside Square
  - Lucinia Mews
  - Stone Crescent
  - South Bank

- Why work has begun on the land when the Planning Application has not yet been approved? Upon speaking to concerned residents it seems that a gate to the site has already been put into place, trees have been cleared and the land has been marked out by an orange plastic fence. Is the Developer just being presumptuous or has this Planning Application already been approved and we are only just now being made aware of it as a formality?

- How will the submitted objections will be handed? As above, has this Planning Application already been approved?

I would like to ask that proper canvassing is carried out to gauge the views / opinions of the local residents prior to approving this Planning Application. At last count there are 15 objections from concerned residents and one from the Cheltenham Civic Society. I can only assume that the number of objections will increase if more people are made aware of the development and potential impact.

Please feel free to contact me at this email address if you want to discuss any of these points further. If you would like to discuss this matter over the phone please send me your number and I will call in.

Thanks and I look forward to hearing from you.

Comments: 13th January 2018
In addition to the comments already made, in the Public Comments Section it has Total Consulted down as 48. I believe this to be inaccurate as a number of people have already pointed out we have only in the last week and a half been made aware of this development. Please can you provide clarification on which 48 residents / properties were made aware of this development? It should be noted that there are about 65 properties that would be impacted by this development residing in South Bank, Wharfside Square, Lucinia Mews and Stone Crescent.

Comments: 28th January 2018
I have submitted a FoIA request to customerrelations@cheltenham.gov.uk, as I do not feel due process was followed when 14/01276/OUT, which underpins this Planning Application, was
submitted and approved. I would expect a response to my FoIA request prior to any decision being made on this current Planning Application.

Comments: 2nd February 2018

The Council have admitted the following:

According to Cheltenham Borough Council's website, 48 households have been consulted, but the planning officer admitted some of these were "incorrectly selected".

The officer also said that "due to an oversight", notices about the application were not put up in the neighbourhood until January 17 - eight days after the deadline for community feedback.

Comments: 20th February 2018
I can think of a number of reasons why the Planning Application should not be granted. As a resident of the area, I feel I am best placed to know the problems and issues the proposed new development will cause. My concerns about this particular Planning Application are as follows:

- Increased traffic to / from the area during the development phase and once the houses have been built. According to the amended plans the proposed new development will be for 10 houses - 3 bedroom (1 of), 4 bedroom (3 of) and 5 bedroom (6 of). This will total 45 bedrooms. Before the amendment the proposed new development was for 14 houses - 3 bedroom (6 of), 4 bedroom (5 of) and 5 bedroom (3 of). So a total of 53 bedrooms. The area already suffers from high levels of congestion during school pick up / drop off times and once people have finished work. Residents of Wharfdale Square, Lucinia Mews, Stone Crescent and South Bank will be heavily impacted by this increase in traffic, as there is a single entry / exit point to the area. The reduction in the number of houses in the amended plan and therefore fewer bedrooms doesn't really alleviate the issue by much. Table 5 / Bullet 1 of the Cheltenham Local Plan (Matters which may be the subject of Planning Obligations) states the following - "works to provide safe access to a site, to accommodate safely local increases in traffic due to the development, and to discourage the additional traffic from using unsuitable local roads".

- Reduction in the amount of parking available in the area. Parking is already at a premium in the area. An average of 3.8 cars has been allocated per house (This means at least 38 more vehicles,) in the proposed new development. This will increase exponentially if the dwellings are Houses in Multiple Occupation (HMO). This was the reason for mentioning the number of bedrooms in my first point. What are CBCs parking guidelines - specifically what is the minimum level of car parking that proposed new developments should offer, according to its size? As I do not believe that the proposed new development provides sufficient parking space to meet these requirements. The proposed development is likely to generate a significant increase in the amount of local traffic and as such any loss of on-road parking could mean the loss of a valuable residential amenity. There are only 20 parking spaces shown on the Proposed Site Plan but the NDH literature (revised design and access statement) states there are 21 parking spaces. Which one is correct and where are the other 17 - 18 cars going to park? Possibly in the garage which will almost certainly be used for storage? Parking concerns were highlighted in the comments put in by 3 and 6 Stone Crescent when the 2014 Outline Planning Application (14/01276/OUT) was raised against the same plot of land. It looks like these comments were not taken into consideration. There are a number of HMOs mentioned in these comments, which have 4 - 5 cars each. Note, the Planning Office recently approved 16/00056/FUL for a house on Stone Crescent to be converted from a 6 bedroom to a 7 bedroom HMO. Where does it all stop!

- Please take the time to visit the local area at the pertinent times (e.g. school start times, school end times, in the evening when people have returned from work, when the refuge collections are taking place, etc.) prior to making a decision about the 2017 Planning Application. This clearly
has not happened up to now as is apparent from comments made by other residents in their objections. In a similar vein I would expect the NDH literature (revised design and access statement) to be updated to reflect accurate images of the parking situation, as the image shown on Page 5 was clearly taken at a time of day when there is plenty of available parking. See the image provided in the objection letter provided by 6 Stone Crescent to see an accurate representation of the parking situation in Stone Crescent. See the images in Gloucestershire Live (https://www.gloucestershirelive.co.uk/news/cheltenham-news/fears-plans-homes-near-cheltenham-1148653) to see an accurate representation of the parking situation at school pick up time. A decision must not be based on an inaccurate representation of the current situation.

- Children can regularly be seen playing around the area and there are also children walking to / from the school during school pick up and drop off times. This poses a health and safety issue, as during the development phase and post the development phase traffic flow will increase significantly, which also increases the chances of a traffic related incident / accident occurring. Note that there are no pavements in Wharfdale Square, so individuals (adults and children alike) are regularly seen walking on the roads. Residents of the local area have over the years become aware of this but there are still a number of 'near misses' in the area. The Cheltenham Local Plan (Para 14.25) states the following - "New development can endanger highway safety if poorly located or built without adequate infrastructure. Policy TP 1 seeks to limit development, which may harm highway safety."

- The proposed new development does not have any pavements according to the Proposed Site Plan. If this is correct then this poses a health and safety issue to residents of the proposed new development and should be addressed.

- Hedges around Wharfdale square are renowned for blocking and impairing the vision of individuals driving around the square (i.e. lots of blind corners). There have been a number of near misses on the square due to the hedges being overgrown and not thinned appropriately, thereby making it difficult to see oncoming vehicles and increasing the potential of a traffic related incident / accident occurring. This has been highlighted to CBC's Parks and Landscapes department a number of times but they have said they only cut the hedges once a year. Construction vehicles entering / leaving the site via one entry / exit point may further exacerbate the issue as the roads are very narrow and you can just about get cars driving by each other side by side.

- The previous points will all result in highway safety being compromised. The following needs to be considered: traffic generation, road capacity, means of access, visibility, car parking and effects on pedestrians / cyclists.

- The 2017 Planning Application goes against a number of the areas highlighted in Core Policy 4 of the Cheltenham Local Plan (Safe and Sustainable Living). See Note 1 - "In assessing impact on amenity, the Council will have regard to matters including loss of sunlight and/or diffuse daylight (see note 2), loss of outlook, loss of privacy (see note 3), and potential disturbance from noise, smells, dust, fumes, vibration, glare from artificial lights (see also policy CP 3 (sustainable environment), hours of operation, and travel patterns, including heavy goods vehicles (see also policy CP 5 (sustainable transport))." The noise level in the area will increase during the development phase and once the houses have been built. The dust and dirt levels in the area will increase during the development phase. Note, this estate in its current form was completed in 2001. This will cause existing residents unnecessary disturbance and disruption to residents of the existing development.

- The NDH literature (revised design and access statement) states - "This planning application can ensure that there is adequate access for emergency and refuse access to the properties." Waste disposal vehicles already have a hard time getting around the area. They can regularly be seen reversing in and driving out of roads off the main square, as there is no turning area. Construction vehicles will experience the same issues. This will increase the potential of a traffic related incident / accident occurring. The Cheltenham Local Plan (Para 14.45 and 14.46) states
the following respectively - "Heavy goods traffic has increased considerably in the last 10 years, and with it problems of safety and air pollution." and "Heavy goods vehicles are an essential component of the economy of Cheltenham and those with local destinations will need to have access throughout the network. These vehicle movements are best accommodated on the main highway network using positive measures designed to steer them on to main roads and to discourage them from seeking alternative routes through sensitive areas." I consider construction vehicles to be of the same ilk as HGVs and as such believe that the proposed new development is a direct contravention of these principles.

See Consultee Comment from the Joint Waste Team -

"The access road connecting to Stone Crescent must be constructed to a suitable standard to allow up to a 26 ton refuse vehicle to service each week.

The properties within this development will be required to present their waste and recycling receptacles at the kerbside of the road and I note that there doesn't seem to be any pavements in place? This will pose a problem with full and then empty receptacles causing obstructions for motorists/residents driving into the development. In such a development elsewhere we have had regular complaints about driveways being blocked with bins after the collection has taken place. With nowhere off the road for the bins to go, this issue would be repeated here."

- The NDH literature (revised design and access statement) states - "The proposal will, as much as possible, maintain boundary planting (and replace it with native species where necessary), but the site is otherwise devoid of any features of interest. The submitted arboriculture report deals with the trees off-site, and it is noted that the site is capable of being developed without impact on these trees. The new landscaping will greatly improve the landscaping of this disused piece of land. " However, trees have already been felled (circa 20 - 30) on the site of the proposed new development which previously protected the estate against the elements and provided homes to breeding birds and other wildlife including bats. The Cheltenham Local Plan (Policy GE 5 and Policy GE 6) discusses Protection and Replacement of Trees and Trees and Development respectively. Have these policies been taken into consideration during the felling of these trees?

Cheltenham Local Plan (Para 6.15) states the following - "Human life, health and well-being depend on a healthy natural environment. Vegetation contributes to the physical well-being of a town by absorbing carbon dioxide and releasing oxygen, so improving the quality of air. Acting as a baffle, it can also absorb and so reduce noise." The area may now be more prone to flooding than it already is. The Cheltenham Local Plan Objective 30 states the following - "to reduce the risk of flooding and flood damage." The Cheltenham Local Plan (Para 13.4) states the following - "The primary responsibility for safeguarding land and property against flooding lies with the owner." A number of the houses, which back onto the proposed new development in Lucinia Mews currently experience issues when it rains heavily (i.e. flooded toilets, drainage problems, etc.). A local resident has commented that Brooklyn Road experiences "localised flooding during and after periods of heavy rain." Has anyone in the Planning Office looked into this aspect, as it was highlighted to them during a meeting with them on 5th February 2018? The Cheltenham Local Plan (Para 13.15 and 13.17) states the following respectively - "Development usually increases the area within a site covered by impermeable materials. This will result in an increase in the quantity and rate of surface water run-off to watercourses. Many watercourses are susceptible to flooding, or are only capable of accommodating run-off under pre-development conditions. Additional run-off from development can instigate or exacerbate flooding. In addition, development within flood plains, as well as increasing the risk of flooding, can disrupt existing flood flow regimes, which, in turn, can result in damage to buildings, property and infrastructure. Supplementary Planning Guidance on Flooding and Sustainable Drainage Systems has been published which sets out in greater detail the requirements for sustainable drainage measures." and "PPG25 states that it is the responsibility of the developer to provide an assessment of whether proposed development is likely to be affected by flooding and whether the development will increase flood risk elsewhere. An assessment may also be needed of the risk of groundwater or local flooding due to overland sheet flow or run-off exceeding the capacity of drainage systems during prolonged or intense rainfall. The developer must satisfy the Council that any flood risk
arising from proposed development can be successfully managed with the minimum environmental effect." I believe that the proposed new development is a direct contravention of these principles. Please can you confirm that a Flood Risk Assessment has been carried out by the Developer and if yes please make it available for public consumption? Things will get worse for local residents now the trees have been felled, as they would have absorbed some of the rainwater during heavy rainfall. There seems to be a lack of transparency as we haven’t yet been definitively informed who carried out this tree felling and for what purpose (i.e. assuming someone did something is not good enough). The land was sold to New Dawn Homes mid-2016 according to GCC yet we have the following statements from various individuals which are contradictory:

"I can let you know that the land is Glos County Council owned. There are no TPO's and the site is not in a conservation area. The felled trees were not too special and there is an (outline) proposal to plant new trees if the site gets permission. It is assumed that the county felled the trees but there is no case to answer." - Sandra Holliday (Email)

"I am waiting to hear who authorised this work to be carried out." - Sandra Holliday (Letter)

"The trees that are being felled are privately owned and are not protected nor are they worthy of protection. Whilst we understand the concerns of residents on this point, the council is not in a position to prevent this work." - Martin Chandler (statement in Glos Live)

"I am not aware of any tree-felling works to have taken place by us at this site." - New Dawn Homes Rep (Callum Hughes) (statement in Glos Live)

- I understand there is a culverted stream / brook (River Chelt possibly?) that runs under the site. The Cheltenham Local Plan (Para 13.34) states the following - "Both the Council and the Environment Agency are in general opposed to the culverting of watercourses because of the adverse ecological, flood defence and other effects that are likely to arise, unless there is no reasonably practicable alternative or if the detrimental effects of culverting would be so minor that they would not justify a more costly alternative. Where practicable, the Council seeks to restore culverted watercourses to open channels and will require existing culverts to be opened up where they are affected by development proposals. Culverting can exacerbate flooding and destroy wildlife and amenity habitats. Where exceptionally culverting is permitted, suitable measures of mitigation or compensation must be provided (including the opening up of other sections of culvert and enhancing open stretches of watercourse within close proximity to the development). Such measures would be secured within the development by condition or planning obligation." Please can the Developer highlight what they intend to do with this culverted stream?

- A more recent Arboriculture Survey is required. The last one was submitted in February 2014. Are there any trees on the land for the proposed new development which have associated TPOs? Are there any roots belonging to existing trees which will potentially interfere with the proposed new development and as such need to be dealt with if this Planning Application is given the go-ahead? A Tree Protection Plan will also need to be produced to protect those trees to be retained during any building works.

- An ecological appraisal carried out in support of 14/01276/OUT (previous Planning Application on the land) says "There are no specific records of bats within 1 km of the site". An ecological appraisal carried out in support of 17/02460/FUL (current Planning Application on the land) says "No protected species were recorded during the survey, although the habitats present provided opportunities for protected species: Breeding birds. The cherry tree on Site provided suitable habitat for breeding birds." However, a comment made against 17/02460/FUL (current Planning Application) by a resident of Brooklyn Road says the following - "We regularly see many birds and bats around these trees so we believe further surveys should be carried out to ensure these species remain protected." I suggest further work is done to actually assess what the wildlife impact will be, as what is currently published is contradictory." The Cheltenham Local Plan (Para 6.16 and 6.21) state the following respectively - "Green spaces are essential in providing habitats
for a wide range of flora and fauna. Some green spaces, particularly the more extensive and relatively undisturbed grounds of large houses and non-residential properties, may also harbour legally protected species such as barn owls, badgers and bats. Green spaces are therefore of significance to nature conservation."

"In its role as custodian of public green spaces the Council will seek opportunities to improve the value of existing spaces. PPG17 sets out that local authorities need to assess existing and future community and visitor needs for open spaces."

I believe that the proposed new development is a direct contravention of these principles.

-Severn Trent Water have said the following:

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

Have STW been approached for comment and if yes why aren't their comments posted? I have provided CBC's Planning Office with an email chain between local Councillors (John Webster, Sandra Holliday, Mike Skinner, Charmian Sheppard and David Fidgeon) and the ex-lead of the area's Neighbourhood Watch Scheme stating the following - "the land behind has lots of sewer pipework underneath it and I believe and a ducted watercourse and can't be built on event though it is CC property." I would like to understand what has changed which has now made building on this land possible and whether it will negatively impact the residents of the existing development in any way. The Cheltenham Local Plan (Para 13.38) states the following - "Responsibility for sewerage and sewage treatment lies with Severn Trent Water, which has a duty to provide such public sewers as may be necessary for effectively draining their area, and to provide sewage disposal works which deal effectively with the contents of sewers. Development proposed over or adjacent to a public sewer which would make maintenance or replacement of that sewer unacceptably difficult or would prejudice the structural integrity of the sewer will generally be unacceptable." I believe that the proposed new development is a direct contravention of this principle.

Residents of the local area have sent STW an email asking for their view on this proposed new development. I would also expect the Planning Officer to do the same and publish the results.

- The building of residential homes will ruin a much needed recreational area and reduce green space in this part of the town. This land could easily have been made into a children's play area. My understanding was that the land in question was originally going to be used as a nature reserve by the local school. Why did this plan not come to fruition?

- The Human Rights Act, in particular Protocol 1, Article 1 states that "a person has the right to peaceful enjoyment of all their possessions, which includes the home and other land." We believe that the proposed development would have a dominating impact on us and our right to the quiet enjoyment of our property. Table 5 / Bullet 12 of the Cheltenham Local Plan (Matters which may be the subject of Planning Obligations) states the following - "facilities or measures to offset the loss of or impact on any resource, such as woodland or open space, present on a site prior to development". The Cheltenham Local Plan (Para 6.8) states the following - "Green space in the urban environment has worth for its townscape, environmental, wildlife and recreational values. PPG17 on Sport, Open Space and Recreation, published in July 2002, describes the contribution open spaces make to people's quality of life, and in making towns and cities attractive places in which people will want to live. It states that open spaces should be recognised not only for their recreational and community value, but also for their contribution to urban quality, and for supporting wildlife. The Borough Council will take these issues into account when making
development control decisions and formulating local plan policies." I believe that the proposed new development is a direct contravention of this principle.

- The NDH literature (revised design and access statement) states - “The application site itself is a vacant piece of land which has been fenced off for some time with metal gates.” This is incorrect as the metal gate that is at the end of Stone Crescent now was actually a metal fence originally. This metal fence was funded by residents (CBC contributed £500 via grant and residents made up the rest). The fence cost over £1750. CBC wouldn't pay for it as they said it sat on the original Developer's land. The original wooden fencing erected by Barratt Homes back in 2001 had been vandalised and panels had been removed to enable people to use it as a cut through. Several houses had been broken into and groups of youths would use it late at night to cut through to the playing fields. A number of Councillors who have already been mentioned above were aware of this situation. The metal fence which residents funded has now been replaced by someone with a metal gate and is sometimes left unlocked, thereby defeating the point of having it there in the first place! This can be seen in the following article - https://www.gloucestershirelive.co.uk/news/cheltenham-news/fears-plans-homes-near-cheltenham-1148653. As yet no one has admitted to replacing the fence with a gate. I would expect this situation to be investigated and residents who funded the fence to be compensated accordingly. Collateral has been provided to GCC and members of CBC to substantiate my claim that residents funded this fence.

- There are 6 Objections and 1 Neutral comment from Stone Crescent residents. As there are only 11 houses in Stone Crescent please can you clarify the statement in the NDH literature (revised design and access statement) which states the following - "5.3 - The local neighbours have been door knocked to show them the planning application and most concerns were regarding making sure that the access road was not blocked during deliveries." If the statement is correct then why would 54% (doesn't include the Neutral comment) of residents on Stone Crescent have raised an objection? I would like to understand which 'local neighbours' were actually canvassed as the NDH literature (revised design and access statement) states - "The application site comprises a rectangular piece of land located to the north of the King George V playing field (a protected open space), and to the south of the former Gloucestershire Marketing Society site (wholesale fruit and vegetable market) which is now a housing estate of 60 dwellings developed by Barratt Homes in 2002". So knowing this I would have expected all 60 dwellings to be door knocked for their view.

Sandra Holliday has commented as follows when asked whether NDH had canvassed impacted residents about the proposed new development but worryingly none of our publicly elected representatives seem to be willing to follow this matter up:

To Resident 1 - "Unfortunately what New Dawn Homes have said in their literature may be not true or even misleading but that is out of everybody's hands."

To Resident 2 - "I can assure you that I will keep a watchful eye on this application as I have had no communication from any local resident who has been door knocked by New Dawn Homes despite them saying this in one of their documents."

- The NDH literature (revised design and access statement) states - "Paragraph 14 of the NPPF is clear that for decision taking, the presumption in favour of sustainable development means approving development proposals that accord with the development plan without delay". However Paragraph 13 of the NPPF states - "The National Planning Policy Framework constitutes guidance8 for local planning authorities and decision-takers both in drawing up plans and as a material consideration in determining applications.” Guidance is defined as “advice or information aimed at resolving a problem or difficulty, especially as given by someone in authority.” As such it may or may not be followed dependent on external factors. What the NDH literature (revised design and access statement) does not state is that "where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies
in this Framework taken as a whole; or - specific policies in this Framework indicate development should be restricted." As such, due care and consideration should be taken prior to making a decision about the 2017 Planning Application. This does not mean making a decision without knowing the full facts as the NDH literature (revised design and access statement) seems to be intimating.

- Due to an 'oversight' Site Notices were not originally displayed for the 2017 Planning Application. When alerted to this fact, Site Notices were then placed in discrete locations and wrapped around lampposts making them near impossible to read. An image in Gloucestershire Live (https://www.gloucestershirelive.co.uk/news/cheltenham-news/fears-plans-homes-near-cheltenham-1148653) shows how these Site Notices were displayed. An email was sent requesting that they be placed in more prominent locations and made more visible to local residents. This didn't happen. This was again requested in a meeting with Planning Officers on 5th February 2018. The yellow site notices were replaced with blue site notices when amendments were made to the development plans. However, they were displayed in the same places and in the same manner.

- Letters of notification were originally not sent out to all impacted residents and the Planning Office admitted that in some cases letters of notification were sent out to houses which were 'incorrectly selected'. Following a meeting with the Planning Office they agreed to send letters of notification out to a more focussed and accurate list of impacted residents if amendments were made to the 2017 Planning Application. They followed through with this when the recent amendments were made to the 2017 Planning Application.

- With regards to the NDH literature (revised design and access statement):
  
  o The second image shown on Page 6 is of a house on South Bank and not on Stone Crescent as stated in the NDH literature (Revised design and access statement). I suggest this is corrected.
  o It states "There is no planning history for the site itself." This is not true - see Planning Application 14/01276/OUT. I suggest this is corrected.

- The press got involved as we were not getting the support or answers to our questions from the Council and its representatives. See the following article - https://www.gloucestershirelive.co.uk/news/cheltenham-news/fears-plans-homes-near-cheltenham-1148653

- The Construction Method Statement is not on the Website against the 2017 Planning Application. This was requested by a Consultant in the 2014 Outline Planning Application (14/01276/OUT). Please make this statement publically available

"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."

- A FoIA Request submitted against the 2014 Outline Planning Application (14/01276/OUT) revealed that due process was not followed for this particular application. This led to the Outline Planning Application being approved subject to a S106 without any real input or opposition from
local residents (4 of the 7 residents that objected weren't even provided with letters of notification). This is also apparent from the number of objections (currently 27) against the 2017 Planning Application, which again did not follow due process, until the Planning Office were reminded of their obligations as set out in http://www.legislation.gov.uk/uksi/2015/595/article/15/made. Note that there was a discrepancy between the number of residents that were made aware of the 2014 Planning Application (32) and the 2017 Planning Appli

Comments: 23rd March 2018
All of my previous comments related to Health and Safety, increased traffic flow, limited parking, flood risks, impact on wildlife, etc. still apply. Please ensure you take them into consideration prior to making a decision on this Planning Application. In its current form the proposed new development will have a significant detrimental impact on the local area and its residents. This is the reason why the existing estate has been in place since 2001 and the land for the proposed new development has never been built upon. It is also the reason why you have 27 Objections and no one Supporting this particular Planning Application.

1 Lucinia Mews
Cheltenham
Gloucestershire
GL51 8DR

Comments: 11th January 2018
As a resident of Lucinia mews I was very shocked to hear about the proposed building application at the back of our estate. Information provided by our local Councillor in the past few days Why was this information not provided by yourselves to the residents????? A long time ago!! Ground work, tree removal to this site were completed last AUTUMN..NO INFORMATION ABOUT THIS WORK WAS GIVEN AT THE TIME BY ANYONE Gates were put in & diggers used...

Our boundary trees were removed...Why?? Our boundary trees were at an elevated level & not at ground level on the proposed site, these trees provided residents with privacy, protection from the elements & provided homes for many birds & wild life...

The drainage system for the estate is already terrible, we do not need any more problems.

There is only one access onto the estate, the main square is made of block paving & not suitable for heavy vehicles, the main entrance is always very limited access due to school parking.. the estate roads are narrow & residents parking due to MOH is a nightmare.. Access is narrow & limited , again not suitable for heavy vehicles..

26 Cornwall Avenue
Cheltenham
Gloucestershire
GL51 8AY

Comments: 21st January 2018
To be honest, I think that majority of my feelings have been aired before but I cannot see the sense in this plan if it goes ahead.

Not only will it affect the privacy of properties in Brooklyn Rd, Lucinia Mews and Stone Crescent, it will have a massive impact on Rowanfield Schools (Infant, Junior and Childrens Centre). Imagine the noise during building work, along with the mess, the builders parking and then, if it goes ahead, minimum of 2 cars per property going in and out of the area on a single road into Alstone Lane.
The area is a mess anyway for parking thanks to people using Rowanfield to park and get the train after being pushed from other areas who now have parking permit schemes (strangely any road that may impact race traffic at a guess). Then at school run time the area is like a car park anyway.

Add extra traffic to the proposed area and you are just lining up an accident, where, at its worst could be a child being hit.

Couple with the green space slowly being used up (have the trees started to be taken down already in the area as mentioned above - if so, something is fishy). If this goes ahead it gives developers the go ahead to build in any little nook of green that they can.

The bottom of King George is always wet so this development could cause more flooding, affecting residents already there and the school. I have friends in the roads affected and they say they already have drainage problems.

Hopefully the council sees sense.

10 Wharf Dale Square
Cheltenham
Gloucestershire
GL51 8DL

Comments: 7th January 2018
All the cars and construction traffic have to go round Wharf Dale Square, and therefore directly in front of my house, which is accessed directly from the street. The roads in Wharf Dale Square were designed only to service the existing houses, and in the application there is no consideration of the change to the access road usage. Also the nature of the proposed housing means that it is likely that a number of the houses will be let to multiple occupants, as is the case will the larger houses in the existing development. The impact of this is not considered in the application. As one of the other comments has made the spaces on the plans are mostly one behind each other, rather than adjacent, so it is likely that a number of the spaces will not be able to be used. I would also like to point out that despite the fact that my garage is off Stone Crescent I had not received any information on this new development, can this be addressed if further consultation is required.

7 Wharf Dale Square
Cheltenham
Gloucestershire
GL51 8DL

Comments: 9th January 2018
I object on the grounds of the Impact on traffic and parking, there is no social housing or no community facilities and visual intrusion for existing properties.

214 Alstone Lane
Cheltenham
Gloucestershire
GL51 8HY

Comments: 20th February 2018
There is only one route in and out of whalfdale square and this development will cause even more traffic in an already busy area. Parking will also be an issue.
19 Wharfdale Square
Cheltenham
Gloucestershire
GL51 8DL

Comments: 9th January 2018
Main worries as mentioned by other neighbours- hazards caused by increased traffic around the close. During the construction process, the use of the only entrance into the square for large construction vehicles which is already busy and often has parked cars along it.

16 Wharfdale Square
Cheltenham
Gloucestershire
GL51 8DL

Comments: 7th January 2018
I object to this proposal for the following reasons:

1. There will be an increase in traffic and noise as a result of the construction of these new houses which will affect all residents of Wharfdale Square.

2. The road around Wharfdale square is not designed to accommodate large vehicles/trucks or increased level of traffic as the road is already narrow (especially with residents cars parked in front their houses). The road around the square is only wide enough for a single car most of the time.

3. Wharfdale square as the only access road to the new development will likely to result in significant wear to the brick road. The increase in traffic and overcrowding will become a health and safety issue especially for children and residents who regularly walk through the area considering there is no real designated footpath around the square.

4. Residents are now only being consulted regarding the development as an after thought, and very late on in the planning phase with no impact assessment provided.

Comments: 14th February 2018
The proposed development will cause increased congestion in an already busy school/residential area. Wharfdale Square is a narrow brick road culdesac which was never designed to cope with additional traffic and cars.

Wharfdale Square does cannot cope with HGVs or new residential traffic and there is no designated pedestrian path making it this a potential health and safety issue.

The additional housing development should have it own private access so there is no impact to existing residents within Wharfdale Square.

3 Stone Crescent
Cheltenham
Gloucestershire
GL51 8DP

Comments: 17th February 2018
My main concerns with the proposed development have already been said multiple times by my neighbours. My main issues are the access to Stone Crescent for the proposed development and related to this my issue with pedestrian safety.
As it stands right now the access roads are very dangerous as they are constantly full of parked cars causing obstruction for the local residents. This situation has already resulted in my car being damaged by having to avoid other large vehicles in the square.

Cars have nowhere to park, so they park on the pavements. I walk in an out every day with a pushchair and I have to walk in the tight road with two children and I fear for them everytime a car comes past. I shouldn't be on the road, there should be adequate walking space for the local residents.

These dangerous problems will only exacerbate themselves with the new development. Care must be taken to improve the local area if this development should be built.

131 Brooklyn Road
Cheltenham
Gloucestershire
GL51 8DX

Comments: 23rd December 2017
- No details have been provided to indicate any screening to the south and west elevations
- No details of any additional planting to the boundaries
- No archaeological investigation details provided
- Only an attempt to achieve the lifetime homes criteria specified not a full commitment
- No details of proposed benefits to the local area of this development included in the application
- No ecological benefits explained in the application only a statement saying the development will improve this
- No statement on the impact to traffic on orchard way in particular to periods during school time
- Landscaping plan has not been included in the application
- No details of HQM compliance
- No impact assessment provided in relation to construction activities orchard way is a very congested area at peak times
- No SI provided with the application in relation to potential contamination

147 Brooklyn Road
Cheltenham
Gloucestershire
GL51 8DX

Comments: 8th January 2018
Our prime concern would be the four proposed properties Ref: 6,7, 8 and 9. As they are 3 Storey buildings with notably small rear gardens, it will have a huge impact on ours and other neighbours privacy and views. We also have an abundance of breeding birds and other wildlife including Bats which we are privileged to see in the summer evenings and would not like to see ANY of the
existing trees taken down. The Tree Survey does suggest the ‘Stump’ (T12) could be retained for conservation values. We hope this is possible.

Another concern would be the interference with the existing water/sewage works. Our gardens already struggle to drain with heavy rains and the new development would only add to this problem.

145 Brooklyn Road
Cheltenham
Gloucestershire
GL51 8DX

Comments: 5th January 2018
We would like to put forward concerns for the new proposed development adj to 10 Stone Crescent.

There has not been a site layout plan submitted to show where the houses/roads etc are to be built, this is a concern.

Our rear garden has an 82 year old Horse Chestnut tree growing within and against our boundary fence line (no11), the branches are overhanging into the proposed area.

Our concerns are for the safety of the tree and the wildlife that uses it (squirrels, various birds) We believe that our privacy and security of our property will be compromised from people climbing the tree and entering our garden as the covering bramble currently protecting it will be removed! The last tree survey that has been documented was in 2014, our tree has grown immensely since then.

We request a site plan detailing the plots of the proposed houses, it has been put forward that they will be 3 storey houses, this could be a privacy issue for us as the occupants will have full view of our entire garden and into our home.

As we do not know the plot setting there is a concern over the street lighting to the proposed housing.

I would like to ask for our tree (no11) to have another consideration within planning constraints and the plot drawing to be re-submitted to residents for further consideration before this application is given the go ahead.

151 Brooklyn Road
Cheltenham
Gloucestershire
GL51 8DX

Comments: 19th February 2018
After viewing the plans for the erection of 14 dwellings and road at Playing Field Adj 10 Stone Crescent Cheltenham we object to these plans going ahead as there has been no increase in the drainage system away from the area and no analysis done to prove the current system can cope with further dwellings being built.

The plans should state the capacity the current drainage system can take, what capacity it is running at this time and what extra capacity the 14 dwellings will add to the system. I am referring to the drainage pipes running pass my house 151 Brooklyn Road. It should be explained with figures to back it up that these pipes can manage the extra dwellings. If not, extra drainage should be added to the plans.
A further objection is to draining of surface and rain water as these dwellings are being built in the lowest level of this area.

It should be explained if the current field is or is not a soak away for this low-level area which receives surface water from the King Gorge V playing area. This could lead to surrounding gardens becoming boggy. There has been no mention of the brook that once ran through this field and alongside our property. A survey should be taken to determine if the brook is still functional and if so what effect the new dwellings may have.

We feel more investigation needs to be carried out regarding drainage and how surface water will be channelled to ensure these new dwellings do not cause flooding and costly damage to them and nearby houses. Before building starts or the field remains as it is.

149 Brooklyn Road
Cheltenham
Gloucestershire
GL51 8DX

Comments: 8th January 2018
We would like to put forward concerns for the new proposed development adjacent to 10 Stone Crescent.

- The Environment Agency has identified the site as being at a high risk of surface water flooding. Our concern is that any mitigation (such as raising the level of the land) may direct excess water to surrounding gardens, particularly those at the bottom of Brooklyn Road.

- Further to the previous point drainage and sewage services identified on the proposed site plan are already heavily oversubscribed, which causes backflow and localised flooding during and after periods of heavy rain. Any additional demand would exacerbate this problem and would directly impact on residents of Brooklyn Road.

- Trees currently at the rear of 147 Brooklyn Road have not been shown on the plans. Is their removal planned? If so, we would be interested to know if an ecological survey for breeding birds has been considered, as this was recommended in the initial ecological survey. We regularly see many birds and bats around these trees so we believe further surveys should be carried out to ensure these species remain protected. These trees would also provide privacy to all houses, so should not be removed.

- Finally it appears the proposed properties backing onto Brooklyn Road appear close to existing property boundaries, which would likely result in both our own, and neighbouring properties being overlooked.

8 Stone Crescent
Cheltenham
Gloucestershire
GL51 8DP

Comments: 5th February 2018
I would like to object to the erection of 14 dwellings adjacent to 10 Stone Crescent. The access roads of Stone Crescent and Wharfedale Square are just not suitable to carry any more vehicles. With a minimum of 3 cars per house on the new development making just two return journeys each day, there would an additional 168 car journeys with a possibility of over 300. In Wharfedale Square there are no footpaths so pedestrians are required to use the road, so the additional traffic would be very dangerous. There are also two tight corners as you leave Wharfedale Square and enter Stone Crescent which are not suitable for this number of vehicles.
At the moment Stone Crescent is a short road but once extended it will become much longer enabling drivers to increase their speed as they approach the corners. As previously mentioned, the area around the school is highly congested at various times of the day and such an increase of vehicles making the turning onto Alstone Lane would increase the danger for school children.

6 Stone Crescent
Cheltenham
Gloucestershire
GL51 8DP

Comments: 16th February 2018
Letter attached.

5 Stone Crescent
Cheltenham
Gloucestershire
GL51 8DP

Comments: 7th January 2018
Object to erection of 14 houses Due to inappropriate access road to proposed housing estate. I understand STONE CRESCENT will be the access road which already is congested given that of the 10 houses in Stone Crescent have 4 multi-let's each taking up to 4 parked cars per house on Stone Crescent. Stone Crescent is presently structured as a residential road and NOT A THROUGH ROAD.

Please consider health and safety.

10 Stone Crescent
Cheltenham
Gloucestershire
GL51 8DP

Comments: 10th January 2018
Hello, I'm a resident of 10 Stone Crescent, Arle, Cheltenham where I have enjoyed residency for the past 10 years. I find the area peaceful and the neighbours very pleasant. However, I'm very disturbed by the planning application for the 14 residential homes on the playing field adjacent to our house which will cause negative effects on amenity.

The cul de sac already attracts loitering and building a road through the fence is likely to encourage more nuisance as well as generating unnecessary traffic. In addition, few years ago after loiters broke the wooden fence, we asked the Council to erect a steel fence to discourage this, however, the Council told us that this was our responsibility so the residents crowdfunded thousands of pounds ourselves to have this fence built.

The field currently is a suitable playing and recreational area for children and families. The building of residential homes will ruin a much needed recreational area in this part of the town.

The building of the new homes will have a negative affect our enjoyment of our home with more congested parking which is already a problem with people parking on the estate especially during the school run. We will be very disappointed if the fields overlooking the home we've grown to love is turned into more residential homes.
Hello, I'm a resident of 10 Stone Crescent, Arle, Cheltenham where I have enjoyed residency for the past 10 years. I find the area peaceful and the neighbours very pleasant. However, I'm very disturbed by the planning application for the 14 residential homes on the playing field adjacent to our house which will cause negative effects on amenity.

The cul de sac already attracts loitering and building a road through the fence is likely to encourage more nuisance as well as generating unnecessary traffic. In addition, few years ago after loiters broke the wooden fence, we asked the Council to erect a steel fence to discourage this, however, the Council told us that this was our responsibility so the residents crowdfunded thousands of pounds ourselves to have this fence built.

The field currently is a suitable playing and recreational area for children and families. The building of residential homes will ruin a much needed recreational area in this part of the town.

The building of the new homes will have a negative affect our enjoyment of our home with more congested parking which is already a problem with people parking on the estate especially during the school run. We will be very disappointed if the fields overlooking the home we've grown to love is turned into more residential homes.

Unit 8
Isbourne Way
Winchcombe
GL54 5NS

Comments: 7th February 2018
I live at No. 11 Stone Crescent.

There are big problems with traffic and parking but I feel these can be overcome and such the whole of the estate would benefit.

There is a big problem with the "school run" - Cars park at the entrance to Wharfdale Square too close to the corner of Alstone Lane on the left facing Alstone Lane and on the pavement too close to the corner of Alstone Lane on the right; both of which are, not only illegal, but also causes a blind spot for pedestrians and motorists alike. I feel that double yellow lines should be put down, not just at the corners of Alstone Lane and Wharfdale Square but other junctions near the school and enforced with Traffic Wardens at the peak times. I also think if the landscaping in Wharfdale Square was changed - Made smaller and made into a roundabout, and/or redeveloped into parking, with some landscaping for permit holders between the hours of 4pm to 8am this would solve the problem making it safer and easier for all. As for the proposed development, there doesn't appear to be a pavement which I think is important for safety reasons and making it easier for refuse collections. I feel that building/planning regs are not fit for purpose with regards to car parking/spaces; garages need to be bigger - wider so you are able to drive your car in and be able to get out of your vehicle, as well as longer to provide some storage for tools etc. rather than, as is the case these days, garages getting used as an oversized shed.

There doesn't appear to be and plans for the land adjacent to my house - 11 Stone Crescent and I would suggest this could be used for further car parking again permit holders and if the council did redevelop Wharfdale Square a childs play area could be incorporated. As kids will always find a way into King George Playing Fields I suggest a entrance to field would also be a good idea thus allowing all the residents of the estate easy access. I notice that the School has a gate in its fence backing onto this land and maybe the roadway could be made up to this making a suitable turning area. There are a lot of comments about concerns with construction traffic - is it possible to use the entrance to K. G. F. on Brooklyn Road? Maybe the changing rooms close to the proposed development, which have been burnt out now for many years, need knocking down and
rebuilding - perhaps something the developer may want to get involved with as they would have men, machinery and materials on site?

To sum up I think a well thought out plan for the development would enhance the road giving better facilities for the existing residents and new alike.

14 Wharfde Square
Cheltenham
Gloucestershire
GL51 8DL

Comments: 7th January 2018
I object to the application for the reasons given by my neighbours. Construction traffic, and an increase in the number of vehicles needing to use the square once the houses are built, will exacerbate the following situations:

- Accessing and departing Wharfde square is already difficult and often dangerous during week days as staff from the local school park all along the entrance road, and in the square itself. I have regularly had to reverse into oncoming traffic when entering the square, to avoid a collision. Refuse lorries and large delivery lorries often have difficulty negotiating the square because of the numbers of cars parked. One driver delivering supplies for a recent construction in Stone Crescent, said that he should have been told how difficult access was.

- Access is impeded by parents dropping off and collecting children from Rowanfield Infant and Junior schools, and using the square as a car park. The entrance road is often double parked during these times, making passage even more difficult and dangerous.

Additionally, there does not appear to be sufficient parking set aside for the new builds - on the plan, spaces seem to be double parked rather than adjacent, meaning that some residents would likely look to park in Stone Crescent and Wharfde Square.

Finally, construction would eliminate our rear view of the playing fields - one of the reasons for which we bought the house.

Comments: 9th February 2018
Responding to the revised site plans: 10 properties now proposed instead of 14, but with the same number of bedrooms in total - 49, and even fewer car parking spaces - 36 including the spaces allocated in the garages, when there were 38 for the same number of bedrooms on the old plan. Given that only a quarter of garage owners use their garages for storing cars, this is going to exacerbate the parking situation even further. With six 5 bed houses now proposed instead of 3, it's fairly certain that they'd be purchased by absentee landlords, and rented by the room - as is already the case with most of the four and five bedroom properties on the estate, meaning that there will be even more cars to find spaces for. Why, when the land was sold under the proviso that a percentage of it be allocated to affordable housing, are only large houses being built? A Five bedroom house is not an affordable one, by any stretch of the imagination.

Again, as a neighbour commented previously, building the development in a hollow would exacerbate the existing flooding problems in Stone Crescent, and lead to a very damp living experience for any new residents.
Comments: 7th January 2018
Given the information available at present, we have the following concerns and items of consideration:

Proposed size of development: 14 dwellings seems excessive given the size of the site and limited access to the proposed dwellings by a single, existing road.

Loss of green space: 3 storey buildings will obstruct the view of the playing field and trees, part of the original appeal of the existing properties.

Site traffic and site access: From the plans it appears that the only access to the site would be via Wharfdale Square. There is potential for damage to the existing road surfaces. Access to large lorries and long vehicles is restricted on the street presently, is there a plan to create a temporary site access road?

Short-Term Implications: During the building phase, given that this is a residential area, this could potentially cause severe disruption and raises concerns of safety especially as access to current housing may be restricted i.e. by work vehicles.

Long-term: the proposal is that each residence will have 3 parking spaces. The existing road on Stone Crescent via Wharfdale Square was not designed to sustain such a large, potential increase in traffic flow.

Loss of existing parking spaces at the end of Stone Crescent that are in regular use.

The site is low-lying:
Susceptibility of proposed site to excess surface water - the site sits lower than surrounding land, could a new development on the site increase the risk of localised flooding both to the existing estate and the new houses?

Comments: 27th January 2018
Yet more of our precious recreational parks are being STOLEN from us to make way for big rich property developers.

The park is always used by the local residents who exercise their dogs and kids who are always playing down there making rope swings from the trees and making dens in the bushes.

Where does it end? What will stop the council selling off the rest of KG5 years down the line?

The residents and children of rowanfield and surrounding areas HAVE A RIGHT to as much green recreational space as possible and the council of this town MUST respect that right!

You will be robbing us - the council tax paying residents of this area, of recreational green park space.
Comments: 19th February 2018
I was recently made aware, by letter from a concerned citizen, of a proposed development comprising 14 new dwellings on undeveloped land, which I believe has now been amended to 10 dwellings, as per the latest development proposals available on the planning portal.

The lack of information in the Planning Design and Access Statement and Community Involvement, pertaining to transport and flood risk, is borderline inept and has left me speechless.

Please see below a list of issues, which should be discussed and are not mentioned.

Transport

No assessment, apart from a sentence, of the sites accessibility and opportunities for sustainable travel have been undertaken. It is necessary to identify what local services and amenities are located in proximity to the site, and also what alternative sustainable travel opportunities are present to enable future residents and visitors to choose sustainable alternatives i.e. walking, cycling and public transport facilities in proximity to the site.

No assessment has been made of the local highway network in terms of reviewing personal injury collisions in proximity to the site.

There is no mention of the amount of vehicular trips the site will generate and a trip generation exercise has not been undertaken.

No swept paths have been undertaken showing safe access/egress of a refuse & emergency vehicle or the simultaneous access/egress of a refuse vehicle and large estate car.

As per Manual for Glos 4 ‘Developers are encouraged to calculate the parking demand that would be generated by the proposed development using the methodology set out in the NPPF and submit this evidence with the planning application. 2011 Census data in respect of car ownership is available for super output areas and this should be the starting point for determining likely car ownership levels for you development’. No justification for parking standards based on census data have been provided in the Planning Design and Access Statement.

Flood

At no point in the Planning Design and Access Statement and Community Involvement report has flooding been assessed. Considering across the site, as shown on Environment Agency flood maps, the risk of pluvial flooding is classified as 'High' and 'Medium', the lack of flood risk assessment is shocking.

As per NPPF guidance it is recommended, given the pluvial flood risk, that a Level 2 Flood Risk Assessment (FRA) is carried out to examine this risk in more detail. The Level 2 FRA should also demonstrate how, through the use of SuDS, the amount of surface water entering sewer systems or local watercourses is managed to minimise the risk of pluvial flooding.

Considering the site is undeveloped greenfield land, it is vital to show how any excess surface water resulting from an increase in impermeable areas as part of the development is to be managed.
It is obvious that substantial additional information is required before any planning decision is made.

2 Lucinia Mews
Cheltenham
Gloucestershire
GL51 8DR

Comments: 8th January 2018
My objection to the plan has been eloquently highlighted by (so far 11) other residents to date - all of which I echo and agree with.

This just feels like another money-making exercise for the developers, with no real thought to existing residents and/or environment.

Parking is already an issue in and around Wharfdale Square. How will the site be developed to accommodate this increase? One of the reports I have seen in relation to this plan mentions there is already an average of 3 cars per household.

Linked to the parking issue is ease of access. How will the building vehicles safely enter and exit the site? Where will the contractors park? Surely not in the existing residential streets?!

Concerns have already been highlighted in relation to the school run and the additional pressure on parking (or lack off) as well the potential safety of residents and those picking up/dropping off their child. More housing and its associated traffic can only have a greater negative impact.

I bought my house on the basis of the small size and quiet nature of the site. How will noise levels from residents and vehicles be managed?

Developments should integrate and enhance the existing environment and I feel this plan just simply doesn't offer that.

2 South Bank
Cheltenham
Gloucestershire
GL51 8DN

Comments: 28th January 2018
As per all the comments of our neighbours I feel very strongly that the planned building of new houses on the playing field should NOT be allowed.

Already the cul de sacs of all three roads are over burdened with resident parking which is regularly made worse at school drop off and collection times. This coupled with children running about from the school, our own children who often play outside after school, plus increased builders traffic is a huge safety concern to us. This is before the new houses are occupied which again will make the parking situation and traffic worse. It is only a matter of time as it is before a child is involved in a serious accident and the increased traffic during building and after with further residents is just going to increase the risk!

We have one narrow entrance roadway permanently with cars parked down one side of it which is a nightmare normally when entering and exiting the square. Add to this large lorries and building works vehicles on what is essentially a one way access is going to cause major issues. Then there is the added issue of how the block paved road itself will cope with the additional heavily laden lorries and diggers etc.
The roads themselves prove awkward for our refuse lorries and any delivery vehicles let alone construction vehicles trying to manoeuvre around the square. This extended cul de sac was never designed as a access route/through road! Somebody is going to get hurt or residents cars will get damaged!

The drainage and power to this cul de sac is flaky at best normally, with drainage issues and power cutting off and low water pressure being a regular issue. Building new houses and linking them to the same systems will only cause more problems.

I have to question why we have only been consulted about these plans in the past week and it has taken local neighbours to get together to find out information about it all. Work removing trees etc has already taken place on the site before anything has been authorised! This all seems very unhand on the Council's part.

There are already very few green areas for our children to play and now you are not only going to build on a large part of one of them but you are also inadvertently restricting our children from playing outside their homes because of the risk from both the building traffic and then at least 42 more cars when all properties are filled.

1 Stone Crescent
Cheltenham
Gloucestershire
GL51 8DP

Comments: 19th January 2018
We would like to make an objection against the planning application for 14 residential homes on the playing field adjacent to 10 Stone Crescent.

The reasons for this is that there will be difficulties in parking and turns in the road so this will cause hazardous driving conditions.

In addition there will be noise disturbance and hazardous materials.

I hope you take these reasons into consideration.

Comments: 5th February 2018
I am a resident at 1 Stone Crescent. We would like to make an objection against the planning application for 14 residential homes on the playing field adjacent to 10 Stone Crescent.

The reasons for this is that there will be difficulties in parking as it is already disruptive during school drop offs and picks up as parents are literally parking wherever they want which is already causing major disruptions further enhancing the chances of potential collisions. There are also children walking during this time which poses health and safety issues. There will also be an increase in traffic.

The field is also a suitable playing area and recreational area for children and their families. The building of homes will mean that families will be unable to use that area.

I hope you take these reasons into consideration.
Comments: 19th January 2018
I have been a resident at Stone Crescent for 10 years and I have thoroughly enjoyed my time here. However, I am troubled at the application made by New Dawn Homes to build 14 more houses and destroying the current cul de sac we reside in. This would lead to an increase in traffic/noise and will cause problems for parking for the residents. Previously we have had issues with youths trespassing on private property and this will increase if the fence is removed.

In addition to this the fence was paid for and installed by residents. When we approached the council to install the fence for our safety and protection they refused and said it was our responsibility. Therefore this fence belongs to the residents of the street who paid for it and organised its installation.
Dear Sir/Madam

RE: Planning Application reference 17/02460/FUL.

Firstly, I wish to draw attention to a number of aspects of this application that I believe give inaccurate and misleading information regarding the true impact of this development. These are as follows:

1. The ‘Statement and Community Involvement’ document includes a photographic view looking down Stone Crescent toward the proposed site. The photograph’s field of view is exaggerated (presumably through the use of a fish-eye lens or later manipulation) so as to make the road appear wider than it actually is.

2. The picture referred to in point 1 above, has been taken at a time when the road was empty of vehicles apart from one car parked in the turning area where it is proposed to continue the road to lead to the proposed development.

As a resident of Stone Crescent, I can confidently state that the photograph does not provide an accurate impression of the normal parking situation on my road. For the majority of the day from early evening until approximately 9am weekdays, Stone Crescent is absolutely full of parked cars. The under supply of parking spaces necessitates people parking on the pavements as well as on drives. During this period, I have counted as many as six cars on the left-hand side of the facing the proposed development and five on the opposite side plus four cars in the turning areas (two in each leg). In addition, Stone Crescent is heavily used for temporary parking by parents at the near by school at 9am and 3pm. To evidence this, see the photograph below taken during the hours stated.
3. Paragraph 1.5 of the same document states the site has no planning history. This is incorrect. There have been two previous planning applications preceding this one, the first for 13 dwellings, occupying the entire site area including the strip of land to the left-hand side of the extended Stone Crescent road to the development. The second was for an undisclosed number of dwellings.

4. I note that the application has been superseded calling now for, 6 x 5-bed type ‘F’ houses (an increase of 3), 3 x 4-bed type ‘R’ houses (a decrease of 2), 1 x 3-bed type ‘B’ houses (a decrease of 5). Both the current and the previous application are for more 5-bed houses than is stated. If one looks at the Type ‘R’ 4-bed house, it is apparent that it is not a 4-bed house, but a 5-bed house, just smaller than the 5-bed type ‘F’ house. So, in fact, the latest amended proposal is calling for 9 x 5-bed houses, an increase of one 5-bed house.

I have the following concerns with this proposal:

1. A number of the larger properties in Stone Crescent have in recent years been converted to houses of multiple occupancy (HMOs). The existing HMOs already have on average 4-5 cars associated with them, but they were built only with the standard parking capacity of 2 spaces per household. This is one of the reasons for the parking situation described above. There is a high probability that the same will happen to the proposed 5-bed dwellings, exacerbating the parking situation further. In addition, Stone Crescent will lose what are currently 2 parking spaces in front of the access to the site (by the steel gates) when the road is extended to the new development.

2. I note that the revised plan with 10 proposed dwellings has a slightly wider road than the existing Stone Crescent. This is a welcome amendment, but I note there will be no pavement. I believe the lack of pavement will encourage parking on either side of the road as is currently the case on Stone Crescent. It is already the case that access by refuse collectors on Stone Crescent is impeded (they are unable to turn in due to parked cars). Apply this to emergency vehicles and the situation becomes dangerous.

In summary, I believe that the development does not have sufficient provision for car parking which, based on my current experience, will cause problems for the new residents as well as exacerbating the problems for existing residents on Stone Crescent.

3. I note that the strip of land to the left of Stone Crescent (on entering adjacent to the school’s playing field) is not included in this application. I am concerned that this should be taken into consideration as there is clearly the potential for future development in this area, and the increase in the number of dwellings will impact on the issues with parking and access outlined in my letter.

4. I wish to state that I am not against the development of this site. People need homes. My concern is that the current proposal has been drawn up with the developer’s profit in mind, at the expense of the quality of life and safety of existing and future residents. For this proposal to be workable, it is my opinion that pavements should be in place and consistent throughout the development and adequate parking spaces should be planned (taking into the account the provision for HMOs). Perhaps the strip of land adjacent to the school should be dedicated to parking. In addition, the possibility of a one way system for vehicular traffic should be adopted. There should be stipulation that future HMOs should not by permitted unless there is provision of sufficient parking spaces.

Yours faithfully,
Update to Officer Report

1. ADDITIONAL CONSULTATION RESPONSES

GCC Lead Local Flood Authority
12th April 2018

I refer to the notice received by the Lead Local Flood Authority (LLFA) on the 19th March 2018 requesting comments on the above proposal. The LLFA is a statutory consultee for surface water flood risk and management since April 2015, and has made the following observations and recommendation.

Surface water flood risk
The applicant’s Flood Risk Assessment (FRA) does not define/specify the level of surface water risk posed to this site. However, the FRA has stated with anecdotal evidence that land features and ground characteristics in the surrounding fields prevent surface water flows from reaching the site and being a source of flood risk to the proposed development. The applicant has also suggested the properties are positioned in the least at-risk locations, and a cut-off drain may be installed to manage the surface water from the fields.

Although it has been stated by the applicant that the soil from the adjacent fields lends itself to allow for infiltration, any surface during rainfall events (e.g. 1% or 3.33% Annual Exceedance Percentage (AEP)) will almost certainly generate runoff. The characteristics of the field will determine rate and quantity of runoff that will be generated. In addition to this, LiDAR clearly shows the development site to be the lowest point of the greater greenspace where surface flows will naturally drain to. A flow accumulation assessment carried out by the LLFA on the LiDAR confirms these flows do drain through the development site, see Figure 1.

This is reflected in the Environment Agency’s surface water flood risk mapping, see figure 2, which show surface water flows travelling directly through the proposed site, in particular during a 3.33% AEP event (also known as the 1 in 30 year event) and the 1% AEP event. Also of note, the site is predominately within the 0.1% AEP extent (i.e. 1 in 1000 year flood extent).
As recommended by BS8533:2017 (Assessing and Managing flood risk in development. Code of practice), surface water flows that could enter the site from elsewhere should be realised and considered to ensure surface water does not pose a flood risk to development. The LLFA acknowledges the applicant has stated a cut-off drain could be installed;
however its hydraulic performance and ability to manage the surface water flows has not been explored nor stated (i.e the adequacy of the cut-off drain to capture the runoff that would drain to the site from the adjacent fields). Therefore, the FRA has not assessed the surface water flow from the adjacent fields sufficiently to convince the LLFA that these properties will not be at risk of flooding from surface water in accordance with the requirements of the NPPF. On this basis the LLFA does not support the principle of the development that is currently being presented.

Surface water management
While the LLFA does not agree to the principle of the development, as discussed in the previous section, the LLFA has also reviewed the proposal’s method for managing the runoff generated by the site’s hardstanding in the following:

Discharge strategy – NON-COMPLIANT
For the proposal to be compliant with the NPPF’s discharge hierarchy the applicant must follow the following order of preference for discharging the site’s surface water.

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer

The applicant has suggested infiltration will most likely be restricted due to the local geology and soil. Despite this being contrary to the description given of the ground conditions of the field, borehole data has been supplied supporting the statement on infiltration. Borehole data is not a direct representation of a soil’s infiltration capability, therefore infiltration tests in accordance with BRE 365 or similarly approved should be undertaken before infiltration is fully ruled out.

It has also been explained there is a lack of watercourses in the vicinity of the site that can reasonably be connected to, this is accepted.

The applicant has proposed to connect to the nearest sewer. This is the sole option presented for discharging the site’s surface water, and despite this the applicant has not sought permission for a connection to this third party system, or identified if there is sufficient capacity in the system to receive a new connection that will result in an additional flow to the network. If permission to connect is not granted or there is insufficient capacity in the sewer, this could make the development unviable from a surface water management perspective as it will not be possible to comply with the NPPF.

Discharge rates – NON-COMPLIANT
The applicant has specified a 5l/s discharge rate will be designed for this site that will outfall to the existing STW sewer. This rate has not been supported by evidence to demonstrate it is the existing greenfield rate, therefore it has not been possible to assess the development’s compliance with Standard 2 of the Non-Statutory Technical Standards for Sustainable Drainage Systems.

It has not been demonstrated if the field currently positively drains to the sewer; therefore, any flow from this development will be considered as new additional flow to the sewer network. Thus, it needs to be demonstrated that there is sufficient capacity within the network to receive this new additional flow regardless of its flow rate. This will ensure the site does not increase flood risk elsewhere.

Drainage strategy and indicative plan – NON-COMPLIANT
The applicant has not specified the required attenuation volume to maintain the greenfield runoff rate and volume, nor has the site plan made provision for surface water attenuation. Therefore the LLFA is unable to assess the proposal’s compliance with Standards 2, 4 and 6 of the Non-Statutory Technical Standards for Sustainable Drainage Systems.
While a cut off drain has been proposed, it has not been specified where the cut off drain will be located, if sufficient space has been provided within the red line boundary, its hydraulic performance and behaviour, and where it will discharge/connect to (with relevant permissions/consents to connect). Therefore, the LLFA can not be made certain if the cut-off drain can sufficiently manage the surface water runoff that could enter the site from elsewhere and if it is technically viable. The cut-off drain is particularly important for this development as without the feature surface flows could directly impact properties or overwhelm the on-site drainage (i.e. SuDS) rendering it ineffective.

Water quality – NON-COMPLIANT
From the information presented on Planning Portal the LLFA could not determine what provisions will be installed on this site to ensure water quality will be managed, therefore the LLFA can not determine if this proposal is compliant with the NPPF’s requirements to ensure water quality from this site is not decreased.

Climate change – NON-COMPLIANT
A factor of 30% has been used account for resilience to climate change. This factor is non-compliant with the Environment Agency’s latest national guidance (https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances), and therefore does not conform to the NPPF (Paragraph 93: https://www.gov.uk/guidance/national-planning-policy-framework/10-meeting-the-challenge-of-climate-change-flooding-and-coastal-change). A factor of 40% is the accepted value for this development type.

Exceedance flow paths – NON-COMPLIANT
Details on how exceedance flows will be managed could not be found in the information provided on the planning portal; therefore the LLFA is unable to assess this development’s compliance with Standard 9 of the Non-Statutory Technical Standards for Sustainable Drainage Systems. In accordance with best practice, exceedance flow paths should not be designed to flow through gardens of residential properties. Given the site is located at the lowest point of the field with residential properties along two boundaries, demonstrating how exceedance flows will be managed and the paths they will take to avoid putting properties at risk of flooding is especially relevant for this proposal.

LLFA Recommendation – Objection
Given the location of this proposed development within the greater field, and the Environment Agency’s surface water flood mapping, LiDAR data and flow accumulation assessment, it is highly likely without intervention that surface water flows from elsewhere would enter this site and pose a significant flood risk to the development. Thus far, the FRA has not identified or assessed surface water flows from elsewhere, and if required demonstrate the proposal will manage these flows sufficiently to ensure flood risk is not increased.

In addition to the above, the FRA has not supplied sufficient detail to demonstrate that the proposal will provide a surface water management system (e.g. SuDS) to manage the site’s surface water in accordance to national standards, therefore the LLFA can not assess this development's compliance with the NPPF to not increase flood risk to the site or elsewhere, or reduce the water quality.

The LLFA recommends Cheltenham Borough Council's LPA object to the principle of the proposal in its current form.
Urban Design (revised comments)
13th April 2018

Fundamentally the same issues remain in terms of the very tight distances between the proposed units and the existing properties. I feel that if permitted, this would set a very awkward precedent and result in significant on-going harm. I did already suggest altering the house types as the most obvious physical solution to the problem but the plans still show 2-storey dwellings (actually more like 2.5 storey given the habitable room within the roof space and the skylights and dormers). Bungalows would also be a solution and the value of these types of property are high with strong demand. The parking area in the NW corner is also awkward and as a minimum, prominent windows would need to be placed in the side elevation of unit 6 which faces that parking area.

2. OFFICER COMMENTS

2.1 Other considerations

2.1.1 As noted in the main report published with the Agenda, this update will discuss additional matters relating to neighbouring amenity; trees and landscaping; flooding and drainage; and affordable housing and other planning obligations.

2.2 Neighbouring amenity

2.2.1 Saved local plan policy CP4 advises that development will only be permitted where it will not cause unacceptable harm to the amenity of adjoining land owners or locality; in assessing impact on amenity, the Council will take account of matters including loss of privacy, daylight, and outlook. The policy is consistent with adopted JCS policy SD14, and paragraph 17 of the NPPF which sets out planning should always secure “a good standard of amenity for all existing and future occupants of land and buildings”.

2.2.2 Overall, the proposed development would not result in any significant impact on neighbouring amenity in terms of outlook and visual impact; whilst it is acknowledged that outlook from neighbouring properties would undoubtedly be altered by the development, officers do not consider that the resultant impact would be unacceptable; the overall heights of the dwellings are comparable to the surrounding two storey building heights and the development would not result in any overbearing effect.

2.2.3 There are some areas of minor concern where upper floor clear glazed windows would fail to achieve a minimum distance of 10 metres to the site boundaries, these are principally plots 6 – 9, although it is noted that these windows do achieve 10.5 metres to the rear boundaries of the properties in Brooklyn Road. Plots 1 and 2 would also some allow overlooking of no. 10 Stone Crescent.

2.2.4 Noise levels resulting from the proposed residential development have also been raised as a concern; however, the noise levels would be no greater than those normally associated with residential properties and gardens.

2.2.5 Additionally, noise and disruption to residents of the existing development during the construction of the development is not a reason to refuse planning permission; however, the hours of construction can be controlled.

2.3 Trees and landscaping

2.3.1 Saved local plan policy GE5 seeks to resist the unnecessary felling of trees on private land. In addition, saved policy GE6 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.

2.3.2 The Trees Officer’s comments in relation to the council owned strip of land along the western edge of the application site have been duly noted, and officers acknowledge that the incorporation of this land into the development site would be preferable. This was previously highlighted in the Trees Officer’s comment on the 2014 application; however the fact remains that the land sits outside of the application site, and whilst the future maintenance of these trees might prove difficult in the long term, it is not a reason to refuse planning permission. As this is private land, the owner could erect 2 metre high fence along this boundary at any time.

2.3.3 Officers are aware that a number of trees within the site have already been cleared; however, it is not known who carried out the work. Notwithstanding this, the trees that have been felled were located on private land, not protected by Tree Preservation Orders, or within a conservation area, and therefore the Council would not have been in a position to prevent this work.

2.4 Flooding and drainage

2.4.1 Adopted JCS policy INF2 seeks to avoid development proposals in areas at risk of flooding and set out that proposals must not increase the level of flood risk either on site or elsewhere. It goes on to say that new development, where possible, will be required to contribute to a reduction in existing flood risk, and to incorporate a suitable Sustainable Drainage System (SuDS).

2.4.2 The application site lies within Flood Zone 1 but much of the site is identified on the Environment Agency’s Flood Maps as being at risk from surface water flooding, although the Council’s Land Drainage Officer is not aware of any flooding problems in this location.

2.4.3 A Flood Risk Assessment has been submitted during the course of the application which has been reviewed the Lead Local Flood Authority (LLFA) and their detailed response can be viewed in full at Section 1 above. The LLFA conclude that “it is highly likely without intervention that surface water flows from elsewhere would enter this site and pose a significant flood risk to the development” and “the FRA has not identified or assessed surface water flows from elsewhere, and it required demonstrate the proposal will manage these flows sufficiently to ensure flood risk is not increased”. Additionally “the FRA has not supplied sufficient detail to demonstrate that the proposal will provide a surface water management system (e.g. SuDS) to manage the site’s surface water in accordance to national standards, therefore the LLFA cannot assess this development’s compliance with the NPPF to not increase flood risk to the site or elsewhere, or reduce the water quality.” The LLFA therefore object to the development in its current form.

2.4.4 There are public sewers running through the site which were not identified in the 2014 application. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent from the sewerage company. Severn Trent Water in initially commenting on the application raised no objection to the proposals subject to the inclusion of a condition requiring drainage plans for the disposal of foul and surface water flows to be submitted to and approved by the Local Planning Authority should planning permission be granted. However, a subsequent response sets out ‘no build’ zone areas and requires the sewers to be located within public open space to ensure 24 hour emergency access, and to prevent any accidental damage or building constraints by future house owners. Whilst this does not preclude the development of this site for housing, the sewers would need to be diverted into an accessible public area.
2.5 Affordable housing and other planning obligations

2.5.1 Adopted JCS policy SD12 requires new development proposals for 11 or more dwellings in Cheltenham, outside of the Strategic Allocation sites, to provide a minimum of 40% affordable housing. The affordable housing should, where possible, be provided on-site and seamlessly integrated and distributed throughout the site. Additionally, for a development of this nature, contributions to education and libraries will also normally be sought.

2.5.2 As originally submitted, the application proposed the erection of 14 dwellings but made no provision for affordable housing as the applicant was unaware of the change in policy following the adoption of the JCS; former local plan policy HS4 only triggering the need to provide affordable housing in new developments of 15 or more dwellings.

2.5.3 The current scheme for 13 dwellings now proposes a policy compliant level of affordable housing, comprising 4no. affordable rented units and 1no. intermediate housing unit. However, the housing has been grouped together in the far corner of the cul-de-sac and not dispersed throughout the site.

2.5.4 Additionally, no agreement has been completed to secure payment of the necessary contributions to education and libraries, or the provision of the affordable housing.

3. CONCLUSION AND RECOMMENDATION

3.1 Whilst officers consider the principle of developing this site for housing to be acceptable, together with the proposed access from Stone Crescent, there are a number of concerns in relation to the proposed layout and mix of housing; overprovision of car parking spaces; neighbouring amenity; and drainage and flooding. Additionally, no agreement has been completed to secure payment of the necessary contributions to education and libraries, or the provision of affordable housing.

3.2 The recommendation therefore is to refuse planning permission for the following reasons:

4. SUGGESTED REFUSAL REASONS / INFORMATIVE

1 The proposed layout and mix of housing fails to make the most effective and efficient use of the site. The layout is uninspiring and would fail to improve the overall quality of the area, establish a strong sense of place and identity, or optimise the potential of the site. Furthermore, the layout would result in some uncomfortable relationships between both the proposed units and existing neighbouring properties, with some of the proposed dwellings having first floor, clear glazed windows within 10.5 metres of the site boundaries.

Additionally, the proposed affordable units have not been dispersed throughout the site but grouped together and would share a rear parking court which is wholly unacceptable as it would not be sufficiently overlooked, and would be likely to cause inconvenience and discourage use. The parking court also fails to provide any opportunities for soft landscaping to be incorporated resulting in an unattractive and extensive area of hardsurfacing. Moreover, the proposed bin and cycle storage for the affordable units is inadequate in size, and inconveniently located in the far corner of the...
parking court, and has clearly not been designed to encourage the use of these facilities. The parking court, and bin and cycle store within, would also be located in close proximity to properties in Lucinia Mews and would be likely result to in a nuisance to the occupiers of these nearby dwellings.

The proposed development is therefore contrary to saved policies CP4 and CP7 of the Cheltenham Borough Local Plan (adopted 2006), policies SD4, SD10, SD11, SD12 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted 2017), and national guidance set out within the NPPF.

2 There are currently no minimum or maximum parking standards throughout Gloucestershire; however, the level of car parking proposed for this development is considered to be an overprovision in this sustainable location. Such a level of car parking provision would be likely to encourage the use of the private motor car, and therefore discourage the use of sustainable modes of transport.

The level of car parking proposed is therefore contrary to the aims and objectives of policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted 2017), and national guidance set out within the NPPF.

3 The application site is identified on the Environment Agency’s Flood Maps as being at risk from surface water flooding. The submitted Flood Risk Assessment has not identified or assessed surface water flows from elsewhere nor demonstrated that the proposal will manage these flows sufficiently to ensure flood risk is not increased. Additionally insufficient detail has been submitted to demonstrate that the proposal would provide a surface water management system (e.g. SuDS) to manage the site’s surface water in accordance with national standards, or that the development would increase flood risk to the site or elsewhere, or reduce the water quality.

As it stands, the proposed development is therefore contrary to policy INF2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted 2017), and national guidance set out within the NPPF.

4 Policies INF4, INF6 and INF7 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted 2017) state that where infrastructure requirements are generated as a result of site proposals, new development should be supported by appropriate on- and/or off-site infrastructure and services. Financial contributions towards the provision of necessary infrastructure and services will be sought through the s106 or CIL mechanisms as appropriate. Arrangements should be negotiated and agreed with developers prior to the grant of planning permission.

This development would lead to:
1. An increase in demand for playspace provision in the Borough and therefore the development should mitigate its impact in terms of adequate provision for on-site or off-site outdoor playing space (Supplementary Planning Guidance - Playspace in Residential Development, JCS policy INF4, and Section 8 of the NPPF).
2. A need to provide for financial contributions towards education and library provision for the future residents (JCS policy INF6 and Section 8 of the NPPF).
3. A need to provide for an element of affordable housing (JCS policy SD12 and Section 6 of the NPPF).

No agreement has been completed to secure payment of the necessary commuted sums itemised above, along with the provision of affordable housing. The proposal therefore fails to meet the expectations of policies SD12, INF4, INF6 and INF7 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted 2017), Supplementary Planning Guidance, and national guidance set out within the NPPF.
INFORMATIVE

1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

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

In this instance, having had regard to all material considerations, the authority cannot provide a solution that will overcome the above reasons for refusal.

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

<table>
<thead>
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<th>APPLICATION NO: 18/00039/ADV</th>
<th>OFFICER: Mr Joe Seymour</th>
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<tbody>
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<td>DATE REGISTERED: 14th February 2018</td>
<td>DATE OF EXPIRY: 11th April 2018</td>
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<td>WARD: Lansdown</td>
<td>PARISH:</td>
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<td>APPLICANT: Ms Sarah Cook</td>
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<td>AGENT:</td>
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<td>LOCATION: The Wilson Cheltenham Art Gallery And Museum Clarence Street Cheltenham</td>
<td></td>
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<tr>
<td>PROPOSAL: Installation of two banner signs and one hanging sign</td>
<td></td>
</tr>
</tbody>
</table>

**RECOMMENDATION:** Grant

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1. DESCRIPTION OF SITE AND PROPOSAL

1.1 The Wilson Cheltenham Art Gallery and Museum is located on Clarence Street in the centre of Cheltenham within the Old Town Character Area of the town's Central Conservation Area.

1.2 ‘The Wilson’ reopened in 2013 following extensive renovations and extensions. The building is not listed, but the adjoining buildings (Cheltenham Public Library and the building occupied by Boston Tea Party) on either side are listed Grade II.

1.3 This application seeks advertisement consent for the installation of two banner signs for the Art Gallery and Museum and a hanging sign to advertise the Wilson Café.

1.4 The application requires determination by the Planning Committee because the building is owned by Cheltenham Borough Council.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:
Conservation Area
Core Commercial Area
Residents Associations
Smoke Control Order

Relevant Planning History:

89/00909/AI 24th August 1989 PER
Erection Of Illuminated Neon Signs

89/00957/AN 24th August 1989 PER
Display Of Non Illuminated Advertisements

96/00125/AN 21st March 1996 PER
Display Of Two Fabric Banners Suspended Between Two Metal Brackets At Top And Bottom On The Clarence Street Façade (Revised Scheme)

96/00126/LA 21st March 1996 PER
Erection Of Banners On The Clarence Street Facade (Revised Scheme)

09/00785/FUL 23rd July 2009 PER
Erection of new 4 storey public Art Gallery building with associated archiving and artefact storage linking to existing 1989 Museum and Gallery building, together with works to number 51 Clarence Street including the formation of a new shop front and replacement of the existing ground to first staircase, following demolition of properties at numbers 53 and 55 Clarence Street and two derelict cottages on Chester Walk.

09/00786/LBC 25th August 2009 GRANT
Erection of new 4 storey public Art Gallery building with associated archiving and artefact storage linking to existing 1989 Museum and Gallery building, together with works to number 51 Clarence Street including the formation of a new shop front and replacement of the existing ground to first staircase, and demolition of properties at numbers 53 and 55 Clarence Street and two derelict cottages on Chester Walk.

09/00787/CAC 25th August 2009 GRANT
Demolition of properties at numbers 53 and 55 Clarence Street and two derelict cottages on Chester Walk. Demolition of garden wall structure bounding Chester Walk and extensions to the rear of number 51 Clarence Street in connection with proposed erection of new 4
storey public Art Gallery building with associated archiving and artefact storage linking to existing 1989 Museum and Gallery building

09/00785/FUL  2_ACTV
Erection of new 4 storey public Art Gallery building with associated archiving and artefact storage linking to existing 1989 Museum and Gallery building, together with works to number 51 Clarence Street including the formation of a new shop front and replacement of the existing ground to first staircase, following demolition of properties at numbers 53 and 55 Clarence Street and two derelict cottages on Chester Walk.

3. POLICIES AND GUIDANCE

Saved Local Plan Policies

CP 7 Design
BE 13 Advertisements and signs in conservation areas

Adopted Joint Core Strategy Policies

SD8 Historic Environment

Supplementary Planning Guidance/Documents

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

National Guidance

National Planning Policy Framework (NPPF)

4. CONSULTATIONS

Heritage and Conservation
14th March 2018 –

Concerning the banner signs, these would normally be considered unacceptable within the conservation area. However, given the civic use of the building and the public benefit this brings, it merits a prominent visual appearance within the street scene which it currently lacks. The banner signs are not considered to detract from the conservation area or setting of neighbouring listed buildings.

Concerning the projecting sign associated with the café, as existing there are few signs and it modestly sized. It is considered in keeping with the street scene and would therefore sustain the character and appearance of the conservation area and the setting of neighbouring listed buildings.

No objection is raised to the proposed signage. It is recommended the application be approved.

5. PUBLICITY AND REPRESENTATIONS

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</tbody>
</table>
6. OFFICER COMMENTS

6.1 Impact on the Historic Environment

6.2 The only determining issue for this application is ascertaining whether or not the proposed signs are appropriate within the historic environment. In the context of this application, the historic environment refers to Cheltenham’s Central Conservation Area and the setting of the two Grade II listed buildings on either side of The Wilson.

6.3 The two banner signs would be hung from brackets that are already attached to the main façade of The Wilson at first floor level. Each banner sign would be 4 metres in length and they would protrude approximately 0.8 metres from the front of the building.

6.4 The banner signs would be used to promote different exhibits and events at The Wilson. It is likely that the banner signs would be replaced on a regular basis as and when new exhibits and events come to The Wilson. Providing any replacement banner signs are the same size and are hung on the same part of the building, it is considered that new applications for advertisement consent would not be required each time.

6.5 The banner signs would not be illuminated which is welcomed and they would be positioned symmetrically either side of a first floor window on the principal elevation of the building, which is logical and aesthetically the best place to locate them because they would not interrupt any other key architectural features on the frontage of the building.

6.6 Any concerns regarding the visual impact of the banner signs are considered to be outweighed by the benefit of attracting visitors to an important civic building in Cheltenham, which does not benefit from any significant exterior signage at the moment. However, taking into account the size and function of the building, the banner signs are considered to be appropriate in this case.

6.7 The hanging sign to advertise the café would measure 65cm x 65cm. It would be similar to the once at Boston Tea Party next door. This is considered to be a modest sign that would not detract from the appearance of The Wilson Café.

6.8 It is considered that both the banner signs and the hanging sign are appropriate in terms of their size, design and function. The signs would highlight the location of The Wilson as a means of attracting customers, without harming the frontage of the building. This view is also shared by the Conservation Officer who raised no objections to the proposal.

6.9 The proposal would preserve the character and appearance of the Central Cheltenham Conservation Area and preserve the setting of the nearby listed buildings. The proposal is therefore in accordance with the relevant guidance contained within section of 3 of this report, particularly Local Plan Policy BE13 and NPPF paragraph 67.

7. CONCLUSION AND RECOMMENDATION

7.1 For the reasons stated in this report, the proposed signs are considered to be acceptable.

7.2 The recommendation is to grant advertisement consent, subject to the following conditions.

8. CONDITIONS

1 This consent shall expire after a period of five years from the date of this decision.

Reason: This condition is specified by Section 14 (7) of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
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.

a) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

b) No advertisement shall be sited or displayed so as to—

   (i) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
   (ii) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
   (iii) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

c) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

d) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

e) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: These conditions are required by Section 14(1) of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
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<table>
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<th>APPLICATION NO: 18/00357/FUL</th>
<th>OFFICER: Mr Gary Dickens</th>
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<td>DATE REGISTERED: 21st February 2018</td>
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<td>APPLICANT: Mr A P Williams</td>
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<tr>
<td>LOCATION: 6 Westal Park Cheltenham Gloucestershire</td>
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<tr>
<td>PROPOSAL: Two storey side extension following demolition of double garage, utility and laundry rooms. Internal alterations and alterations to rear elevation of existing dwelling</td>
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<td>RECOMMENDATION: Permit</td>
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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 6 Westal Park. The site is a modern detached dwelling on a residential development which dates from the early 1980s and is located within the central conservation area.

1.2 The application proposes the demolition of an attached double garage and utility rooms, and the erection of a two storey side extension in order to provide ancillary accommodation.

1.3 The application is before the planning committee at the request of Cllr Tim Harman on behalf of adjoining neighbours. Members will visit the site on planning view.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:
- Airport Safeguarding over 45m
- Conservation Area
- Residents Associations

Relevant Planning History:
- 78/00248/PF 9th August 1978 PER
  - Hatherley Road Cheltenham Gloucestershire - Residential Development Of 24 Detached Houses And Garages And Construction Of 2 Culs-De-Sac Roads
- 07/00568/FUL 5th June 2007 PER
  - Extension to provide ground floor bedroom with wet room/WC and garden room
- 10/00821/TIME 28th June 2010 PER
  - Extension of time limit for implementation of planning permission ref. 07/00568/FUL for the erection of an extension to provide ground floor bedroom with wet room/WC and garden room
- 13/00429/CACN 15th April 2013 NOOBJ
  - Alder - fell
- 17/02317/FUL 29th December 2017 WDN
  - Two storey side extension following demolition of double garage, utility and laundry rooms. Internal alterations and alterations to rear elevation of existing dwelling
- 10/00821/TIME 3_COMP
  - Extension of time limit for implementation of planning permission ref. 07/00568/FUL for the erection of an extension to provide ground floor bedroom with wet room/WC and garden room

3. POLICIES AND GUIDANCE

Joint Core Strategy
- SD 4 Design Requirements
- SD 14 Health and Environmental Quality

Adopted Local Plan Policies
- CP 4 Safe and sustainable living
- CP 7 Design

Supplementary Planning Guidance/Documents
- Residential Alterations and Extensions (Feb 2008)
Central conservation area: Dean Close and Hatherley Park Character Area and Management Plan (July 2008)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Gloucestershire Centre For Environmental Records
12th March 2018 - Report in documents tab

5. PUBLICITY AND REPRESENTATIONS

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5.1 Twelve letters were sent to neighbouring properties, a site notice was displayed and an advert published in the Gloucestershire Echo. Eleven responses have been received with one general comment and ten objections to the proposal.

5.2 All representations have been circulated in full to Members but, in brief, the main objections relate to:

- Unacceptable level of overbearing and loss of privacy to adjoining neighbours.
- The proposal is not subservient, not in character and out of context with the surrounding area.
- The loss of the garage and impact on off-road parking.
- Potential subdivision of the property.

6. OFFICER COMMENTS

6.1 Determining Issues

6.2 The main considerations for this application are the impact of the proposal on the character of the original building, the impact on the surrounding area and the impact on neighbouring amenity.

6.3 The site and its context

6.4 Westal Park is a small development of detached dwellings located off Hatherley Court Road in the Park ward of the borough lying wholly within the Central Conservation Area. Built in the early 1980s, the properties are similar in design and plot size although a number have been extended previously.

6.5 The application site benefits from an attached garage which is a common (original) feature amongst properties on Westal Park and it would appear the garages vary slightly in width. The existing garage on the application site measures 5.1m.
6.6 This proposal follows an application for a two storey side extension submitted in November 2017 which was subsequently withdrawn. Discussions were held with the applicant prior to submission.

6.7 Design and layout

6.8 The Joint Core Strategy for Gloucester, Cheltenham and Tewkesbury (JCS) notes in Policy SD4 how well thought out design is crucial in producing sustainable places to live. The JCS states how development should “respect the character of the site and its surroundings” and “should be of a scale, type, density and materials appropriate to the site and its setting”.

6.9 This is reinforced through Local Plan Policy CP7 which calls on development to be of a high standard of architectural design. Paragraph 4.18 of the Local Plan advises that ‘Extensions to existing buildings need to be carefully designed to respect the character and the scale of the existing building or group of buildings....The most important consideration is that an extension should not detract from the original.’

6.10 The Local Planning Authority has adopted design guidance relating to residential alterations and extensions through a Supplementary Planning Document (SPD). One of the five basic design principles set out within this document relates to subservience. Here the document advises that “an extension should not dominate or detract from the original building, but play a supporting role”.

6.11 The proposed two storey side extension would measure approximately 6.3m in width with a depth of approximately 10.3m at ground floor and 7.5m at first floor. The ground floor part of the extension will project beyond the front and rear elevations of the existing property. At first floor the proposed extension is set back from the front and rear elevations by 60 and 50cm respectively. The ridge height of the extension will be 60cm below the roof height of the existing property.

6.12 In officer’s opinion, the proposed extension will neither detract from nor dominate the existing building, and will play a supporting role.

6.13 The window fenestrations in the extension will match those of the existing property as will the choice of material finishes to the external walls and roof. This will be consistent to other properties within Westal Park. A workshop / store is proposed at ground floor with garage style doors for access.

6.14 The design of the extension will match that of the existing and neighbouring properties with no materials or features that are uncommon to the area being proposed. This will enable the proposed extension to sit comfortably in its surroundings and not be detrimental to the character of the area.

6.15 The proposed extension will result in an additional entrance and staircase to the property which could enable the property to be subdivided. This would not be an acceptable form of development therefore a condition is recommended to ensure the extension remains ancillary to the existing dwelling.

6.16 Based on the above, the proposal is considered to be in accordance with Policy SD4 of the JCS, Local Plan Policy CP7 and advice contained within the SPD.

6.17 Impact on neighbouring property

6.18 The JCS stipulates that development must not cause unacceptable harm to the amenity of neighbouring properties and this is supported through Local Plan Policy CP4. Whilst two of the five basic design principles within the SPD relate to neighbouring amenity - maintaining privacy and ensuring adequate daylight.
6.19 Ten letters of objection have been received and the main concerns raised are noted in section 5.2 above. The concerns relating to design and subdivision of the plot have been discussed as part of the Design and Layout section above. As well as the application site the neighbouring properties 7 and 9 Westal Park were also visited who specifically raised concerns of overbearing, loss of privacy and impact on light.

6.20 When considering a potential loss of privacy or an overbearing impact on neighbouring properties the planning authority uses the following minimum distances as stated within the SPD: “Facing windows to habitable rooms (living, dining and bedroom) should be a minimum of 21m apart, with at least 10.5m from window to boundary”. Furthermore, there should be “12m between dwellings which face each other where only one has windows with clear glazing”. Although the proposal is on the limits of acceptability it does comply with these distances, measuring a distance of 23m window to window with 9 Westal Park, 11m to the rear boundary, and 12m to 7 Westal Park.

6.21 It is acknowledged that the proposal will be visible and have an impact on the adjoining neighbours, however it is not considered that this will be to an unacceptable level. The standard daylight test was also conducted and the proposal passes this test.

6.22 A number of comments were received regarding the removal of the double garage and subsequent impact on parking. The site will still retain two off road parking spaces and it is noted that there are currently no established parking standards across the county. It is also evident that unrestricted on-road parking is available outside of this particular cul-de-sac. Subsequently it is not considered that the loss of the garage will have a significant impact on parking.

6.23 Based on the above, the proposal would appear to be in accordance with Policy SD4 of the JCS and Local Plan Policy CP4.

6.24 Other considerations

6.25 Some of the comments received in relation to this application refer to a legal covenant covering the Westal Park development which places certain restrictions on development / alterations. A planning application is assessed against relevant local and national policy, legislation and guidelines, and a legal / restrictive covenant is not a planning consideration. The existence of a covenant should not be a basis to permit or withhold planning permission.

7. CONCLUSION AND RECOMMENDATION

7.1 In conclusion, the application is considered to be in accordance with the policy requirements of the JCS, the Cheltenham Local Plan and advice provided with the Supplementary Planning Document.

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 annexe hereby permitted shall not be occupied other than for purposes ancillary to the residential use of the dwelling known as 6 Westal Park as shown on the approved plans.

Reason: Use of the development as independent residential accommodation would require further consideration, having regard to the provisions 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) Order 2015 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

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

In this instance, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.
APPLICATION NO: 18/00357/FUL

OFFICER: Mr Gary Dickens

DATE REGISTERED: 21st February 2018
DATE OF EXPIRY: 18th April 2018

WARD: Park
PARISH: 

APPLICANT: Mr A P Williams

LOCATION: 6 Westal Park, Cheltenham

PROPOSAL: Two storey side extension following demolition of double garage, utility and laundry rooms. Internal alterations and alterations to rear elevation of existing dwelling

REPRESENTATIONS

Number of contributors 11
Number of objections 10
Number of representations 1
Number of supporting 0

15 Westal Park
Cheltenham
Gloucestershire
GL51 3BL

Comments: 6th March 2018
This extension would set a precedent and would then allow other properties to do the same and potentially become semi-detached houses.

We would support an extension which is in keeping with the area and similar to other properties.

1 Bournside Road
Cheltenham
Gloucestershire
GL51 3AL

Comments: 19th March 2018
The proposed extension to No 6 is far bigger than any other extensions to properties within the two closes. The extended frontage is out of keeping with other dwellings and if allowed, may set a precedent for future extension work. There will be reduced car parking available as the double garage becomes living space. The plans show that the remodelled house will become two separate dwelling spaces, contravening the original covenant that Nos 1 - 14 are single dwellings.

12 Westal Park
Cheltenham
Gloucestershire
GL51 3BL

Comments: 8th March 2018
I object to this proposal because it is not in keeping with other houses in Westal Park. The current proposal attempts to make two dwellings within one home. Why aren't some of the rooms on the plan labelled? Two kitchens should not be permitted.
An extension needs to be obviously secondary to the main house. There should be sufficient parking space for the likely number of cars from the house. Therefore it is not acceptable to demolish the garage. The turning space at the end of the cul de sac needs to be used as that, not blocked due to too many cars from this property. When you buy a property with a covenant, you are aware that there will be restrictions to future developments. The covenant should be honoured.

Any extension to this house should be similar to those already built, ie over the existing garage.

4 Westal Park
Cheltenham
Gloucestershire
GL51 3BL

Comments: 7th March 2018
I agree with all the other objectors, especially number 7 and 8 Westal Park.
I would support a smaller more modest improvement.

3 Westal Park
Cheltenham
Gloucestershire
GL51 3BL

Comments: 2nd March 2018
Currently this property has provision for 4 cars to be parked - Two in the garage and two on the drive. The buildings covenants state that the garage must remain, which it does not. The proposed garage area is inadequate to park a normal size car and will result in a legal challenge from the others in Westal Park in a joint action. In my world the term garage means a place that you can park a normal sized vehicle - On his application it is refered to as a store and this is a clear breach of the properties covenants that they signed up to on the purchase of the property.

It would be wise for the applicant to withdraw this application and resubmit with a usable garage in the plans so that legal proceedings can be halted.

Should permission be granted as applied only two parking places will be available on the drive. In the last meeting with the applicant he stated to me that he wanted his in-laws to move in, "it was his social responsibility" plus he wanted extra rooms for his adult children when they move back home. That will be 6 adults in the house with the possibility of 6 cars. Parking cannot be allowed in the turning circle so where will all these cars be parked?

His in-laws are elderly, but he wants a second staircase separate from the main house so they can have their space. I would have thought it better to create a bedroom and wetroom downstairs as that would better suit ageing parents. When the current owners sell the property the new owners could rightly be tempted into splitting the dwelling into two separate semi-detached houses. As a minimum the council should impose a condition that no second kitchen is allowed to be installed in the property. The building covenants state that the property can only be used as a single family dwelling and any deviation would result in a legal challenge from the residents of Westal Park.

The other house in our Westal Park Close (1 to 7) has had a very sympathetic extension that actually looks like the property was actually designed that way from the beginning. This proposal is ugly and will be an eyesore. It materially alters the look of the close and sets a precedent for the future.
The applicant refers to other houses in the area in his application. As the council only contacts the immediate neighbours during a planning application process, the properties he refers to were never flagged to the owners of 1-7 Westal Park for comment.

I see no reason to demolish a perfectly good garage. The foundations are good enough for the current roof to be removed and extra accommodation to be added, whilst retaining a fully functioning garage and not just a store room.

I suggest the applicant withdraws this application and listens to all his neighbours again and makes the suitable changes before re-submitting.

The extension is too big for the plot and too overbearing for the neighbours.

Key points.

1) Must have a fully functioning garage
2) Do not demolish the current garage, just go up above it
3) The extension roof line should be 1m below the main house roof line

Failure to listen to the neighbours and submit a thoughtful plan will result in the applicant being isolated. This second application has only tinkered at the edges of the communities concerns and hopefully the third application will be pleasing to all in the Westal Park community.

2 Westal Park
Cheltenham
Gloucestershire
GL51 3BL

Comments: 10th March 2018
Since the applicant withdrew his first application he has been to see us to advise that he intended to take the neighbours objections into account. Therefore, it was very disappointing when on viewing the new plans it appears that whilst the applicant has made some modifications to his original proposal there doesn’t seem to be a great deal of difference!

The demolition of the double garage, albeit the doors of a single side will be utilised so as to be used to open into/out of a Workshop/Store, there will be no garage. The potential loss of two parking spaces leaving two for a five/six bedroom house is cause for concern. The road outside is a turning circle and should vehicles be parked here then with our drive being opposite it could well cause an obstruction when reversing our cars out.

The application appears to radically and detrimentally alter/change the character of the Close and neighbourhood and not improve the overall design as indicated in the first application. The proposed development would harm both the character of the dwelling and the street scene, owing to its size and positioning and demolition of the garage. Impact on locality needs to be considered.

The Applicant and Planning Authority should take cognizance of the legal "restriction, stipulation and condition" in the Deeds which states "Not to use the Property or permit the same to be used for any purpose whatsoever other than as a private dwellinghouse for a single family with garage and garden therefor".

We would support an extension which is in keeping with the neighbourhood and complying with the covenant.
Comments: 9th March 2018
We once again object to this application as the resulting building will still be incongruous next to the other houses in Westal Park. Nearby properties will be very overlooked and dominated by the building and this will impinge on their future selling potential.

With the separate stairway still in place, the owner (or a future owner) will still have the opportunity in the future to subdivide the house into two separate dwellings as noted by other neighbours in their comments. This may be formally done through a planning application, or just done in practice - letting the other part out to a separate occupier. All our previous reservations mentioned in the earlier planning application remain.

We would only accept a much smaller extension, like the other ones in the two cul-de-sacs with no separate stairway.

A legal covenant not to subdivide would be helpful, but this is not something which is as robust as it might at first appear, could be costly to enforce and frankly is not the desired outcome.

Comments: 3rd March 2018
Even though there have been some small changes to the original proposal, I continue to strongly object. The proposed extension still has a large footprint and its overall size (height/width/depth) would hardly make it subservient to the main house, especially when viewed from my property (no 9, the nearest of the three properties to the rear). The upper storey barely meets `the 10.5 metre rule` in regard to its distance from the rear boundary, whilst the the ground floor would extend a further 1.7 m towards the boundary compared with the existing rear wall of the utility and laundry rooms.

Therefore my concerns about visual impact, loss of amenity and privacy remain. It would still be overpowering from my perspective.

Comments: 7th March 2018
I still strongly object as little has changed. The extended house would too big for its plot and would be overwhelming in the neighbourhood. It would be too close to its neighbours. Parking would be a serious issue if there were more than 2 cars.

Houses in the other close have been extended over their garages, keeping to their footprint and their style. They do not impinge on their neighbours at all. They can also park 4 cars or more on their drives.

If this extension was allowed, could a covenant be put on the house to keep it as one house with one kitchen.
I assume that if the hedge on my boundary is removed, that the fence will be replaced as it is damaged by the hedge.

Mr Williams is not understanding the impact of this extension and the intrusion we will feel. He values his privacy as he has an over high hedge around his back garden.

Westal Park is a caring and supporting community. This is contrary to that. Our houses are not just buildings but homes set a community. That should not be damaged.

5 Westal Park
Cheltenham
Gloucestershire
GL51 3BL

Comments: 27th February 2018
We propose there be a restriction preventing a second kitchen being installed which would result in the property becoming 2 separate dwellings. The turning space in front of the house must remain usable and not be blocked by a vehicle parked there as the house is in a close and the turning space is needed. Without a garage only 2 cars can be parked there and this may be inadequate in the future.

7 Westal Park
Cheltenham
Gloucestershire
GL51 3BL

Comments: 1st March 2018
I wish to register a strong objection to this application. There have been a number of property extensions in this area but none of these directly impacts on their neighbours. I note that the applicant has made some modifications to his original proposal as well as marginally reducing some dimensions.

However this new proposal with his wall facing us barely 12 metres away is not acceptable. It will have drastic impact on light and views from the ground floor windows of utility, kitchen and dining room as well as our privacy.

As a compromise I would propose that the ridge of the extension be lowered 1 metre and the facing wall moved back to the existing garage wall.

Comments: 13th March 2018
Photograph attached.

Comments: 21st March 2018
Drawing attached.
I have shown this drawing to all those objectors directly affected by proposal 18/00357/FUL. They have confirmed that they would accept a proposal based on retaining the existing garage wall and the ridge lowered as drawn below.

Compromise ridge level for extension

Existing garage wall

South-west elevation

G. WESTAL PARK

Proposed elevation for 18/00357/FUL
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APPLICATION NO: 18/00357/FUL  OFFICER: Mr Gary Dickens

DATE REGISTERED: 21st February 2018  DATE OF EXPIRY: 18th April 2018

WARD: Park  PARISH:

APPLICANT: Mr A P Williams

LOCATION: 6 Westal Park, Cheltenham

PROPOSAL: Two storey side extension following demolition of double garage, utility and laundry rooms. Internal alterations and alterations to rear elevation of existing dwelling

ADDITIONAL REPRESENTATION

4 Bournside Road
Cheltenham
Gloucestershire
GL51 3AH

Comments: 11th April 2018
I am secretary of the Hatherley Park Residents Association but as we have not met recently I am writing as a neighbour.

I would like to support the suggestions from no. 7 Westal Park to reduce the height of the ridge and to move the position of the wall of the extension back to the original position.

In common with some of the other objectors I can't see why there is a second staircase included in the extension if there isn't an intention at some point to create two separate dwellings. I would have thought that removing the second staircase and moving the extension wall back would provide the same extension floor space and relieve some of the concerns of other neighbours. Looking at the plans it is easy to see why there are suspicions that there is a possibility of turning the property into two dwellings.